

Bob Jacobs

Department of Ecology:

I have been following this issue from afar for a number of years. The way it has been handled by various state and local entities has led me to wonder about their motives.

This is a serious issue regarding the health and safety of both people and the environment, including threatened species. Please treat it as such. Please make no effort whatsoever to protect private parties who had anything to do with the use and operation of the property and please make no effort whatsoever to protect any public officials for their use of the site and regulatory duties/activities. Please apply firmly all related local, state, and federal laws.

I have received the following four points from people closer to this issue than I am. I agree fully with all of them, and hereby make them part of my public comments:

1) Ecology identifies the site as a sand and gravel pit and log yard. The Work Plan's history of the property does not identify the site as an illegal unpermitted solid and hazardous waste dump site despite decades of photographic, eyewitness and documentary evidence.

ECOLOGY MUST CORRECTLY CHARACTERIZE THE SITE AS AN UNREGULATED DUMPSITE THAT OPERATED OUTSIDE THE LAW FOR DECADES. This illegal activity is what distinguishes this site as uniquely hazardous, with ample evidence in the record. An accurate history of this site is critical to a thorough cleanup. ECOLOGY CANNOT BE COMPLICIT IN THE COVER UP OF THIS ILLEGAL ACTIVITY IF IT WANTS TO GAIN THE PUBLIC TRUST.

Ecology has no mandate to protect those persons and entities who illegally used this site.

2) ECOLOGY MUST TEST THE BELOW THE LEVEL OF ALL FILL TO ENSURE CITY AND NEIGHBORING WELLS ARE NOT BEING CONTAMINATED FROM THE TOXIC WASTE BURIED ON THE SITE.

Presently, Ecology assumes that there is a deep layer of impervious till above the deeper aquifer based on the developer's geotechnical consultant and the general geology of the area. However, there are reports of waste buried 40' deep and more and then covered with impermeable native soil. There is also a documented high pressure aquifer beneath the site and a geological fault that could provide a pathway from the surface to the deeper aquifer.

3) CONSIDERING THE SITE WAS A SHORT DRIVE FROM THE PORT OF OLYMPIA DURING THE WEST BAY AND CASCADE POLE CLEANUPS, ECOLOGY MUST TEST FOR CREOSOTE AND PENTACHLOROPHENOL, highly toxic substances found at the Port. It must also test for Agent Orange-type chemicals which were routinely sprayed by Weyerhaeuser in the 1970's on its forests and present in the logs that were deposited and debarked on site.

4) ECOLOGY MUST TEST STORMWATER LEAVING THE SITE AND DRAINING TO NEARBY PONDS, CREEKS AND THE PUGET SOUND.

Ecology states that there is no discharge of stormwater to a surface water of Washington State. This is not correct. There is an ERTS (Environmental Report Tracking System) complaint from January 12, 2021 submitted to Ecology which was not included in the Work Plan. It contains clear video evidence that stormwater drains downhill to a pond and wetlands (that feed Green Cove Creek) and then continues down Butler Creek to Budd Inlet. These are habitats for endangered and threatened species subject to federal laws and oversight.

Sincerely,

Bob Jacobs
Former Olympia Mayor, 1993-99

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