



## **Response to Comments**

### **Prospective Purchaser Consent Decree & Public Participation Plan**

### **Boathouse Inc Renton Skyway Cleanup Site Seattle, WA**

#### **Toxics Cleanup Program**

Washington State Department of Ecology

Northwest Regional Office

Shoreline, Washington

December 2022

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- Facility site ID: 56652786

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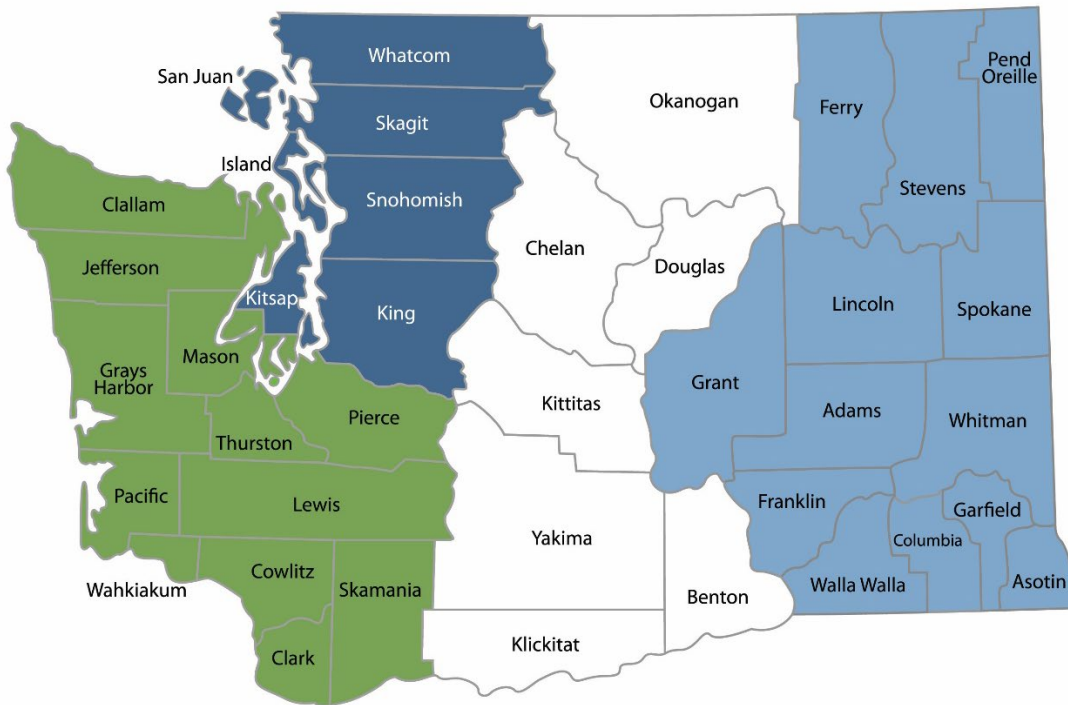
To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at [ecyadacoordinator@ecy.wa.gov](mailto:ecyadacoordinator@ecy.wa.gov). For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

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<sup>1</sup> [www.ecology.wa.gov/contact](http://www.ecology.wa.gov/contact)

# Department of Ecology's Regional Offices

## Map of Counties Served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
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Region	Counties served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

# Response to Comments

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## Prospective Purchaser Consent Decree and Public Participation Plan

### Boathouse Inc Renton Skyway Cleanup Site Seattle, WA

Toxics Cleanup Program  
Washington State Department of Ecology  
Northwest Regional Office  
Shoreline, WA

**December 2022**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

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# Public Outreach Summary

The Boathouse Inc Renton Skyway cleanup site (Site) located Seattle, WA is continuing Washington State's [formal cleanup process](#)<sup>2</sup> as directed under the Model Toxics Control Act ([MTCA](#)<sup>3</sup>). GardnerGlobal, Inc is addressing contamination at the Site under a legal agreement with Ecology.

The Department of Ecology's public involvement activities related to this Site's 30-day comment period July 18 – August 16, 2022 included:

- **Community information mailer:**
  - US mail distribution of a community information mailer providing information about the cleanup documents, the public comment period, and public meeting to approximately 4,327 addresses including neighboring businesses and other interested parties.
  - Email distribution of the community information mailer to 28 people, including interested individuals, local/county/state/federal agencies, neighborhood associations, and interested community groups.
  - The community information mailer was available digitally through Ecology's [cleanup site webpage](#)<sup>4</sup>.
- **Legal Notices:**
  - Publication of one paid display ad in *The Seattle Times*, dated 15 July, 2022.
- **Site Register:**
  - Publication of 4 notices in Ecology's Toxics Cleanup Site Register:
    - Comment Period Notice:
      - July 14, 2022
      - July 28, 2022
      - August 11, 2022
    - Response Summary Notice:
      - December 15, 2022
    - Visit [Ecology's Site Register website](#)<sup>5</sup> to download PDFs.
- **Media Coverage:**
  - E-Newsletter from the Office of Gov. Jay Inslee, E-News Edition 133 (August 5, 2022)
  - [Grant Program Cleans Up Contaminated Sites for Affordable Housing, By: Agueda Pacheco Flores, South Seattle Emerald \(August 18, 2022\)](#)<sup>6</sup>

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<sup>2</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

<sup>3</sup> <https://ecology.wa.gov/mtca>

<sup>4</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/567>

<sup>5</sup> <https://apps.ecology.wa.gov/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter>

<sup>6</sup> <https://southseattleemerald.com/2022/08/18/grant-program-cleans-up-contaminated-sites-for-affordable-housing/>



- [Ecology Oks cleanup plan for 202 ID units, with second polluted site in play in Skyway, By: Brian Miller, Daily Journal of Commerce \(August 2, 2022\)](#)<sup>7</sup>
- Radio Story, NPR, August 2, 2022 (Never appeared on website)
- **Social Media:**
  - **Twitter:** Ecology – Northwest Region @ecyseattle posted a [tweet](#)<sup>8</sup> on Monday, July 18, 2022 connecting readers to the comment period including the cleanup site webpage, online public meeting, and how to submit comments.
  - **Blog:** On Monday, August 1, 2022, Ecology’s Northwest Regional Office posted a story on two affordable housing cleanup sites (Seventh Avenue Service site and Boathouse Inc. Renton Skyway site on [Ecology’s blog](#)<sup>9</sup>, which has approximately 1,200 email subscribers.
- **Online Public Meeting**
  - Ecology hosted an online meeting Wednesday, August 3, 2022 at 6:30 p.m. Ecology and Gardner Global Inc. staff presented details on the Prospective Purchaser Consent Decree and Public Participation Plan and answered questions about the Site. Interpretation was provided in Amharic, Mandarin, Somali, Spanish, Tagalog, and Vietnamese.
- **Websites:**
  - Ecology announced the public comment period and public meeting, posted the fact sheet, and made the review documents available on [Ecology’s Boathouse Inc Renton Skyway site webpage](#)<sup>10</sup> and Ecology’s [Public Inputs & Events webpage](#)<sup>11</sup>.
- **Document Repositories:**
  - Ecology offered in-person review options during the 30-day comment period at the following locations:
    - Skyway Library (12601 76<sup>th</sup> Ave S., Seattle, WA 98178)
    - Department of Ecology, Northwest Regional Office (15700 Dayton Ave N., Shoreline, WA 98133)

## Comment Summary

From July 18 – August 16, 2022, Ecology solicited public comments on a Prospective Purchaser Consent Decree and Public Participation Plan for the Boathouse Inc Renton Skyway cleanup site.

Ecology received 38 comments during the 30-day comment period.

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<sup>7</sup> <https://www.djc.com/news/re/12150346.html>

<sup>8</sup> <https://twitter.com/ecyseattle/status/1549089374347751425>

<sup>9</sup> <https://ecology.wa.gov/Blog/Posts/August-2022/Two-sites-in-King-County-move-forward-on-environment>

<sup>10</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/567>

<sup>11</sup> <https://10ecology.wa.gov/Events/Search/Listing>

Table 1: List of Commenters

	<b>First Name</b>	<b>Last Name</b>	<b>Agency/Organization/Business</b>	<b>Submitted By</b>
1	Brian	Greggs		Individual
2	Njuguna	Gishuru		Individual
3	Njuguna	Gishuru		Individual
4	Yvonne	Peko		Individual
5	Doug	Webb		Individual
6	Ruby	Holland		Individual
7	Peter	Joseph		Individual
8	Liz	-		Individual
9	Matt	Kostecka		Individual
10	De'Vonte'	Parson		Individual
11	Belinda	Buchanan		Individual
12	Peter	Kidane		Individual
13	Marina	Gray		Individual
14	F.D.	Scott		Individual
15	Michael	Paves		Individual
16	Efrem	Fesaha		Individual
17	Mara	Palmer		Individual
18	Andy	Paves		Individual
19	Sean	Connor		Individual
20	Cynthia	K		Individual
21	Brooks	Glenn		Individual
22	Anthony	Shoecraft		Individual
23	Elijah	Baker		Individual

	First Name	Last Name	Agency/Organization/Business	Submitted By
24	Marcus	Harden		Individual
25	Julia	Bobadilla Melby		Individual
26	Cherryl	Jackson-Williams		Individual
27	Ryan	Quigtar		Individual
28	Christabel	Fowler		Individual
29	Alesia	Cannady		Individual
30	Beth	Hintz		Individual
31	Rebecca	Berry		Individual
32	Dinah	Wilson		Individual
33	Fin	Hardy		Individual
34	Cisco	Orozco		Individual
35	Jakub	Harmany		Individual
36	Rachel	Daliva		Individual
37	S	Kumagai		Individual
38	Cynthia	Lamothe	Skyway Water & Sewer District	Agency

## Next Steps

Ecology has reviewed and considered the public comments received on the Prospective Purchaser Consent Decree and Public Participation Plan. Based on Ecology's evaluation of the comments, the following changes were necessary in the documents:

### Prospective Purchaser Consent Decree

- No changes were made.

### Public Participation Plan

- **Comment Period Length:** Ecology will increase the comment period length for this site's future comment periods from 30-days to 45-day to allow the community more time to review and comment on documents.

- **Public Meeting/ Hearing:** Ecology strongly recommends that a public meeting be held to explain the documents to the community. Ecology may hold a Public Hearing in order for the community to submit formal comments at the meeting. All comments recorded at a Public Hearing will be replied after the comment period has ended. In consideration of public health, Ecology held the Summer 2022 meeting online. If public health circumstances change, Ecology may hold both an online and/or in-person meetings for future comment periods.
- **Translation and Interpretation:** After a conversation with King County outreach staff, Ecology will remove Mandarin from the list of languages for this site and instead provide interpretation in Cantonese. The following languages will continue to be provided both in written and spoken contexts: Amharic, Somali, Spanish, Tagalog, and Vietnamese.
- **Legal Notice:** In addition to *The Seattle times*, Ecology will publish an ad in the following BIPOC media outlets to notify the community of any upcoming public comment period: *The South Seattle Emerald, The Facts, The Seattle Medium*. Ecology may submit a notice to Rainier Avenue Radio to alert the community of upcoming public comment periods for this Site.
- **Mailing Distance:** Ecology will continue to use the extended ½ mile radius around the Site for the distribution of its print mailer to alert the community of an upcoming public comment period.

These changes are considered minor and the documents are being finalized.

Work will begin on the Remedial Investigation. See graphic below and visit Ecology’s [cleanup process webpage](#)<sup>12</sup> to learn more about Washington’s formal cleanup process.

