# Duwamish Waterway Park Meeting: Duwamish River Cleanup Coalition, Seattle Parks and Recreation, Ecology and the Port of Seattle (September 07, 2021)

## Attendees

* Washington State Department of Ecology (Ecology):
  + Anthony Wenke
  + Rick Thomas
  + Kelsey Ketcheson
  + Louise Bardy (partial attendance)
* Port of Seattle (Port):
  + Joanna Florer
  + Roy Kuroiwa
  + Kathy Bahnick
  + Laura Wolf
  + Jon Sloan
* Seattle Parks and Recreation (Parks):
  + Crystal Thimsen
  + Jean Lee
  + Jessica Michalak
  + David Graves
* Duwamish River Cleanup Coalition (DRCC):
  + James Rasmussen (partial attendance)
  + Paulina López
  + BJ Cummings (partial attendance)

## Meeting Agenda

* **Introductions**
* **Ecology Voluntary Cleanup Program (VCP) Update on the Duwamish Waterway Park (DWP)**
* **Update from Parks and the Port**
  + **Renovation activities**
  + **Remediation activities**
* **Discussion of the sampling results. What does the data tell us?**
  + **Park’s and Port’s interpretation of the results**
  + **Concerns? (Community’s and Ecology’s, both general and under the VCP)**
* **Next steps**

## Meeting Summary (highlighted text = potential next steps and/or action items)

**Ecology VCP Update on the DWP**

* Ecology VCP received the Remedial Investigation Feasibility Study (RIFS) V3 report from Parks on 8/24/21. This is the first revision since the submission of the RIFS V2 in July 2020. Ecology conducted a preliminary review and discussed several broad concerns internally regarding data gaps and “site” characterization.
* Ecology hopes to gain a better sense of next steps for the VCP project in the near-term.

**Update from Seattle Parks and Recreation and the Port of Seattle**

* Renovation activities
  + Parks completed a “punch-list” walk with internal teams on Friday 9/3/21 with contractor to get finalized with the site. All major work is completed, excavation is set and done. The “play area” of the park is open, the rest of the park is closed off for seeding and vegetative growth. Hydro-seed was sown on 8/20/21 in the “main lawns”. Additional planting of vegetation and/or seed is planned for the rainy windows expected between now and reopening. Park’s stated the goal for a reopening event by October 20th timeframe to celebrate the completion of the project.
* Remediation activities
  + Parks completed final sampling work (i.e. “grid” surface sampling 0-6”) in areas of the park not characterized to date. This included sampling for arsenic and lead, with additional sampling conducted in the “NE meadow” area. Grid sampling results will be submitted in a separate memo, 60 days after the park is complete. There is no fixed date for this task.

**Discussion of the sampling results. What does the data tell us?**

* Ecology’s interpretation
  + Several metals showing exceedances above Preliminary Cleanup Levels ranging from 0-3.5 feet below ground surface, as well as cPAH. Due to limited site characterization at the park, there is not enough evidence at this time for Ecology to suspect the port sliver, or aerial deposition to be the source(s) of contamination known or suspected throughout the “site”. While some surface soil characterization has occurred on the Park’s property parcel, Ecology discussed their concerns with the limited “Site” characterization (all areas of the park that are used by the public) for the park and drawing conclusions at this time.
* Parks and Ports interpretation
  + Parks: confirmed the port sliver results, mentioned their sampling did not measure the same analytes as the port sliver. Discussed capping that was done in areas of the park and Park concluded there was no indication of contamination at other areas of the park.
  + Port: discussion of the history of the property/site in addition to discreet data. Looking at the history a few things are worth noting:
    - Sliver was created back in 1961, according to permit and development records.
    - Residential home has been on the park next to the sliver since the 1940s, the home was demolished in 1989.
    - Rectangular portion of the park had some development in the 1970s, according to aerial photo documents. Park since that timeframe has undergone considerable regrading, which may provide context on why the sliver may have elevated concentrations compared to the rest of the park. Mentioned slag may not be a culprit to the contamination. Parks agreed with this conclusion, and that it does not appear there was any industrial activity that had caused the contamination at the site.
  + Question was raised by the group: now that we know there is data on the small port sliver, what are the plans to incorporate that into the park development?
    - Parks: Met with the port in June 2021 and discussed options to move forward to incorporate the sliver with the rest of the park and the renovation. Parks intentionally designed the renovations and structures at the park so there is space/buffer for the remediation of the port sliver to occur. No further updates or coordination occurred between June 2021 and this meeting.

