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Subject: Central Waterfront Cleanup Comment

Dear Elected Officials of the City of Bellingham and the Port of Bellingham and to the Washington Department of Ecology;

Thank you for holding the open public meeting on Sept. 18. The presentations had some nice photos, but unfortunately the details on the actual pollutants found was a bit lacking. I would have thought any presentation of a Cleanup Action Plan (CAP) would be very comprehensive as to exactly what pollutants are where on the site and even in what concentrations. Average citizens shouldn't have to dig through the documents on the website to try to sort out the legalese of what contaminants are where and how much are there, especially if holding a public meeting. I also was expecting more specifics on how the capping would protect the public and the depth of work to be accomplished.

By not addressing the specifics of the cappings, the government agencies have not adequately shown appropriate mitigation of the hazards, especially those contaminated with Volatile Organic Compounds (VOCs). That the DOE identifies monitoring of ground water, without any specific data on depth of material nor of specific hydrologic pressure in the area indicates a lack of transparency to the public. If government truly wanted to protect the public and be open about hazards, government should have included not just general issues about groundwater, but actual hydrologic data for ground water. I had hoped for better data from the presentation, not just pretty pictures that were printed out on posterboards.

Additionally, the preparation and addressing of significant site hazards, in the CAP, is even more lacking. Not once in the presentation was any attention shown to seismic hazards at the site. It was only after audience questions did the subject come up. How can a clean up be planned without specifically addressing this known hazard? I believe it is almost impossible to live in Western Washington and not know of the hazards associated with our geologically precarious location. Sea level rise from climate change is an even more in your face threat, yet neither tsunami, nor sea level rise accommodation, nor liquefaction of the fill material, nor the actual seismic energy impact was ever spelled out in addressing the adequacy of the proposed capping solutions.

The Washington Department of Natural Resources has developed new maps showing just how significant the tsunami hazard in this area will be after the megathrust earthquake from the cascadia subduction zone. Yet the DOE and City and Port have been, what can only be assumed to be purposeful in their obvious neglect to not incorporate such important data into their public presentation, and what most in the public would rightly then assume is not incorporated into any planning. One need only look a short drive down I-5, to Oso, to understand the impact

of negligent inaction. How will these caps hold up to a 10+ foot tsunami wave as predicted in the new data from DNR?

Never were the heights, above current sea level, of the planned caps shown in the presentations to the audience. A person need only spend a couple hours running around with a laser-level to have actual data of the impact of projected sea level rise on the proposed area. A basic presentation would incorporate the difference in elevation between current Ordinary High Water Mark (OHWM) and the areas to be capped. Then the data of projected sea level rise using real numbers would be provided to the community, that our government is supposed to serve. If extra credit was desired, then consideration of expected king tides and storm surge impacts could be addressed. A responsive and responsible government agency would then compile this data into an easy to understand table for the community-at-large. Unfortunately, neither the Port, nor the City, nor even the DOE appears to have spent the time to actually put the data into an accessible format, nor to present it to the public. It makes one wonder if they even have the data.

The same scientific approach, using real data, not speculation or generalizations, should also be used to present the impacts of liquefaction on this area and the chance of damage to the capping material. It was almost laughable that an audience member wearing a geologic company logo claimed that this fill, at the Central Waterfront, on which the actual meeting was held, wouldn't be subject to liquefaction, when I brought up the subject. It was even more obscure, when after the meeting, that a person who claimed to be a geologist with DOE, approached me to counter that premise of no liquefaction. While I am no geologist, I am sure that there are measurements that can be conducted on the soil. X-ray fluorescence (XRF) is used, even by poorly funded archaeology programs, which makes it inconceivable that the Port and City and DOE have not determined actual numbers to either disprove liquefaction concerns or to actually put a number on how dangerous it may be to even build on the property to begin with.

I would expect that any planned capping of toxic materials would have a seismic limit associated with it. However, that data was not provided. How can the public make an informed decision if actual data, corresponding to knowable hazards is not provided? The Boulder Creek fault lies less than 30 miles from the Central Waterfront and may provide a seismic jolt up to 6.8, yet never was mentioned. Neither was the South Whidbey fault, nor the expected impact from a full rip of the cascadia subduction zone. It is more than just lacking in details to not provide this to the public, I would think it becomes negligence to ignore known hazards. It has become an expected response when I have asked government representatives about seismic hazards or sea level rise, that they point their fingers at the other agency and say "It's their responsibility." What our community needs is bold leadership that takes responsibility for the community at large and advocates for the most good, for the most people, not corporations, or a bottom line that ignores the long term hazards.

I realize that everything is a cost benefit analysis, but in this case, as one looks at the City of Bellingham's Comprehensive Annual Financial Reports (CAFR), it is obvious that the City has the

resources to do a better job cleaning this up and ensure that the toxic hazards are removed before subjected to sea level rise that may very well be higher than expected or a tsunami wave that breaks higher than expected. Just look to Japan to see if tsunami waves can be higher than the walls built for them. In their CAFRs, the City and the Port both actually admit that they claim the entire cost of cleanup as a liability, while expecting up to 50% restitution by the State. Since 2012, the City's CAFRs show a positive cumulative change in City-wide net position of \$193 million dollars. This is data from the financial highlights in the front of the CAFRs. In considering the Port of Bellingham, their CAFRs report a net cumulative surplus of \$29.5+ million since 2015. If money isn't the issue here then providing a less than thorough clean up option becomes questionable actions on the part of our government agencies. There is a quote from Benjamin Franklin that seems to apply to the approach of this CAP from our government agencies: "The bitterness of poor quality remains long after the sweetness of low price is forgotten."

These are just the issues that stick out to me, as a member of the community, on first consideration. I think that the lack of specific details is a real concern. I hope that in the future your government agencies will approach the community as expecting hard numbers and data. While it was very nice of you all to complement the audience and tell us how well informed we were and that you had never seen such a well informed audience, I think in the end, that that is a poor reflection on your respective government agencies. Maybe government agencies should plan for informed, involved public participation and be disappointed if people only want to look at the pretty colored photos you provide.

With all due respect,

Todd Lagestee

A private citizen on matters of public concern