The next comment period for this site will be in the next 1-2 years.

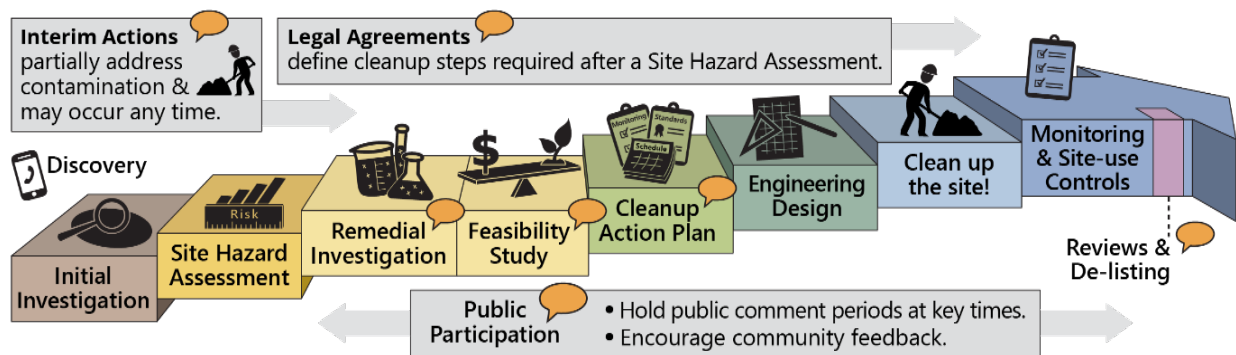


Figure 1: Washington's formal cleanup process ([download a text explanation](#)<sup>15</sup>)

<sup>12</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process>

<sup>15</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

## Comments and Responses

The public comments are presented below, along with Ecology's responses. Appendix A, page 76 contains the comments in their original format.

### Comment from: Brian Greggs

I would like to comment in favor of the consent decree and public participation plan for the proposed development. I am a Skyway resident and homeowner, and I support efforts by Ecology to incentivize redevelopment of contaminated parcels of land. The parcel(s) in question are in the heart of the Skyway business district, and though not vacant, the extant buildings are underused and nearing the end of their functional lives. I feel that the community would be improved by the present remediation and redevelopment proposal. We have a shortage of affordable rental and/or homeownership opportunities in the neighborhood, and the proposed commercial spaces would also help attract shoppers to spend more of their dollars in the neighborhood. I would like to see increased educational efforts take place, on the part of Ecology or community groups (through public participation grants), to help community members understand that: a) their drinking water has never been measurably impacted by this contamination; b) this type of contamination is extremely common among almost all properties with a past or present history of dry cleaning, and has been identified on hundreds of properties all across the city and county, both in affluent and in less-affluent neighborhoods alike; and c) these properties often remain or become underused and blighted for decades or more, due to the costs, uncertainties, and risks of performing a full investigation and remediation.

### Response:

Thank you for your comment. As we continue in the cleanup process, the community will have additional opportunity to review and comment at many more stages in the cleanup process. We are planning to hold public meetings for each comment period during this cleanup. This will be an opportunity to provide more educational opportunities for the community.

Information on how to get involved with [Public Participation Grants](#)<sup>13</sup> can be found on Ecology's website, or by emailing the grant coordinator, [Faith Wimberley](mailto:Faith.Wimberley@ecy.wa.gov)<sup>14</sup>.

### Comment from: Njuguna Gishuru

As a private developer from outside of the Skyway community receiving public funds to clean up this site and profit from it, I believe it's essential that they make this project affordable for

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<sup>13</sup> [https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Public-participation-grants#:~:text=Public%20Participation%20Grants%20\(PPG\)%20provide,for%20a%20two%2Dyear%20project.](https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Public-participation-grants#:~:text=Public%20Participation%20Grants%20(PPG)%20provide,for%20a%20two%2Dyear%20project.)

<sup>14</sup> [Faith.Wimberley@ecy.wa.gov](mailto:Faith.Wimberley@ecy.wa.gov)

Skyway residents. The State of Washington is funding this clean up in exchange for a defined public benefit, affordable housing. In the context of this community, the Blackest and most BIPOC community by percentage in our state, affordability must be tied to our local area median income. We must also recognize that our residents are significantly cost burdened and generally spend over 30% of their income on housing. If housing is developed that is affordable for residents outside of our community but not those combating housing inaccessibility in our community we will be accelerating displacement and gentrification. Public funds will be supporting a large development that will draw in wealthier and whiter residents who are being priced out of higher cost areas. We will be creating the illusion of equity and affordable housing for this community while the developer builds an engine of displacement that drives our housing insecure primarily BIPOC residents out. It's imperative that this development make at least 50% of its units affordable based on Skyway-West Hill's AMI. It's also critical that the developer work with and respect the leaders and residents of this community. On August 3rd 2022 on the Boathouse Inc. Renton Skyway Cleanup Site Public Meeting Zoom Call Jaebadiah S. Gardner insulted our community elder Dinah Wilson, a long time public servant and people's champion with decades of tireless investment in our community and many more in the county. It was reprehensible for a young Black professional to insult an exemplary Black woman his mother's age in a public forum and we were all shamed and appalled by his actions. We were also appalled by the Department of Ecology staff's refusal to reprimand Mr. Gardner and protect Ms. Wilson. The Skyway community demands an apology for Ms. Dinah from both parties and hopes Mr. Gardner can pray and reflect on his misguided actions. Our community's future can only be built on a strong foundation of respect, solidarity and empowerment. Without those key ingredients no amount of cash or "clout" will entitle anyone to our support. I hope we all remember that the community's well being is priority #1. Environmental and economic justice are our rights not favors from the Department or the developer.

## **Response:**

### **Redevelopment**

Thank you for your comment. Ecology's authority is for the cleanup of the contamination. We are not able to dictate to the developer the percentage of affordable units they target for their redevelopment beyond the 20% minimum. Engaging the developer on these topics is the appropriate avenue for seeking action on the specific concerns you expressed about the [Skyway Towncenter Project](https://bit.ly/SkywayTowncenter)<sup>15</sup>.

### **Affordable Housing Cleanup Grant program**

Ecology recognizes that contaminated properties are underutilized in communities due to the uncertainty of cleanup costs. Environmental and economic justice are two of the reasons the [Affordable Housing Cleanup Grant program](https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Brownfields/Affordable-housing)<sup>16</sup> was developed. It was designed to help make affordable housing redevelopment projects possible while giving flexibility to work for the

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<sup>15</sup> <https://bit.ly/SkywayTowncenter>

<sup>16</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Brownfields/Affordable-housing>

diverse needs of communities across the state. We have passed your comments on to [Laurie Dahmen<sup>17</sup>](#) who leads that grant program. We encourage and welcome comments on this program as it is a new program at Ecology.

### Mr. Gardner's behavior

Mr. Gardner's behavior at our public meeting was surprising and unexpected for us. We recognize that it was not appropriate and apologize to you, Dinah Wilson, and all other community members who attended the meeting on August 3. As the hosts of the meeting, it was our responsibility to maintain a safe and welcoming environment for all attendees and we apologize that behavior did not lead to a respectful meeting environment. In future meetings, we will strengthen our facilitation approach and better establish participation ground rules for everyone in the meeting in hopes of maintaining an environment that welcomes and promotes community.

### Comment from: Njuguna Gishuru

***Meredith Waldref, Public Outreach Specialist, received the following emailed comment on 8/4/202 at 9:48am. Meredith asked the commenter, Njuguna Gishuru, if he would like the email uploaded as a formal comment to the public record. He said yes and Meredith uploaded it on 8/5/2022 as a PDF attachment.***

#### ***Original Email:***

Hello Ms. Waldref,

My name is Njuguna Gishuru. I am a Skyway community member who was on the **Boathouse Inc. Renton Skyway Cleanup Site Public Meeting** zoom call yesterday. I am reaching out to you to express my dissatisfaction and dismay with the conduct and approach of developer Jaebadiah Gardner on that call and of Department Ecology staff in failing to check his behavior.

During the call when community elder and long time public servant [Dinah Wilson<sup>18</sup>](#) asked what type of experience Gardner Global has had with the type of hazardous materials clean up required for this project Mr. Garder replied "more than you" in a snide and insulting manner and refused to answer her question. This was very disrespectful and dismissive and the Department of Ecology staff members simply sat idly by and said nothing when this overt statement of hostility was made towards a woman of honor in our community. By providing Mr. Gardner with a platform to dismiss and demean our community members and not supporting Ms. Wilson or reprimanding him you condoned his behavior and gave it the

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<sup>17</sup> [Laurie.Dahmen@ecy.wa.gov](mailto:Laurie.Dahmen@ecy.wa.gov)

<sup>18</sup> <https://www.coopartnerships.org/blog/2021/8/31/panel-climate-justice-implementing-a-just-transition>

appearance of Department sanction. This was a microaggression in the broad light of day that women should not be subject to in 2022. Mr Gardner also made a statement to the community that he "[wants all the smoke](#)"<sup>19</sup> a slang term meaning that one welcomes conflict and even violence. Many of us took this as a threat. It is alarming to our community that the posture of the developer and department seems hostile to an actively engaged community, the same one that funds the clean up of a for profit project and delegates power to the department through our elected representatives. It seems the department and developer feel you are doing us a favor. However, ecological and economic justice are our rights and we will proudly assert them especially after decades of neglect. That history of systemic neglect does not give any developer or department license to disregard our agency or dignity.

**We need the Department to formally and publicly reprimand Mr. Gardner for his conduct on the call and to reach out and apologize to elder Dinah Wilson as soon as possible. We also need you to formally evaluate and address our serious concerns about affordability and using public funds to support a project that can be called affordable housing while it is not affordable for Skyway-West Hill's housing insecure residents.** If housing is developed that is affordable for residents outside of our community but not those combating housing insecurity in our community it will be accelerating displacement and gentrification. Public funds will be supporting a large development that will draw in wealthier and whiter residents who are being priced out of higher cost areas. The department will be cultivating the illusion of equity and affordable housing for this community while you support the development of an engine that drives our housing insecure primarily BIPOC residents out. **It's imperative that this development make at least 50% of its units affordable based on Skyway-West Hill's AMI and that priority be given to historic residents of the community.** This was done in projects Gardner Global worked on and supported for AfricaTown Community Land Trust in the Central District of Seattle so we are confident it can be done in Skyway.

I would appreciate a prompt and considered response as soon as possible. I have already registered comments with both your department and Gardner Global and will be remaining engaged on this issue. I appreciate your important contribution to our state's ecological wellbeing and our community hopes to work with you in solidarity going forward, thank you.

Njuguna Gishuru

## Response:

Thank you again for taking the time to attend the Boathouse Inc. Renton Skyway Cleanup Site public meeting and for submitting your concerns and comments to the Department of Ecology.

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<sup>19</sup> <https://www.dictionary.com/e/slang/we-want-all-the-smoke/#:~:text=We%20want%20all%20the%20smoke%20is%20a%20hip-hop%20phrase,now%20used%20of%20friendlier%20challenges.>



Sandra Matthews, the project manager, and I have drafted the following response to your concerns together.

### Mr. Gardner's behavior

Mr. Gardner's behavior at our public meeting was surprising and unexpected for us. We recognize that it was not appropriate and apologize to you, Dinah Wilson, and all other community members who attended the meeting on August 3. (We have reached out to Ms. Wilson directly.) Additionally, we have talked with Mr. Gardner and made it known to him that his comments were not appropriate. As the hosts of the meeting, it was our responsibility to maintain a safe and welcoming environment for all attendees and we apologize for the behavior discussed above that did not lead to a respectful meeting environment. As future meetings, we will strengthen our facilitation approach and better establish participation ground rules for everyone in the meeting in hopes of maintaining an environment that welcomes and promotes community.