**Concerns? (Community’s and Ecology’s, both general and under the VCP)**

* Ecology maintains that conclusions regarding historical factors should be validated with additional “Site” characterization. Ecology emphasized the importance of making the distinction between “Site” and “Property” as it pertains to the VCP; and that “Site” characterization (i.e. all parts of the park that are used by the community) will be a major point of feedback for Parks and the VCP project when assessing the property-specific NFA goal of the VCP project.
* Ecology’s preliminary review of the RIFS V3 document Parks provided on 8/24/21 raised several broad concerns regarding data gaps and site characterization. Before Ecology drafts an opinion letter on the VCP project, they want to provide the opportunity for Parks to revise. Ecology and Parks mentioned meeting in the near-term to discuss the points of feedback and a path forward for review of the VCP project.
* DRCC reiterated the original idea of expanding the beach play areas of the park, particularly the North-Eastern properties. While Port and Parks met with the DRCC is June 2021 and discussed options for bank stabilization, there is still the question of whether or not those beaches will be safe for the public after reopening. DRCC asked: can someone answer that question?
  + Port: Yes, the beach will be safe, it will have to meet the cleanup requirements based on human health and beach play areas. Port mentioned the beach has been looked at as part of the LDW superfund sediment/in-waterway cleanup—and said they can further evaluate the beach area and ensure safety.
  + Port and Parks discussed the need to coordinate in the near future to discuss options for addressing the rock wall/bank armory at the park. If excavation is an option, they would likely be removing all the soil as part of the restoration.
  + Port: the bank area is on Port’s list of habitat restoration/bank enhancement projects. That other bank restoration projects in the LDW have refined their techniques. In the DWP case, because the sliver portion is so small the restoration would need to expand onto the City’s armored shoreline, and that is a consideration. Port conveyed this project may need to be elevated on their priority list.
  + Parks discussed their work at acquiring the United Sites parcel so it can be incorporated into the park and future projects a few years down the road.
* Ecology and DRCC asked is the park considered to be safe. All areas of the park including the beach areas, right of ways, and sliver? DRCC reiterated the importance of being honest with the community, and if the work done at the park ensures it is safe for the public.
  + Parks discussed their capping strategies, and Park’s general goal (as users and employees of Parks) to make the DWP safe to the public. But they cannot control the public and their actions at the park, particularly with digging through surface soil and in direct contact with contamination. In the areas where Parks have conducted renovations, Parks ensures contamination is under the cover of caps: including geotextile fabrics, concrete pathways, the “play area” currently open to the public, and areas where there are newly deposited and seeded soil. Parks discussed with Port the concern of the areas of the park where they did not do work, particularly the Port sliver area. Ecology also added to that discussion areas like the right of ways and beach play areas that were not part of the renovation/remedial work to date.
  + If Parks considers the Port sliver to be part of the DWP, then additional surface work in the near-term needs to be done. Port discussed issues with scheduling right now for more involved work at the sliver (habitat restoration and bank restoration), including the time requirements for obtaining permits and agreements with the City of Seattle. After permits and agreements are obtained the work could take well over a year.
  + Ecology brought up their concern with Parks capping strategy and the reliance on the public to keep themselves safe. Parks compared the DWP strategy to keep the public safe with signage, similar to the formal cleanup site Gasworks Park. Ecology maintains the concern of using signage only, and asked about monitoring strategies. Parks described their bi-weekly monitoring strategy they use for other City of Seattle parks. Ecology also raised the concern that given the documentation provided, it is difficult to understand what contamination was left behind and the barrier strategies used to cutoff human direct contact to contaminated soil.

## Next Steps

* **Ecology:**
  + Will proceed with a more in-depth review of the RIFS V3 document, gathering preliminary feedback for the near-term discussions with Parks on the VCP project. Ecology will have feedback ready for Park in the end of September timeframe and will schedule a meeting for the beginning of October to discuss with Parks.
  + Ecology will meet with Port on 9/10/21 to discuss the historical information/site conditions at the Park that the Port discussed.
* **Ecology and Parks:**
  + Will meet in the near-term to discuss the VCP project report RIFS V3, next steps for the VCP project, and whether the report is revised prior to Ecology drafting a VCP opinion letter. Data gaps and remaining sampling results will be discussed.
* **Parks:**
  + Planting/seeding portions of the park during the rainy window leading up to reopening.
  + Create signage, a monitoring strategy, and outreach for the park to keep the public safe from existing contamination on site.
  + Reopening celebration of the Park in the late October timeframe.
  + Submission of the interim sampling report memo 60 days after completion of the renovation activities, this date is to be determined.
  + Acquiring of the United Sites property adjacent to the park in the 1-3 year timeframe.
* **Port:**
  + Possibility of reprioritization of the habitat restoration project planned for the Park. Port will explore this option and coordinate with the involved parties.
* **Parks and Port:**
  + Made the commitment to meet in the near-term to discuss next steps regarding the port sliver and strategies to keeping the public safe before reopening is anticipated in October. Ecology asked to be invited to that meeting.
  + Will coordinate to discuss long-term strategies to the Port sliver area, the rockery and embankment, and beach expansion. These include scheduling of permits and agreements with the City, and coordination with Parks on the work. The main option raised during the meeting would be excavation and removal of contaminated soil. Port mentioned they can further evaluate contamination around the beach area to ensure public safety, depending on the next steps implemented.