

**From:** WENDY HARRIS

**Sent:** Thursday, September 26, 2019 4:13 PM

**To:** McInerney, Lucy (ECY)

**Subject:** Comments and concerns regarding Central Waterfront Cleanup

Dear Lucy:

I have a number of concerns regarding the cleanup. This community has never supported cap and cover in such an unstable area and yet it continues to be forced upon us. Given that Bellingham Bay was determined to be the fastest degrading Bay in Puget Sound due to loss of its benthic biodiversity and contaminants, this needs to be reviewed and revised to ensure a higher level of protection as required under MTCA. Additional concerns:

- Will this cap and cover plan be strong enough to endure an earthquake and tsunami of the strength that we all only recently learned about from DNR and NOAA? The impacts, such as a 60 ft tall tsunami were more than anticipated, and therefore, more than the port would have planned for in this cleanup. Have you re-evaluated the proposal to see if it is still adequate in light of this new information? If you have not, it needs to be done.
- We were told there was a meeting with the Lummi. Have they agreed to this since this affects their treaty rights? They were pretty upset a few years ago when the cost-benefit analysis started when white colonizers arrived, rather than considering the value of the natural assets that existed before this time for tribal use.
- There has never been an EIS analysis of the impacts of increased boat traffic. (Yes, it is true.) As you know, the EIS for the waterfront was done through a series of EIS reports and supplements and reflected changes in the plan, making it difficult to track. When the boat traffic issue was reviewed, the existing plan was to let industrial marine activities fade away over time. The consultant determined, based on nothing, at least nothing objective or quantitative, that the decrease in commercial boating and the increase from recreational yacht traffic would zero each other out and determined there would be no impact. That is no longer the case. When the last EIS was filed (through inappropriate use of the addendum process for which there was no public notice or process) the final waterfront plans involved both industrial and recreational boating but the issue of vessel traffic was never revisited. Thus, we have no environmental assessment of

the impacts. It seems reasonable to assume that this will impact wear and tear on the cap and fill proposal, either through engine e Will this unplanned increase in vessel traffic impact the integrity of the proposed Cleanup Action Plan, (CAP)? I would actually question how you could answer that question without definitive plans on how the ASB will be used or the size and nature of any future marina. This needs to be evaluated before cleanup plans proceed.

- WAC 173-340-702 is intended to promote expeditious cleanups. The proposed CAP would take 20- 25 years, potentially more, to reach safe standards for human health based on U.S standards. The CAP document states that because considerable landfill material will be left in place there will be a continuous supply of toxic material contaminating the groundwater. That is simply unacceptable and contrary to the intention of the MTCA. Given these timelines, the landfill material needs to be removed to an upland toxic waste site. Groundwater and surface water meet in places that are not fully explored yet and we do not know where these toxins will be released and if humans or wildlife will be exposed and suffer health impacts. In the meantime, this area is going to be subject to increased intensity of use, not the least of which is the ASB interim trail and the pocket beach.
- In reality, the amount of toxic material is going to increase, not remain the same. A glance at the map shows how close the cleanup site is to Squalicum Harbor, which must be regularly dredged and contains dioxin-contaminated sediment in quantities too high to qualify for underwater burial. It is going to impact the shoreline of the Central waterfront. Moreover, if the ASB is converted to a marina, those boats will provide an additional source of toxins contaminating fill and nearshore. How is that accounted for?
- I am confused by the use of "groundwater" in this context. We have surface water in the bay and at the bottom is sediment. Are you referring to water that is below that sediment or are you referring to water that is under the Central Waterfront fill, but which will freely mix with the open surface water in the waterways and bay? Could you please clear this up for the public? It is somewhat misleading to call this groundwater if it is mingling with surface waters. In fact, the whole situation with CAP is hazy and unclear.
- **The CAP fails to account for air quality impacts yet they are the greatest environmental health risk faced by most Bellingham residents.** The MTCA

incorporates air quality. WAC 173-340-750. (Please be aware that DOE is updating its TAP standards as they are not currently sufficiently protective. I hope that these new standards will be used in this cleanup.) This is along a busy arterial and near an urban population center. I lived downtown on F Street close the Central Waterfront and I have a respiratory disease and experienced problems breathing at times as work was being done on the waterfront or Encogen was running. Has DOE assessed all the toxic air pollutants (TAPs) in the fill and sediment and whether they are air soluble? At a minimum, there will be large amounts of dust containing gases and particulates that will be circulated from construction activities and the use of heavy equipment. How will the port protect air quality impacts? This is something that has been largely neglected in Whatcom County but with a growing population, many with asthma, allergies, COPD and worse, this is not protecting public health. I note that in a similar clean-up in New Jersey, the EPA covered the whole site in those white plastic sheets they love so much to prevent dust and fumes from leaving the site and they set up monitors.

Thank you very much for holding the meeting and comment period. I am sorry I was unable to attend due to health reasons. Please know that all Whatcom County residents care about the ecological health of our marine ecosystem and uplands

Sincerely,

Wendy Harris