### The affordability of this redevelopment

Ecology's authority in this project is for the cleanup of the contamination. We are not able to dictate to the developer the percentage of affordable units they target for their redevelopment beyond the 20% minimum. Engaging the developer on these topics is the appropriate avenue for seeking action on the specific concerns you expressed about the [Skyway Towncenter Project](#)<sup>20</sup>.

Environmental and economic justice are two of the reasons the [Affordable Housing Cleanup Grant program](#)<sup>21</sup> was developed. It was designed to help make affordable housing redevelopment projects possible while maintaining flexibility in order to work for the diverse needs of communities across the state. Ecology recognizes that contaminated properties are underutilized in communities due to the uncertainty of cleanup costs. We have passed your comments on to [Laurie Dahmen](#)<sup>22</sup>, who leads that grant program. We encourage and welcome comments on this program as it is a new program at Ecology.

Please do not hesitate to reach out with further questions or comments to myself or Sandra Matthews.

Sincerely,

Meredith Waldref, Community Outreach | [Meredith.Waldref@ecy.wa.gov](mailto:Meredith.Waldref@ecy.wa.gov) | (425) 229-3683  
Sandra Matthews, Project Manager | [Sandra.Matthews@ecy.wa.gov](mailto:Sandra.Matthews@ecy.wa.gov) | (425) 223-1999

### Comment from: Yvonne Peko

We support GardnerGlobal!

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<sup>20</sup> <https://bit.ly/SkywayTowncenter>

<sup>21</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Brownfields/Affordable-housing>

<sup>22</sup> [Laurie.Dahmen@ecy.wa.gov](mailto:Laurie.Dahmen@ecy.wa.gov)

**Response:**

Thank you for your comment.

**Comment from: Doug Webb**

Appreciate everything you're doing to clean up a toxic site!

**Response:**

Thank you for your comment.

**Comment from: Ruby Holland**

Please support GardnerGlobal in their efforts to clean up toxic sites in Seattle's Communities of Color, in order to build affordable housing on these sites. Communities of Color need both, affordable housing and a toxic free environment, free from cancer and disease causing chemicals. I applaud and appreciate GardnerGlobal for taking this important and necessary first step.

**Response:**

Thank you for your comment.

**Comment from: Peter Joseph**

Investigation work has been ongoing at this site for the last couple months. Just this week, subsurface work is being conducted adjacent to a daycare. While vapor intrusion is a serious concern for chlorinated solvent cleanup sites, the daycare represents a potential exposure pathway for high risk receptors. Will Ecology provide results to the vapor intrusion assessment to the public in a timely manner?

If the vapor assessment is only provided following completion of the remedial investigation, which could take substantial amount of time to complete, there could be unwarranted exposure of toxic chemicals to children and their caregivers.

**Response:**

The Remedial Investigation is the next step of the cleanup process. We will be doing soil gas sampling. If the results of the soil gas sampling indicated there might be a vapor intrusion problem, our standard practice is to promptly notify the appropriate adjacent properties that may be impacted by door knocking or phone call. This is not a general population notification, it would go out to occupants, users, and owners of the impacted spaces to notify people who could be impacted by the air quality within the building.

## Comment from: Liz

Based on the publicly available data, TCE and PCE are present in groundwater at levels that exceed screening levels and pose a risk to vapor intrusion. The previous sub-slab sampling was incredibly limited and did not assess VI risk in all buildings in proximity. TCE in groundwater in close proximity to buildings that include women of child-bearing age may require immediate action based on Ecology and EPA guidance. This is especially concerning for the daycare located just to the southwest of the known contamination, but also applicable for the Skyway Mart and church. If additional sub-slab and indoor sampling has not already been completed to assess VI, the GW concentrations warrant immediate investigation.

### Response:

Thank you for your comment. Now that Gardner Global Inc. has negotiated access to the southern parcel through a purchase and sale agreement with the current owner, we are now able to do additional investigation in the area.

As part of the next step of the cleanup process, the Remedial Investigation, we will be doing soil gas sampling. If the results of the soil gas sampling indicated that there might be a vapor intrusion problem, our standard practice is to promptly notify the people who could be impacted in the appropriate adjacent properties by door knocking or phone call.

## Comment from: Matt Kostecka

At the end of the day, we won't be able to solve the housing crisis in Seattle without significantly increasing the supply of housing to accommodate our growing population. We can't legislate our way out of landlords having all of the leverage over people that need housing given the exceptional imbalance between supply and demand. We also need to make sure that our work to address this crisis is done in ways that also work to address rather than exacerbate existing inequities in our region.

The work proposed here clearly aligns to those needs. We are talking about a local black business owner who has literally jumped over every typical barrier faced by business owners of color, and who has a deep commitment to affordable housing and racial equity, who is proposing to invest in a toxic site and turn it into something that - in a small but meaningful way - puts another dent in our need for more (and more affordable) houses.

Yes, let's make sure the development is safe for all nearby residents - without question. But as a resident of the South Seattle area and a born-and-raised South End resident, I strongly support getting this proposal over the finish line.

### Response:

Thank you for your comment.

## Comment from: De'Vonte' Parson

I am the executive director of Pro Se Potential a nonprofit organization focused on empowering our young people of Color to uplift their communities. We support what Global is doing because they are helping shape the environment in a positive way for the young people we serve and their families. We wish them much more success and prosperity.

- De'Vonte'

### **Response:**

Thank you for your comment.

## Comment from: Belinda Buchanan

I'm an UW graduate and welcome affordable housing and workplace type housing. I'd like to move home. I support the cleaning of this area

### **Response:**

Thank you for your comment.

## Comment from: Peter Kidane

I support this project.

### **Response:**

Thank you for your comment.

## Comment from: Marina Gray

I am in absolute support of Gardner Global Inc. doing the necessary and responsible work of cleaning up toxic elements at the Boathouse Inc Renton Skyway Site in King County. Far too often our communities of color are impacted by toxic elements harmful to our health and the development of our children. I am deeply appreciative of their work to ensure this clean up occurs before development.

Respectfully,

Marina Gray King County Resident and Community Advocate

### **Response:**

Thank you for your comment.

## Comment from: F.D. Scott

Hello Department of Ecology,

I'm concerned about the developer's disinterest in working with the Skyway/Westhill community and I don't think this development is well suited for our area as it is currently proposed.

Some of the questions I hope you can answer are:

Is the Department of Ecology open to cleaning toxic sites in the Skyway/Westhill community even if there's no immediate intent to build?

Can the Department of Ecology provide a list of the safest options to remove toxins in our area (with or without the current developer)?

Is it possible that Ecology can fund a community survey to confirm if the community wants the proposed development?

### **Response (4 sections):**

#### **Section 1:**

Hello Department of Ecology,

I'm concerned about the developer's disinterest in working with the Skyway/Westhill community and I don't think this development is well suited for our area as it is currently proposed.

#### **Section 1 Response:**

Thank you for your comment.

#### **Section 2:**

Some of the questions I hope you can answer are:

Is the Department of Ecology open to cleaning toxic sites in the Skyway/Westhill community even if there's no immediate intent to build?

#### **Section 2 Response:**

The Department of Ecology is interested in cleaning up all contaminated sites in the state. Ecology has a ranking system that identifies the amount of risk a site poses to human health and the environment. The sites with the highest risks to human health and the environment are addressed first.

In Washington State, the rule is the polluter pays for cleanup. Ecology works with potentially liable persons to clean up their properties. This site was reported by the owner as a spill location and they entered the Voluntary Cleanup program (VCP). The VCP is for owners who independently and actively cleanup their property. However, the site was not cleaned-up. The owner was terminated from VCP due to their inactivity.

There are thousands of cleanup sites in the state. Owners unwilling or unable to clean up their properties leave underutilized, abandoned, or vacant sites in the community. Redevelopment pressure encourages owners to clean up their properties or sell them to someone who will.

**Section 3:**

Can the Department of Ecology provide a list of the safest options to remove toxins in our area (with or without the current developer)?

**Section 3 Response:**

Ecology will supervise the cleanup through the Model Toxics Control Act (MTCA) cleanup process. During the next phase of the cleanup, the Remedial Investigation, the nature (types of contamination) and extent (location) of the contamination will be investigated. Once the remedial investigation is completed, different technologies for cleaning up the contamination will be evaluated. The risks of the contaminants and different cleanup options will also be evaluated during the Feasibility Study. Both the Remedial Investigation and Feasibility Study phases of cleanup require a 30-day public comment period where the public can review and comment on the investigation and possible cleanup options.

**Section 4:**

Is it possible that Ecology can fund a community survey to confirm if the community wants the proposed development?

**Section 4 Response:**

We are always seeking ways to improve our outreach to the community. However, the redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority.

All comments on the proposed redevelopment should be directed to Gardner Global Inc at <https://forms.office.com/r/CzxhL3jEhw>.

Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

**Comment from: Michel Paves**

We need more affordable housing options, so I'm in support of Gardner Global's project as well as grateful for the plans to clean up this site. I'm also relieved that a Black-Owned business and developer will be at the helm. Knowing that this location contains toxins is upsetting, especially considering how historically and presently neighborhoods of color are often experiencing this type of environmental injustice and inequity. I'm glad this was discovered and that something will be done to recover the area.

**Response:**

Thank you for your comment.

## Comment from: Efrem Fesaha

I fully support, and I'm grateful that GardnerGlobals is willing to take the initiative to clean up a polluted site that has been neglected since it is found in a neighborhood primarily inhabited by black and brown community members.

### Response:

Thank you for your comment.

## Comment from: Mara Palmer

I am a current skyway resident in full support of the efforts of GardnerGlobal to create a clean and safe living environment correcting the damage that has been done to the land.

### Response:

Thank you for your comment.

## Comment from: Andy Paves

As a newer Skyway resident, I am writing in full support of Gardner Global and this project. In tracking the discussions/forums on this project, my impression is that some may view GG and this project as just another outside (the neighborhood at least), greedy developer whose only concern is about profit with little to no regard for the community. I totally empathize with concerns about gentrification/displacement - I was forced out of apartments 2x by the same company that intended (and made it clear on their website) to raise rent unreasonably high so people move out, renovate, and re-rent to "maximize profit." (The fact that the company was bankrolled by the CEO's father made it even harder to swallow). What I know about GG is that they are the exact opposite and are hoping to buck the trends that many are justifiably worried about. They are rooted in this city, truly committed to investing in and giving back to underserved and too often neglected communities, and working towards affordable housing and environmental justice. I would recommend looking in to some of their other work as evidence of what they are all about (eg this story - <https://www.king5.com/amp/article/news/local/black-history/develop-seattle-central-district-black-businesses/281-e251078d-7481-4a31-a9d1-83582c682879>) . I believe this project will provide housing and economic opportunities/access that are not currently present in Skyway - eg affordable housing, space for local small businesses, employment opportunities. I also look forward to the potential having a revamped and walkable retail/town center that is near to me and my family. Finally, it is absolutely necessary to clear the contamination at the site. It has been neglected for so long, as is often the case in primarily BIPOC, lower income neighborhoods. Without GG looking in to it, who knows how much longer it would have been

overlooked. And I trust that they will oversee the clean up with necessary care and attention with the community's safety in mind (otherwise the project would be DOA)

**Response:**

Thank you for your comment.

