

# Laura Walls

To the Department of Ecology:

The current draft feasibility study for completing the cleanup of the Unocal parcel in the Edmonds Marsh has presented us with only two viable alternatives. #4 removes all the remaining contaminated soil, but at a cost of \$11 million, which we were told fails to meet the cost-benefit analysis. #6, which is far cheaper, simply caps the remaining contaminated soil, leaving future costs and risks to whoever buys the Unocal land. This was, we were also told, the only alternative that would meet all necessary requirements.

Yet Alternative #6 is not acceptable and should be removed from consideration. It fails to address planned public use of this site, namely, to restore it to a fully-functioning marsh-estuary ecosystem capable of supporting salmon recovery (which requires daylighting the present culverted tidal connection) as part of a regional public park. These plans matured in the wake of WashDOT's decision to withdraw plans to use this site as a ferry terminal, which made the Unocal site available for habitat recovery and development as a public park. In the years since WasDOT's decision, this planned future use has been abundantly documented at the local and state level, and it has been expressed loudly, clearly, and repeatedly by the local community, including by the City of Edmonds, by the Edmonds Marsh-Estuary Advocates, and by the Point Edwards Owners Association Board, representing the hundreds of residents whose property literally abuts the Unocal parcel. Yet despite this documentation and these many voices stating the planned future use of the Unocal parcel, this fact has been neither included nor considered in the Revised Draft Feasibility Study, as required by law.

Nor has Ecology considered the rights and interests of Indian tribes, for whom the Edmonds Marsh-Estuary was a traditional resource base for fishing and gathering. These tribal rights and interests are clearly established by the Boldt Decision of 1975, as well as by the Culvert Case of 2017, which mandates the removal of culverts that impede the passage of salmon to their spawning grounds.

Given these facts, Alternative #6, or a revision of it, is the only remaining acceptable alternative. Yet it was rejected. Why? On the basis of a cost/benefit analysis that failed to consider either public plans and concerns, or tribal rights and interests. Nor, apparently, did the feasibility study consider the decaying condition of the fifty-year-old storm pipe that bisects the contaminated site; digging out and replacing this pipe was, we were told, a major reason for the additional expense of completing the cleanup. Yet the likely necessity of replacing this pipe in the near future in any case, given its age and the extreme pressure of high levels of water runoff associated with climate change, was not taken into consideration in the cost/benefit analysis. Nor, for that matter, were the environmental hazards caused by climate change and the resulting sea level rise, which some decades from now will cover this site entirely.

The question is: Will Chevron be required to complete the Unocal cleanup of the Marsh or be allowed to walk away with the job unfinished? It's important to state the big picture here: It was Unocal's decision to cover the Edmonds Marsh with landfill and build on it an oil terminal and an asphalt plant. For seven decades, from 1921 until 1991, Unocal, then Chevron, freely contaminated

the land in and around the Marsh, directly adjacent to downtown Edmonds, with toxic petroleum and heavy metals, all the while reaping extraordinary profits. It has been extraordinarily expensive to clean up the mess Chevron left behind, and it will be more expensive still to finish the cleanup rather than allowing Chevron to cap the remaining contamination and walk away, leaving to the site's future owners the final expenses of cleanup and remediation of the damage they have done. But given Chevron's history on this site, they have the moral and legal responsibility to make whole again the land they used and polluted for so many years. We, the citizens of Edmonds, are willing to do the work to reopen the Marsh to the Sound and restore it for future generations. But why should the Department of Ecology allow Chevron to walk away now, leaving additional expenses, and additional risks as well, for us to bear, when it is Chevron and their predecessors who reaped the profits from so brazenly closing off and poisoning our land and waterways?

Laura D. Walls  
Edmonds, WA 98020