The site cleanup will be conducted under Ecology oversight. Ecology ensures that the site is cleaned-up to the standards under the Model Toxics Control Act, Washington State's cleanup law.

**Comment from: Sean Conner**

I was excited to learn about a project that involves cleaning up the environment and turning the area into affordable housing. Especially in an area that can benefit communities of color. Over the years I've seen Jaebadiah Gardner and GardnerGlobal take on big projects. Projects that have meaning and purpose. The company has built a reputation of integrity and excellence. I think they would be a great partner to work with on any endeavor, but specifically one that will benefit the community.

**Response:**

Thank you for your comment.

**Comment from: Cynthia K**

What I find alarming as a Skyway residents is that this program provides public funds to developers to clean up contaminated sites in our community and develop property that is affordable for people outside of the community but not historic residents of the community while calling it "affordable housing". This could accelerate displacement. This can be easily addressed by tying affordability to the specific geography where the property is located. That ensures benefit to the specific residents of the community who are structurally disadvantaged.

**Response:**

Thank you for your comment. This funding program works with property owners or prospective property owners to clean up contaminated properties if they commit to building some affordable housing. Affordability, for this project, it is defined by the area median income for the Skyway-West Hill area. King County tracks this statistic. You can find more information about the specific area median income (AMI) for the Skyway/ West Hill area at <https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdpWASHINGTON,kingcountyWASHINGTON/INC110220?>

**Comment from: Brooks Glenn**



GardnerGlobal has done amazing work throughout Seattle for Black and Brown communities. Their desire to have a polluted sight cleaned up to further provide housing options is notable and should be supported on all fronts. I stand with the work they are doing and would hope they are afforded a smooth process.

**Response:**

Thank you for your comment.

**Comment from: Anthony Shoecraft**

I am a native Seattleite—born and raised in Skyway, and also a current home owner in the Skyway neighborhood. I have seen the ups and downs of the neighborhood and have invested sweat equity toward its improvement over the years. I fully support GardnerGlobal's Skyway project and its efforts to revitalize and improve the neighborhood.

**Response:**

Thank you for your comment.

**Comment from: Elijah Baker**

I support Gardner Global helping cleaning up the community to help support the black and brown community and development of affordable housing!

**Response:**

Thank you for your comment.

**Comment from: Marcus Harden**

I am in full support of the ecology to clean up this area and skyway and to make it live able and usable for what is to come as the next step for what Skyway needs and deserves.

**Response:**

Thank you for your comment.

**Comment from: Julia Bobadilla Melby**

?What are the health symptoms of contamination from the chemicals found at this site? Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times

usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents. Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals? Was the Dry Cleaners business ever listed in the biennial report to the legislature? an investigation was completed in 1999. What was found at that time? Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway Cleaners) closed in 2002? That is 5 years. How often did ecology check in on this business to ensure compliance? Were people who live and work in the area notified of this in 2015? If so, how? If not, why not? So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999? Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway's commercial nodes for lower-income residents. Do you know how to do development without displacement?

? In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing cost increases are boosting worries about displacement? Can Skyway's median income be used in determining rents?

? Can developers be provided with a subsidy as an incentive to provide low income housing?

? Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together? How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I'm concerned that the professional geologist, hydrologist, engineer, might get paid to lie on the testing to protect the developer's interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets. How is the air quality outside and inside? Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. This is cultural genocide what you are letting happen? The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands? To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

## Comment Attachment:

Julia Comments. Skyway Contamination near my house. 8/16/2022

I went to the nearby grocery store to purchase drinking water after the negative experience I had attending the WA Department of Ecology zoom public meeting on Wednesday, August 3, 2022.

Although Ecology and the Water/Sewer staff tried to comfort us at the public meeting that the drinking water is safe, I found this information on the Environmental Protection Agency (EPA)

“Contamination of groundwater can result in poor drinking water quality, loss of water supply, degraded surface water systems, high cleanup costs, high costs for alternative water supplies, and/or potential health problems.”

[EPA website:](#)

<https://www.epa.gov/sites/default/files/2015-08/documents/mgwc-gwc1.pdf>

?What are the health symptoms of contamination from the chemicals found at this site?

From the WA Ecology Department website: <https://apps.ecology.wa.gov/cleanupsearch/site/567>

“The Department of Ecology (Ecology) is overseeing a cleanup of the Boathouse Inc Renton Skyway Site in the Skyway neighborhood, being done by GardnerGlobal, Inc (GG). Ecology is providing funding for this cleanup through their new [Affordable Housing Cleanup Grant Program](#)<sup>23</sup>. This program ensures sites are “cleaned up properly while promoting community engagement and ensuring affordable housing in the process.”

The Boathouse Inc. Renton Skyway site (Site) is a former retail store and dry cleaning facility (Ken's Skyway Cleaners) located in Seattle, King County, Washington. A dry cleaning facility (Ken's Skyway Cleaners) was in operation at the Site from 1982 until 2002. Operations at this dry cleaning facility resulted in the release of hazardous chemicals to soil and groundwater. The 0.48-acre property is located approximately 5,700 feet from the Duwamish River, and zoned for community business (CBSO) use.

Municipal groundwater wells for the Skyway Water District (approximately 9,890 users) and the City of Renton (approximately 62,100 users) are located within 2 miles of the Site.

Solvent-impacted groundwater has been confirmed at the Site, but has not been confirmed to affect municipal groundwater supplies.”

Taken from page 8 of the [Prospective Purchaser Consent Decree \(PPCD\)](#)<sup>24</sup>

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<sup>23</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Brownfields/Affordable-housing>

<sup>24</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/114088>

“Contamination at the Site is likely related to the former Ken’s Skyway Cleaners. Additional sources and/or releases may be identified during further investigations. Sampling from previous environmental investigations at the Site demonstrate that Tetrachloroethene (PCE) is present above MTCA Method A cleanup levels in soil and groundwater,

Trichloroethene (TCE), and Vinyl Chloride (VC) are present in groundwater above MTCA Method A cleanup levels in groundwater,

Cis- 1,2 dichloroethene (DCE) is present in groundwater above the MTCA Method B NonCarcinogen Standard Formula Value, and PCE, TCE and VC are likely present in soil gas above their MTCA Method B Screening Levels based on groundwater sampling results. These hazardous substances have been, and may continue to be, released at the Site into the environment including to soil, soil gas, and groundwater.”

My concerns:

1. Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents.

Here is the WAC:<https://app.leg.wa.gov/wac/default.aspx?cite=173-340-600>

“(c) Newspaper publication. Notice of the proposed action shall be published in the newspaper of largest circulation in the city or county of the proposed action, by one or more of the following methods: Display ad; legal notice; or any other appropriate format, as determined by the department.

(d) Other news media. Notice of the proposed action shall be mailed to any other news media that the department determines to be appropriate. The department may consider how a medium compares with the newspaper of largest circulation in terms of: Audience reached; timeliness; adequacy in conveying the particular information in the notice; cost; or other relevant factors.”

**Contradictions.** Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals?

Ecology indicated that a certain number of people need to be affected in the area, or something to that nature, before they clean up. I read parts of the MTCA - Model Toxics Control Act, Cleanup Regulation on page 37,

<https://apps.ecology.wa.gov/publications/publications/9406.pdf>

In there it states:

“(4) Site assessment and ranking. For high priority sites, the department shall complete the site hazard assessment and hazard ranking within one hundred eighty days of the scheduled start date. These sites shall be identified in the department's Site Register.

Sites not designated as a high priority shall be scheduled for future investigations and listed in the biennial report to the legislature (WAC 173-340-340). The department shall conduct at least thirty-five site hazard assessments each fiscal year until the number of sites needing site hazard assessments are reduced below this number. “

### **My Questions:**

? Was the Dry Cleaners business ever listed in the biennial report to the legislature?

According to the Ecology's web page with information about this contaminated site <https://apps.ecology.wa.gov/cleanupsearch/site/567> an investigation was completed in 1999.

? What was found at that time?

The webpage goes on to say “in 2002 The Site joined the Voluntary Cleanup Program (VCP) in 2002 and placed on the list with ID number NW0926, and was terminated from the program in 2007 due to inactivity.”

? Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway Cleaners) closed in 2002? That is 5 years.

The Voluntary Cleanup Program (VCP) helps property owners who are independently cleaning up their site. Webpage:

<https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

? How often did ecology check in on this business to ensure compliance?

In 2015 Ecology conducted a Site Hazardous Assessment and added the Site to the Hazardous Sites List with a ranking of "3" moderate risk.

? Were people who live and work in the area notified of this in 2015? If so, how? If not, why not?

On January 17, 2019, a Limited Phase II screening was conducted. PCE, TCE and Vinyl Chloride (VC) were found above state cleanup level in groundwater. This report also documents the potential of the groundwater plume migrating to the south and under the adjacent southern property.

? So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999?

In 2020 Ecology is beginning negotiations with the liable persons to clean up the Site.

? How are the negotiations going? Who are the liable persons?

Questions on PROSPECTIVE PURCHASER CONSENT DECREE:

On page 3 it states: “so it may be redeveloped and reused as the Skyway Towncenter project, a mixed affordable rental and affordable condominium ownership housing project (Project). The Project will provide approximately 254 total units: 71 to 94 units of affordable rental housing, or 30 percent to 40 percent of the Project units, and approximately 142 to 165 units of affordable lease-to-own condominiums, or 60 percent to 70 percent of the Project units. 12536 Renton Ave LLC is continuing to assess unit numbers according to the King County Code, and anticipates that these unit counts may increase. The Project will also include commercial space.”

? Affordable for who exactly?

Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway’s commercial nodes for lower-income residents.

? Do you understand that low income housing is different from affordable housing?

? Do you know how to do development without displacement?

? In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing cost increases are boosting worries about displacement?

? Which area are you looking at when the term Area Median Income (AMI) is used?

? Can Skyway’s median income be used in determining rents?

? Can developers be provided with a subsidy as an incentive to provide low income housing?

? Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together?

In The PROSPECTIVE PURCHASER CONSENT DECREE, section VIII Performance, page 16:

? How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I’m concerned that the professional geologist, hydrologist, engineer, might get paid to lie on the testing to protect the developer’s interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets.

On page 7 of the Exhibits document, it states the following: “As part of the project background, existing environmental data on site soil, groundwater, and soil vapor will be compiled and evaluated for data gaps.”

Soil vapor is a term I had to look up online. The Environmental Protection Agency (EPA) website talks about “Migration of Soil Vapors to Indoor Air” Here is the EPA webpage on vapor intrusion. <https://www.epa.gov/vaporintrusion/what-vapor-intrusion>

? How is the air quality outside and inside? I assume it has been tested?

[Public Participation Plan](#) (PPP)<sup>25</sup> input:

Given this info in the PPP: “tracts were researched for health risks to sensitive populations to better inform the outreach needs for the site. Tract 026001 has a risk rating of 2 (low) while track 026100, to the west, has a risk rating of 10 (highest). “

? Why does the area not have signs or is not closed off?

The Public Participation Plan states, “Based on federal guidance, any score greater than the 80th percentile should be considered significant.”

? Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. Below is the image with the info I am referring to:

EJScreen Report (Version 2.0)  
 .25 miles Ring Centered at 47.492037,-122.239895  
 WASHINGTON, EPA Region 10  
 Approximate Population: 1,615  
 Input Area (sq. miles): 0.20

Selected Variables	Percentile in State
<b>Environmental Justice Indexes</b>	
EJ Index for Particulate Matter 2.5	84
EJ Index for Ozone	84
EJ Index for 2017 Diesel Particulate Matter*	89
EJ Index for 2017 Air Toxics Cancer Risk*	85
EJ Index for 2017 Air Toxics Respiratory HI*	85
EJ Index for Traffic Proximity	79
EJ Index for Lead Paint	93
EJ Index for Superfund Proximity	94
EJ Index for RMP Facility Proximity	88
EJ Index for Hazardous Waste Proximity	91
EJ Index for Underground Storage Tanks	93
EJ Index for Wastewater Discharge	98

Figure 7 Chart showing environmental justice rankings for a quarter-mile area around the site

<sup>25</sup> <https://apps.ecology.wa.gov/cleanupsearch/document/114087>

Giving the developer the discretion to determine affordability as they see fit without regard to the area median income of this community specifically is alarming. This is a community facing rapid displacement and affordability should be defined based on the AMI of this community specifically. The community only benefits from affordability if that affordability is based on its economic realities.

I think what is alarming to Skyway residents is that this program can potentially provide public funds to developers to clean up contaminated sites in our community and develop property that is affordable for people outside of the community but not historic residents of the community while calling it "affordable housing". This could accelerate displacement. This can be easily addressed by tying affordability to the specific geography where the property is located. That ensures benefit to the specific residents of the community who are structurally disadvantaged.

This is cultural genocide what you are letting happen? The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands? To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

Concerned Resident,  
Julia Bobadilla-Melby

## **Response: (In 30 sections)**

### **Section 1:**

What are the health symptoms of contamination from the chemicals found at this site?

### **Section 1: Response:**

In order to experience health effects from a chemical, it is necessary to come into contact with the chemical. This could happen by drinking water or breathing air that contain the chemical. Longer exposures and higher concentrations are more likely to affect you.

If you get your drinking water from Skyway Water and Sewer District, Ecology believes your drinking water will not contain chemicals from the Boathouse Inc Renton Skyway site (the Site). This is because the contaminated groundwater at the Site is shallow (at around 13-15 feet deep) while the closest water supply well is 117 feet deep. It is unlikely that chemicals from the Site will go as deep as the water supply well. Additionally, a representative of Skyway Water and Sewer stated during our August 3, 2022 meeting that the contaminants in the soil and groundwater at this site are routinely tested for in Skyway's drinking water. The testing shows



that these contaminants are non-detectable in Skyway's drinking water meaning the water is safe and free of the contamination.

If you spent time in one of the buildings located at the property or next to it, it is possible that you might breathe in low concentrations of chemicals from the Site. A sample of soil gas below the building next door contained TCE at a concentration below our screening level, which does not indicate potential health threats. However additional soil gas data should be collected to confirm this result.

If you did drink water or breathe air containing PCE, it could affect your nervous system or cause cancer. If you were exposed to TCE or vinyl chloride, it could affect your nervous system or immune system or cause cancer. PCE and TCE can also cause problems with pregnancies or birth defects. For more information about health effects of these and other chemicals, visit the [Agency for Toxic Substances and Disease Registry's \(ATSDR\) ToxFAQs](#)<sup>26</sup> web site.

## **Section 2:**

Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents.

## **Section 2 Response:**

The purpose of holding a public comment period on the Public Participation Plan is to learn more from the community about the media outlets they use most to get information. We placed the legal ad in *The Seattle Times* because it is the newspaper of largest distribution in King County. You and others have requested ads to be placed in BIPOC media. Based on these comments we have added the following BIPOC media sources to our Public Participation Plan: the *South Seattle Emerald*, Rainier Avenue Radio, *The Facts*, and *The Seattle Medium*. Please contact [Sandra Matthews](mailto:Sandra.Matthews@ecy.wa.gov)<sup>27</sup> to let us know if there are other specific media outlets that would be important for us to include in the Public Participation Plan.

## **Section 3:**

Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals? ? Was the Dry Cleaners business ever listed in the biennial report to the legislature? an investigation was completed in 1999. ? What was found at that time? ? Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway

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<sup>26</sup> <https://wwwn.cdc.gov/TSP/ToxFAQs/ToxFAQsLanding.aspx>

<sup>27</sup> [Sandra.Matthews@ecy.wa.gov](mailto:Sandra.Matthews@ecy.wa.gov)

Cleaners) closed in 2002? That is 5 years. ? How often did ecology check in on this business to ensure compliance? ? Were people who live and work in the area notified of this in 2015? If so, how? If not, why not? ? So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999?

### **Section 3 Response:**

We apologize for not fully answering your question during the August 3<sup>rd</sup> meeting. All Hazardous Sites are listed in a document called the [Hazardous Site List](#)<sup>28</sup>. The Hazardous Site List is included in the biennial report. The Boathouse Inc Renton Skyway Site is listed in this document.

The Hazardous Waste and Toxics Reduction (HWTR) Program of the Department of Ecology is in charge of monitoring drycleaners for compliance. Because of the number of drycleaners in the state, they are not able to continuously monitor every business. They will generally monitor a site if a spill is reported, as this one had, or routinely every few years.

In 1999 the drycleaner did report a spill at their facility. The investigation performed at that time showed solvents were released. The owner joined the Voluntary Cleanup Program (VCP) in 2002 to perform an independent cleanup. In 2007, the site was removed from the VCP because the owners were not taking any action to move forward with the cleanup of the contamination. In 2015, Ecology conducted a Site Hazard Assessment and ranked it a 3 on a scale from 1-5.

In Washington State, the polluter or owner of the property pays for the cleanup. Many drycleaners are small businesses with limited funds to clean up. These owners are dependent on an interested buyer who is willing to take on the risk of cleanup. Due to the large number of contaminated sites in the state, Ecology prioritizes cleanups based on Site Hazard Ranking and funding provided usually by the liable party.

### **Section 4:**

Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway's commercial nodes for lower-income residents. ? Do you know how to do development without displacement?

### **Section 4 Response:**

The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. Please note the developer will have to comply with local development regulations. All comments on the proposed redevelopment should be directed to Gardner Global Inc (<https://forms.office.com/r/CzxhL3jEhw>).

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<sup>28</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/2209042B.html>

Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### **Section 5:**

In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing cost increases are boosting worries about displacement? ? Can Skyway's median income be used in determining rents?

### **Section 5 Response:**

Affordability criteria for this project is defined by the [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>29</sup>. The overall King County AMI is not being used.

### **Section 6:**

? Can developers be provided with a subsidy as an incentive to provide low income housing?

### **Section 6 Response:**

Low income housing is a portion of affordable housing. Assistance with cleanup is the incentive Ecology can offer to support the project. It is up to Gardner Global to come up the funds necessary to make their redevelopment project feasible. Ecology's grant is for addressing the contamination at the site. All comments on the proposed redevelopment should be directed to Gardner Global Inc (<https://forms.office.com/r/CzxhL3jEhw>).

### **Section 7:**

Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together?

### **Section 7 Response:**

Requiring the developer to do more than the affordable housing mandate outlined in their grant award is outside of Ecology's authority. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>30</sup>.

Gardner Global holds an online meeting on their redevelopment every other week and invites community participation to discuss design elements and art. Request the meeting link using the comment form above.

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<sup>29</sup> <https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdpwashington,kingcountywashington/INC110220>

<sup>30</sup> <https://forms.office.com/r/CzxhL3jEhw>

## **Section 8:**

How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I'm concerned that the professional geologist, hydrologist, engineer, might get paid to lie on the testing to protect the developer's interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets.

## **Section 8 Response:**

Gardner Global Inc has hired an environmental consulting firm experienced in investigation and cleanup of contamination to perform investigation at the site. The investigation and data from the investigation will be reviewed by the Department of Ecology. As a regulatory agency, Ecology will ensure that the cleanup is done in accordance with the Model Toxics Control Act (MTCA). We do this in support of our mission to protect, preserve, and enhance the environment for current and future generations.

## **Section 9:**

How is the air quality outside and inside? Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. This is cultural genocide what you are letting happen?

## **Section 9 Response:**

Part of the Remedial Investigation is to investigate the nature and extent of contamination both outside and inside the buildings on and near the source property. Under certain conditions, contamination in the ground may become a vapor and affect indoor air quality. This is called vapor intrusion. If there is found to be a vapor intrusion issue in any of the buildings, Ecology will promptly notify the individuals associated with these properties through phone calls and/or door knocking. More investigation is needed to determine if this is a concern.

The “higher than the concerning 80” referenced on pg. 12-13 of the Boathouse Inc Renton Skyway Public Participation Plan is referring to the Environmental Justice Report that presents Environmental Justice Indexes for a quarter-mile radius around the site. Ecology performs Environmental Justice Screens using the Environmental Protection Agency’s (EPA) EJ Screen tool (<https://ejscreen.epa.gov/mapper/>) on cleanup sites. No signs are posted around this area, because this tool cannot be used to determine whether hazard signs should be posted in an area. It is the first step in learning more about an area. The [EPA states](#)<sup>31</sup>, “This tool may help users identify areas with: people of color and/ or low-income populations, potential environmental quality issues, a combination of environmental and demographic indicators that is greater than usual, and other factors that may be of interest”.

The EPA has created a [video](#)<sup>32</sup> on how to use the information provided by their EJ Screen Tool.

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<sup>31</sup> <https://www.epa.gov/ejscreen/purposes-and-uses-ejscreen>

<sup>32</sup> <https://www.epa.gov/ejscreen/how-interpret-standard-report-ejscreen>

## **Section 10:**

The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands?

## **Section 10 Response:**

Ecology's authority in this project is for the cleanup of the contamination. We are not able to dictate to the developer the percentage of affordable units they target for their redevelopment beyond the 20% minimum. Engaging the developer on these topics is the appropriate avenue for seeking action on the specific concerns you expressed about the Skyway Towncenter Project.

Ecology recognizes that contaminated properties are underutilized in communities due to the uncertainty of cleanup costs. Environmental and economic justice are two of the reasons the Affordable Housing Cleanup Grant program was developed. It was designed to encourage affordable housing redevelopment projects on impaired properties while maintaining flexibility to work for the diverse needs of communities across the state. We encourage and welcome comments on this program as it is a new program at Ecology. We have passed your comments on to [Laurie Dahmen](#)<sup>33</sup>, who leads that grant program.

## **Section 11:**

To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

## **Section 11 Response:**

*The following response was provided by GardnerGlobal:*

With GardnerGlobal's recent purchase of the 3 acres in the Skyway neighborhood, they plan on pursuing a project that aims to address environmental justice by studying and eventually remediating the property of the pollutants in collaboration with the Washington State Department of Ecology. As well, they plan on addressing the affordable housing crisis by developing much needed housing that currently does not exist on the property. Additionally, this project aims to build a cycle of economic support for Black and Brown business owners and create opportunities for existing residents to support those businesses. GardnerGlobal has been engaging local Black artist and community members bi-weekly to assist with creating a community driven design and art program that will bring together the cultural fabric of the existing community. GardnerGlobal hosts open public meetings where they take community input and suggestions for building design and ways the community visualizes the uses of open

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<sup>33</sup> [Laurie.Dahmen@ecy.wa.gov](mailto:Laurie.Dahmen@ecy.wa.gov)

public spaces as well as the leasable commercial spaces. Our hope is to deliver a project to the neighborhood that accomplishes three goals: 1. Clean up the property, environmental justice. 2. Create affordable housing 3. Create economic opportunities for the community

## **Response begins for Julia Bobadilla-Melby's Comment Attachment**

### **Section 12:**

Julia Comments. Skyway Contamination near my house. 8/16/2022

I went to the nearby grocery store to purchase drinking water after the negative experience I had attending the WA Department of Ecology zoom public meeting on Wednesday, August 3, 2022.

Although Ecology and the Water/Sewer staff tried to comfort us at the public meeting that the drinking water is safe, I found this information on the Environmental Protection Agency (EPA)

“Contamination of groundwater can result in poor drinking water quality, loss of water supply, degraded surface water systems, high cleanup costs, high costs for alternative water supplies, and/or potential health problems.”

EPA website: <https://www.epa.gov/sites/default/files/2015-08/documents/mgwc-gwc1.pdf>

?What are the health symptoms of contamination from the chemicals found at this site?

### **Section 12 Response:**

In order to experience health effects from a chemical, it is necessary to come into contact with the chemical. This could happen by drinking water or breathing air that contain the chemical. Longer exposures and higher concentrations are more likely to affect you.

If you get your drinking water from Skyway Water and Sewer District, Ecology believes your drinking water will not contain chemicals from the Boathouse Inc Renton Skyway site (the Site). This is because the contaminated groundwater at the Site is shallow (at around 13-15 feet deep) while the closest water supply well is 117 feet deep. It is unlikely that chemicals from the Site will go as deep as the water supply well. Additionally, a representative of Skyway Water and Sewer stated during our August 3, 2022 meeting that the contaminants in the soil and groundwater at this site are routinely tested for in Skyway's drinking water. The testing shows that these contaminants are non-detectable in Skyway's drinking water meaning the water is safe and free of the contamination.

If you spent time in one of the buildings located at the property or next to it, it is possible that you might breathe in low concentrations of chemicals from the Site. A sample of soil gas below the building next door contained TCE at a concentration below our screening level, which does not indicate potential health threats. However additional soil gas data should be collected to confirm this result.

If you did drink water or breathe air containing PCE, it could affect your nervous system or cause cancer. If you were exposed to TCE or vinyl chloride, it could affect your nervous system or immune system or cause cancer. PCE and TCE can also cause problems with pregnancies or birth defects. For more information about health effects of these and other chemicals, visit the [Agency for Toxic Substances and Disease Registry's \(ATSDR\) ToxFAQs](#)<sup>34</sup> web site.

### **Section 13:**

My concerns:

1. Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents.

Here is the WAC: <https://app.leg.wa.gov/wac/default.aspx?cite=173-340-600>

“(c) Newspaper publication. Notice of the proposed action shall be published in the newspaper of largest circulation in the city or county of the proposed action, by one or more of the following methods: Display ad; legal notice; or any other appropriate format, as determined by the department.

(d) Other news media. Notice of the proposed action shall be mailed to any other news media that the department determines to be appropriate. The department may consider how a medium compares with the newspaper of largest circulation in terms of: Audience reached; timeliness; adequacy in conveying the particular information in the notice; cost; or other relevant factors.”

### **Section 13 Response:**

Our response to you about why we placed an ad in *The Seattle Times* during the August 3<sup>rd</sup> meeting may have been a little confusing. We placed the legal ad in *The Seattle Times* because is the newspaper of largest distribution in King County. You and others have requested ads be placed in BIPOC media. Based on these comments we have added the following BIPOC media sources to our Public Participation Plan: the *South Seattle Emerald*, Rainer Avenue Radio, *The Facts*, and *The Seattle Medium*. Please contact [Sandra Matthews](#)<sup>35</sup> to let us know if there are other specific media outlets that would important for us to include in the Public Participation Plan.

### **Section 14:**

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<sup>34</sup> <https://wwwn.cdc.gov/TSP/ToxFAQs/ToxFAQsLanding.aspx>

<sup>35</sup> [Sandra.Matthews@ecy.wa.gov](mailto:Sandra.Matthews@ecy.wa.gov)

Contradictions. Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals?

**Section 14 Response:**

The Hazardous Waste and Toxics Reduction (HWTR) Program of the Department of Ecology oversees monitoring dry cleaners for compliance. Because of the number of dry cleaners in the state, they are not able to continuously monitor every business. They will generally monitor a site if a spill is reported, as this one did, or routinely every few years. HWTR prioritizes medium-large generators. Puget Sound Clean Air Agency focuses on oversight small quantity generators for inspections. Small Quantity Generators have less restrictive rules they are allowed to self-report and transport. Dry cleaners like this one are small quantity generators of waste and have the flexibility to self-report.

**Section 15:**

Ecology indicated that a certain number of people need to be affected in the area, or something to that nature, before they clean up. I read parts of the MTCA - Model Toxics Control Act, Cleanup Regulation on page 37, <https://apps.ecology.wa.gov/publications/publications/9406.pdf>

In there it states:

“(4) Site assessment and ranking. For high priority sites, the department shall complete the site hazard assessment and hazard ranking within one hundred eighty days of the scheduled start date. These sites shall be identified in the department's Site Register.

Sites not designated as a high priority shall be scheduled for future investigations and listed in the biennial report to the legislature (WAC 173-340-340). The department shall conduct at least thirty-five site hazard assessments each fiscal year until the number of sites needing site hazard assessments are reduced below this number. “

My Questions:

Was the Dry Cleaners business ever listed in the biennial report to the legislature?

**Section 15 Response:**

Yes, it has been on the [Hazardous Sites list](#)<sup>36</sup> and in the biennial report since 2015 when it was ranked as a 3 on a scale of 1-5 in the Site Hazardous Assessment.

**Section 16:**

According to the Ecology's web page with information about this contaminated site <https://apps.ecology.wa.gov/cleanupsearch/site/567> an investigation was completed in 1999.

What was found at that time?

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<sup>36</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/2209042B.html>



**Section 16 Response:**

During the initial investigation of the site, a limited samples were collected by the owner's consultant in 1999. The results found tetrachloroethene (PCE) in the soil and PCE, trichloroethene (TCE), cis-1,2-dichloroethene (DCE), and chromium in the groundwater were above the Model Toxics Control Act (MTCA) Method A Cleanup level. This means that the sampled indicated that cleanup may be necessary. As a result, additional sampling was recommended by Ecology. The owner of the property then joined the VCP in 2002 and conducted groundwater monitoring.

**Section 17:**

The webpage goes on to say "in 2002 The Site joined the Voluntary Cleanup Program (VCP) in 2002 and placed on the list with ID number NW0926, and was terminated from the program in 2007 due to inactivity."

Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway Cleaners) closed in 2002? That is 5 years.

**Section 17 Response:**

The VCP is for property owners to do independent cleanup of their property. The site was terminated in 2007 due to lack of activity on the part of the owner. The owner was not actively cleaning up the site. Also, see timing discussed in Section 3.

**Section 18:**

The Voluntary Cleanup Program (VCP) helps property owners who are independently cleaning up their site. Webpage:

<https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

How often did ecology check in on this business to ensure compliance?

**Section 18 Response:**

The [Voluntary Cleanup Program](#)<sup>37</sup> is an independent cleanup program. There is no set time for an owner to complete any task. See response to Section 3

**Section 19:**

In 2015 Ecology conducted a Site Hazardous Assessment and added the Site to the Hazardous Sites List with a ranking of "3" moderate risk.

Were people who live and work in the area notified of this in 2015? If so, how? If not, why not?

**Section 19 Response:**

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<sup>37</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

We notify the public of contaminated sites through the [Site Register and the Hazardous Site List](#)<sup>38</sup>. If someone has signed up for these routine notices, they would receive a copy of this periodic report.

### **Section 20:**

On January 17, 2019, a Limited Phase II screening was conducted. PCE, TCE and Vinyl Chloride (VC) were found above state cleanup level in groundwater. This report also documents the potential of the groundwater plume migrating to the south and under the adjacent southern property.

So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999?

### **Section 20 Response:**

In Washington State, the rule is the polluter pays for cleanup. Ecology works with potentially liable persons to clean up their properties. This site was reported by the owner as a spill location and they entered the [Voluntary Cleanup Program](#)<sup>39</sup> (VCP). The VCP is for owners who independently and actively cleanup their property. However, the site was not cleaned-up. The owner was terminated from VCP due to their inactivity.

There are thousands of cleanup sites in the state. Owners unwilling or unable to clean up their properties leave underutilized, abandoned, or vacant sites in the community. Redevelopment pressure encourages owners to clean up their properties or sell them to someone who will.

### **Section 21:**

In 2020 Ecology is beginning negotiations with the liable persons to clean up the Site.

? How are the negotiations going? Who are the liable persons?

### **Section 21 Response:**

LD II LLC is a potentially liable person because they were the original owners of the Boathouse parcel. Thai Investments LLC could also be a potentially liable person because they own the adjacent parcel to the south. LD II LLC submitted a report about the contamination from 2013 that stated the contamination was reducing over time. LD II LLC did not want to enter into a formal legal agreement to clean up the site because they believed their data showed the contamination was reducing on its own. Ecology reviewed the data and determined this is not the case.

Gardner Global Inc was interested in purchasing, cleaning up, and redeveloping the site. They engaged Ecology and committed to entering into the Prospective Purchaser Consent Decree to clean up the site. Based on the proposed sale, Ecology is no longer in active negotiation with

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<sup>38</sup> <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data>

<sup>39</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

these potentially liable persons.

### **Section 22:**

Questions on PROSPECTIVE PURCHASER CONSENT DECREE:

On page 3 it states: “so it may be redeveloped and reused as the Skyway Towncenter project, a mixed affordable rental and affordable condominium ownership housing project (Project). The Project will provide approximately 254 total units: 71 to 94 units of affordable rental housing, or 30 percent to 40 percent of the Project units, and approximately 142 to 165 units of affordable lease-to-own condominiums, or 60 percent to 70 percent of the Project units. 12536 Renton Ave LLC is continuing to assess unit numbers according to the King County Code, and anticipates that these unit counts may increase. The Project will also include commercial space.”

Affordable for who exactly?

### **Section 22 Response:**

Ecology requires that a minimum of 20% of the residential units in the Skyway Towncenter Project to be affordable for any household whose income is 80% or less of the Area Median Income (AMI) for the Skyway-West Hill area.

### **Section 23:**

Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway’s commercial nodes for lower-income residents.

Do you understand that low income housing is different from affordable housing?

### **Section 23 Response:**

The Department of Ecology understands that low-income housing is different from affordable housing. Low-income housing is a type of affordable housing.

Recipients of our cleanup grants are required to make at least 20% of the residential units in their project affordable. They can target any range of affordability that allows their project to be successful. For this grant funding, affordability is defined as incomes at 80% or less of the Area Median Income (AMI) for the project location.

Redevelopment must follow the local ordinances in the project area.

### **Section 24:**

Do you know how to do development without displacement?

In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing cost increases are boosting worries about displacement?

Which area are you looking at when the term Area Median Income (AMI) is used?

Can Skyway's median income be used in determining rents?

**Section 24 Response:**

Ecology's authority in this project is for the cleanup of the contamination. Under this agreement we are not able to dictate to the developer the percentage of affordable units they target for their redevelopment beyond the 20% minimum. Engaging the developer on these topics is the appropriate avenue for seeking action on the specific concerns you expressed about the Skyway Towncenter Project.

Environmental and Economic Justice are two of the reasons the Affordable Housing Cleanup Grant program was developed. It was designed to help make affordable housing redevelopment projects possible while maintaining flexibility to work for the diverse needs of communities across the state. Ecology recognizes that contaminated properties are underutilized in communities due to the uncertainty of cleanup costs.

Affordability for this project is defined by the [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>40</sup>. The King County AMI is not being used. Only the rents of the 20% minimum affordable units will be directly tied to the Skyway-West Hill AMI. The rents of the other units will be set by the developer.

**Section 25:**

? Can developers be provided with a subsidy as an incentive to provide low income housing?

? Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together?

**Section 25 Response:**

It is up to Gardner Global to come up with the funds necessary to make their development project feasible. Ecology's grant is for addressing the contamination at the site. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>41</sup>.

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<sup>40</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<sup>41</sup> <https://forms.office.com/r/CzxhL3jEhw>

Requiring the developer to do more than the affordable housing mandate outlined in their grant award is outside of Ecology's authority.

### **Section 26:**

In The PROSPECTIVE PURCHASER CONSENT DECREE, section VIII Performance, page 16:

? How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I'm concerned that the professional geologist, hydrologist, engineer, might get paid to lie on the testing to protect the developer's interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets.

### **Section 26 Response:**

Gardner Global Inc has hired an environmental consulting firm experienced in investigation and cleanup of contamination to perform investigation at the site. The investigation and data from the investigation will be reviewed by the Department of Ecology. As a regulatory agency, Ecology will ensure that the cleanup is done in accordance with the Model Toxics Control Act (MTCA). We do this in support of our mission to protect, preserve, and enhance the environment for current and future generations.

### **Section 27:**

On page 7 of the Exhibits document, it states the following: "As part of the project background, existing environmental data on site soil, groundwater, and soil vapor will be compiled and evaluated for data gaps."

Soil vapor is a term I had to look up online. The Environmental Protection Agency (EPA) website talks about "Migration of Soil Vapors to Indoor Air" Here is the EPA webpage on vapor intrusion. <https://www.epa.gov/vaporintrusion/what-vapor-intrusion>

? How is the air quality outside and inside? I assume it has been tested?

### **Section 27 Response:**

Some soil gas sampling has been done. The purpose of the Remedial Investigation is to investigate the nature and extent of contamination both outside and inside the buildings on and near the source property. Under certain conditions, contamination in the ground may become a vapor and affect indoor air quality. This is called vapor intrusion. If there is found to be a vapor intrusion issue in any of the buildings, Ecology will promptly notify the individuals associated with these properties through phone calls and/or door knocking. More investigation is needed to determine if this is a concern.

### **Section 28:**

Public Participation Plan (PPP) input:

Given this info in the PPP: “tracts were researched for health risks to sensitive populations to better inform the outreach needs for the site. Tract 026001 has a risk rating of 2 (low) while track 026100, to the west, has a risk rating of 10 (highest). “

Why does the area not have signs or is not closed off?

The Public Participation Plan states, “Based on federal guidance, any score greater than the 80th percentile should be considered significant.”

Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. Below is the image with the info I am referring to:

### **Section 28 Response:**

No signs are posted around this area because this tool cannot be interpreted this way. It is just a first steps in learning more about an area’s Environmental Justice needs.

The “higher than the concerning 80” from pg. 12-13 of the Boathouse Inc Renton Skyway Public Participation Plan is referring to the Environmental Justice Report for a quarter-mile radius around the site. Ecology performs Environmental Justice Screens using the Environmental Protection Agency’s (EPA) [EJ Screen tool](#)<sup>42</sup> on cleanup sites. This tool cannot be used to post hazard signs in any given area. It is just a first steps in learning more about an area. The [EPA states](#)<sup>43</sup>, “This tool may help users identify areas with: people of color and/ or low-income populations, potential environmental quality issues, a combination of environmental and demographic indicators that is greater than usual, and other factors that may be of interest”.

The EPA has created a [video](#)<sup>44</sup> on how to use the information provided by their EJ Screen Tool.

### **Section 29:**

Giving the developer the discretion to determine affordability as they see fit without regard to the area median income of this community specifically is alarming. This is a community facing rapid displacement and affordability should be defined based on the AMI of this community specifically. The community only benefits from affordability if that affordability is based on its economic realities.

I think what is alarming to Skyway residents is that this program can potentially provide public funds to developers to clean up contaminated sites in our community and develop property that is affordable for people outside of the community but not historic residents of the community while calling it “affordable housing”. This could accelerate displacement. This can be easily addressed by tying affordability to the specific geography where the property is located. That ensures benefit to the specific residents of the community who are structurally disadvantaged.

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<sup>42</sup> <https://ejscreen.epa.gov/mapper/>

<sup>43</sup> <https://www.epa.gov/ejscreen/purposes-and-uses-ejscreen>

<sup>44</sup> <https://www.epa.gov/ejscreen/how-interpret-standard-report-ejscreen>

### **Section 29 Response:**

The affordability is always tied to the local Area Median Income (AMI). Ecology understand that affordable housing is not necessarily low-income housing. The developer has the flexibility to choose the AMI target that makes their development project financially feasible.

### **Section 30:**

This is cultural genocide what you are letting happen? The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands? To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

Concerned Resident, Julia Bobadilla-Melby

### **Section 30 Response:**

Ecology's authority in this project is for the cleanup of the contamination. We are not able to dictate to the developer the percentage of affordable units they target for their redevelopment beyond the 20% minimum. The grant sets a minimum on the percentage of affordable units in the residential development but not the level of affordability. Engaging the developer on these topics is the appropriate avenue for seeking action on the specific concerns you expressed about the Skyway Towncenter Project.

Environmental and Economic Justice are two of the reasons the Affordable Housing Cleanup Grant program was developed. It was designed to help make affordable housing redevelopment projects possible while maintaining flexibility in order to work for the diverse needs of communities across the state. Ecology recognizes that contaminated properties are underutilized in communities due to the uncertainty of cleanup costs. We have passed your comments on to [Laurie Dahmen](#)<sup>45</sup>, who leads that grant program. We encourage and welcome comments on this program as it is a new program at Ecology.

## **Comment from: Cheryl Jackson-Williams**

I live my life in Skyway - I have been residing in this beautiful community since 2010 raising two generations of children who observe Skyway as their home in every sense of the word.

Raising my children here I have engaged with many organizations and community members to build up our community and network of support here. My daughter attends school in Skyway

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<sup>45</sup> [Laurie.Dahmen@ecy.wa.gov](mailto:Laurie.Dahmen@ecy.wa.gov)

and due to my my personal and professional work I am connected to a plethora of families. I also am very intentional regarding the local economy of my community and engage in due diligence to ensure that shop, eat, socialize, and engage daily in Skyway to give back.

I've invested my time volunteering & working in Skyway for the last five years. As such, I have extensive partnerships and connections to hundreds of families in Skyway ensuring that in all ways that I show up centers their voice, dreams and desires while leveraging my professional acumen, positionality and own voice to acquire the community's objectives. I will remain diligent in these engagements until those prioritized dreams are realized.

As a trusted publicly accountable & verifiable representative & Skyway Advocate- I'm humbled to be part of the founding partners of the Skyway Coalition a collective that has stewarded historic & current community-led planning & advocacy towards ensuring that our Skyway community continues to thrive.

Skyway Coalition is a trusted and valued representative of the Skyway community and are regularly called on by King County Councilmember Zahilay, multiple King County departments, directors, and legislators including, Senator Saldaña and Representatives Santos and Harris-Talley to inform policies, funding and advocacy that serves and protects our unincorporated community currently threatened by displacement

I am specifically concerned with:

the 'lease-to-own' approach; King Co.'s 2021 Anti-displacement report recommends against 'rent/lease' and red flags it as a 'risky' impact on community; Skyway is actively facing high displacement already, this model will increase displacement of our residents

the use of wider King County's area median income (AMI) v. Skyway's AMI; the unincorporated, and longtime underinvested in community of Skyway's AMI is significantly lower than our surrounding more affluent cities and communities; by using King Co.'s macro lens of AMI, the proposed project gives the impression of affordability, but will displace our residents

the flier mailed to my home re: this clean-up and proposed development shared the development is planning for the minimum of 20% 'affordable rental units' as required by Dept of Ecology's to qualify for clean-up funding;

Skyway is widely known as the next Seattle area community to be gentrified pushing out generations of mostly diverse families most who have already been pushed out of the Central District, Beacon Hill, Columbia City and the Rainier Valley? proposing the minimum units of 'affordable' rental units using the high end of King Co.'s area median income is not a affordable housing development for our community already feeling the impacts of displacement and will directly contribute to increasing displacement our residents

planning for the minimum 20% 'affordable' rental units required by Dept of Ecology, allows for approx. 200 market rate units that will contribute to push out families unable to afford to buy in their home community Skyway

In addition, I am disappointed in the aggressive, condescending tone the developer showed to our community, in his brief 3-5 minute 'presentation' of the proposed development



It is unbelievable DOE moved along and concluded the meeting without acknowledge or condemning the developer's blatant and disrespectful response to a Skyway resident's questions on experience with contamination clean-up;

His response was snidely shared as "More than you!", at least 3 different ways, even following the resident's calm response sharing her dissatisfaction with his unnecessary attitude.

There were many questions left unanswered in the chat, mostly relating to the affordability metrics used and the contamination impacts;

While I understand and respect giving an option to not to include name or affiliation on public comment form, this also leaves plenty of room for anyone to encourage supporters from outside the community who claim connection to/ impact to the project. For example, it appears curious that the public meeting was over 50 guests who asked direct questions concerning contamination, impact of that contamination and concerns over affordability and displacement? and there are dozens of comments on the DOE site springing up in support with a short simple sentence or two.

## **Response (In 5 sections):**

### **Section 1:**

I am specifically concerned with:

the 'lease-to-own' approach; King Co.'s 2021 Anti-displacement report recommends against 'rent/lease' and red flags it as a 'risky' impact on community; Skyway is actively facing high displacement already, this model will increase displacement of our residents

### **Section 1 Response:**

The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>46</sup>.

Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### **Section 2:**

The use of wider King County's area median income (AMI) v. Skyway's AMI; the unincorporated, and longtime underinvested in community of Skyway's AMI is significantly lower than our surrounding more affluent cities and communities; by using King Co.'s macro lens of AMI, the proposed project gives the impression of affordability, but will displace our residents

### **Section 2 Response:**

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<sup>46</sup> <https://forms.office.com/r/CzxhL3jEhw>

Affordability for this project is defined by the [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>47</sup>. The King County AMI is not being used.

### Section 3:

the flier mailed to my home re: this clean-up and proposed development shared the development is planning for the minimum of 20% 'affordable rental units' as required by Dept of Ecology's to qualify for clean-up funding;

Skyway is widely known as the next Seattle area community to be gentrified pushing out generations of mostly diverse families most who have already been pushed out of the Central District, Beacon Hill, Columbia City and the Rainier Valley proposing the minimum units of 'affordable' rental units using the high end of King Co.'s area median income is not a affordable housing development for our community already feeling the impacts of displacement and will directly contribute to increasing displacement our residents

planning for the minimum 20% 'affordable' rental units required by Dept of Ecology, allows for approx. 200 market rate units that will contribute to push out families unable to afford to buy in their home community Skyway

### Section 3 Response:

Affordability for this project is targeting the 60-80 % [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>48</sup>. The King County AMI is not being used.

The number of affordable units in the project is not set but the percentage of those units that are affordable must be at least 20% of the total number of residential units. The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. As long as the affordability is 80% or less of the local AMI and for a minimum of 20% of units are affordable Ecology cannot dictate any more stipulations on the redevelopment. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>49</sup>.

Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### Section 4:

In addition, I am disappointed in the aggressive, condescending tone the developer showed to our community, in his brief 3-5 minute 'presentation' of the proposed development

It is unbelievable DOE moved along and concluded the meeting without acknowledge or condemning the developer's blatant and disrespectful response to a Skyway resident's questions on experience with contamination clean-up;

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<sup>47</sup> <https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdpwashington,kingcountywashington/INC110220>  
<sup>48</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdpwashington,kingcountywashington/INC110220?>  
<sup>49</sup> <https://forms.office.com/r/CzxhL3jEhw>

His response was snidely shared as "More than you!", at least 3 different ways, even following the resident's calm response sharing her dissatisfaction with his unnecessary attitude.

There were many questions left unanswered in the chat, mostly relating to the affordability metrics used and the contamination impacts;

#### **Section 4 Response:**

Mr. Gardner's behavior at our public meeting was surprising and unexpected for us. We recognize that it was not appropriate, and we apologize. As the hosts of the meeting, it was our responsibility to maintain a safe and welcoming environment for all attendees and the behavior discussed above that did not lead to a respectful meeting environment. At future meetings, we will strengthen our facilitation approach and better establish participation ground rules for everyone in the meeting in hopes of maintaining an environment that welcomes and promotes community.

We apologize for leaving questions unanswered in the chat. We chose to move forward with the planned meeting agenda to make sure we presented the content planned for the meeting. We are hoping this comment response summary as well as future meetings with community stakeholders will help answer remaining questions.

#### **Section 5:**

While I understand and respect giving an option to not to include name or affiliation on public comment form, this also leaves plenty of room for anyone to encourage supporters from outside the community who claim connection to/ impact to the project. For example, it appears curious that the public meeting was over 50 guests who asked direct questions concerning contamination, impact of that contamination and concerns over affordability and displacement and there are dozens of comments on the DOE site springing up in support with a short simple sentence or two.

#### **Section 5 Response:**

It is Ecology's standard practice to allow people to submit comments with as much or little personal information as they would like. We are looking for comments that would cause us to revise the two documents relating to the cleanup of the contamination. The redevelopment project is outside of Ecology's authority. The comments received for or against the development do not affect the cleanup process.

### **Comment from: Ryan Quiglar**

I have many concerns with this project not adequately addressing the many needs of the Skyway neighborhood. It is unclear the level of affordability with these units. In our most recent public meeting hosted by Ecology, Gardner Global CEO displayed strong negative feelings and rude responses to the Skyway community. I do not believe that is how you build relationship with a community you're not from and building a project that would significantly impact the neighborhood.

Not to mention, the significant contamination is something we're all concerned about and want to make sure we have positive stewards of this land.

Moving forward, Ecology should record all future meetings and include as part of the public record.

Below are a few questions I have that I hope can be answered as specific as possible.

How much experience does Gardner Global have with contamination clean up? (ie, how many different projects have they done, over how many years?)

The pamphlet that was sent out and what has been communicated on this platform are two different numbers. Which one is it? Can you also explicitly define the term "affordable." What percentage of the AMI is the goal for these units?

Will Gardner Global hold public meetings on their own? Without Ecology, the Skyway Community may have not known about this project until much later in the process with little to no opportunity to have a say.

Is Ecology financing the entire clean up project or is this something that Gardner Global is expected to raise their own funds?

What is the estimated timeline for clean up and construction to finish?

## **Response (In 8 sections):**

### **Section 1:**

I have many concerns with this project not adequately addressing the many needs of the Skyway neighborhood. It is unclear the level of affordability with these units. In our most recent public meeting hosted by Ecology, Gardner Global CEO displayed strong negative feelings and rude responses to the Skyway community. I do not believe that is how you build relationship with a community you're not from and building a project that would significantly impact the neighborhood.

### **Section 1 Response:**

The purpose of this public meeting was to introduce the community to the cleanup process, communicate what we know about the contamination at the site, and tell you the plan for the future. We did this to give you enough background to comment on the documents for the cleanup that we had out for public review. The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](https://forms.office.com/r/CzxhL3jEhw)<sup>50</sup>.

Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### **Section 2:**

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<sup>50</sup> <https://forms.office.com/r/CzxhL3jEhw>

Not to mention, the significant contamination is something we're all concerned about and want to make sure we have positive stewards of this land.

**Section 2 Response:**

This cleanup work will be done under a legal agreement with the developer and under Ecology supervision. The developer has hired an environmental consultant who is experienced with investigating the nature and extent of the contamination and evaluating different methods for cleaning up the sites. The site will be cleaned up in a way that is protective of both human health and the environment.

**Section 3:**

Moving forward, Ecology should record all future meetings and include as part of the public record.

**Section 3 Response:**

This is not part of Ecology's standard procedure when conducting a public meeting. We can hold public hearings which creates space for submitting formal comments to a court reporter at the time of the meeting. A public hearing is a formal proceeding held in order to receive testimony from all interested parties, including the general public, on a proposed issue or action. Those interested in providing testimony will be sworn in, usually by a court stenographer, and be allowed to present oral comments. This may be an option for future public comment period meetings for this site given the community feedback we received during this first comment period. However, responses to these verbal comments recorded at a public hearing are not provided until after the comment period closes.

**Section 4:**

Below are a few questions I have that I hope can be answered as specific as possible.

How much experience does Gardner Global have with contamination clean up? (ie, how many different projects have they done, over how many years?)

**Section 4 Response:**

The cleanup work will be completed under Ecology supervision. The data from the investigation will be reviewed by Ecology. Ecology will determine cleanup methods for the site. As a regulatory agency, Ecology will ensure that the cleanup is done in accordance with the Model Toxics Control Act (MTCA).

For this site, they have hired an experienced environmental consultant to perform investigation at the site. The work will be completed under Ecology supervision. Ecology will determine cleanup methods for the site. The data from the investigation will be reviewed by the Department of Ecology. As a regulatory agency, Ecology will ensure that the cleanup is done in accordance with the Model Toxics Control Act (MTCA).

**Section 5:**

The pamphlet that was sent out and what has been communicated on this platform are two different numbers. Which one is it? Can you also explicitly define the term "affordable." What percentage of the AMI is the goal for these units?

**Section 5 Response:**

Affordable housing is generally defined as housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities. Gardner Global Inc is targeting the 60%-80% Area Median Income bracket for the 20% affordable units they are required to create in their proposed redevelopment.

Affordability for this project is defined by the [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>51</sup>. The King County AMI is not being used.

**Section 6:**

Will Gardner Global hold public meetings on their own? Without Ecology, the Skyway Community may have not known about this project until much later in the process with little to no opportunity to have a say.

**Section 6 Response:**

Gardner Global Inc has been holding meetings every other week since November 2021 about the proposed redevelopment. If you would like to be invited to this meeting, you can send a comment to the <https://forms.office.com/r/CzxhL3jEhw> to get a link to the meeting.

**Section 7:**

Is Ecology financing the entire cleanup project or is this something that Gardner Global is expected to raise their own funds?

**Section 7 Response:**

Ecology is providing some funding for investigation and cleanup activities. The funding for the grant comes from the Hazardous Substance Tax. Because we don't know how much the cleanup will cost at this time, we don't know if Gardner Global Inc will need to find additional funding for the entire cleanup. They received some funding during the pilot for the grant program. They have received \$410,000 for investigating the contamination. It is likely that Gardner Global will need more funds to cleanup this site. They could apply for competitive grant money from Ecology, for the 2025-2027 biennia or seek funding elsewhere. The future funds they seek from Ecology's Affordable Housing Grant Fund would be granted based on the percentage of affordable units they are planning.

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<sup>51</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<b>Projects proposing % of affordable units</b>	<b>Eligible cleanup costs</b>
<b>80 - 100 %</b>	<b>100%</b>
<b>50 - &lt;80 %</b>	<b>90%</b>
<b>20 - &lt;50 %</b>	<b>50%</b>

**Section 8:**

What is the estimated timeline for cleanup and construction to finish?

**Section 8 Response:**

The tentative timeline for cleanup and construction is:

Fall 2022: Remedial Investigation begins – This is where the types of contamination at the site and where it is located is investigated. This is referred to the nature and extent of the contamination.

2023-2025: This is the tentative timeframe for the cleanup of the contamination. Before this can happen there will be public comment periods on the Remedial Investigation, the Feasibility Study (different ways the contamination could be cleaned up), and the Cleanup Action Plan (the method that Ecology selects for the cleanup).

2026-2027: This is the tentative timeframe for the building of the Skyway Towncenter Project, the proposed redevelopment at the site by Gardner Global Inc.

**Comment from: Christabel Fowler**

I am deeply concerned about the lack of transparency by the developer on the level of affordability of the units being brought into Skyway.

I am a 15 year resident of Skyway with a child who resides and has been attending school in Skyway. We also have a creek that runs right across our backyard, undoubtedly fed by water closer to the proposed development site. We need better information on the level of contamination that is potentially getting into our water - both drinking and waterways. The proximity of this site is too close to homes, schools, and public access areas to treat this lightly. Our kids and families deserve safe, affordable housing and water.

**Response:**

Thank you for your comment. The level of affordability is clearly stated in the factsheet and by the developer. The affordable units will be available for rent at 60%-80% of the area median income (AMI) for Skyway-Westhill.

A representative of Skyway Water and Sewer stated during our August 3, 2022 meeting that the contaminants in the soil and groundwater at this site are routinely tested for in Skyway’s

drinking water. The testing shows that these contaminants are non-detectable in Skyway's drinking water meaning the water is safe and free of the contamination.

We will gain more information about the contamination in the soil and groundwater at the site during the remedial investigation. This information will be shared with the public and will be available for public comment. We will likely hold another public meeting to answer questions and explain the results in more detail.

Ecology will ensure the contamination is cleaned up to the standards described in the Model Toxics Control Act.

### **Comment from: Alesia Cannady**

My greatest concern is how far and wide is the contamination and will you tell us truthfully if I or my neighbors are impacted and what will be done regarding our contaminated properties if it's revealed. I personally have real concern. I have an 8-year-old granddaughter and live near the contaminated area.

#### **Response:**

Thank you for your comment. We will gain more information about the extent of contamination in the soil and groundwater at the site during the remedial investigation. This information will be shared with the public and will be available for public comment. We will hold another public meeting to answer questions and explain the results in more detail.

### **Comment from: Beth Hintz**

I live and work in Skyway, down the street from the contamination site and proposed development. Though I live within the 1/4 mile radius of the site, I did not receive any flyer or communication directly about this process--but I learned about it through the Skyway Coalition. I am concerned about the short time frame for community input and that not enough people are aware of the clean-up plan/process and the proposed development to be able to fully weigh in. I am concerned about the impacts of the contamination on my neighbors and my family.

I'm concerned about the proposed development plans, and I do not support the current proposed development. I am also confused b/c I have seen different numbers cited for affordability in various places. In one document, I saw that 20% would be designated to 60-80% AMI. In another I saw that 30-40% would be for affordable housing but no indication of what AMI these units would be for. This location is such a critical location for Skyway, and if it is not done correctly, with TRUE affordability and community-driven development without displacement as the central goal, this project will accelerate the displacement of families who have lived here for decades--many of whom are already struggling to make rent and already cannot afford homeownership. The model I have heard the developer discuss previously in meetings is a rent-to-own model, which has been researched by King County and the



community through our anti-displacement strategies planning. It was shown to ultimately benefit the developer and not the community--it does not foster true affordability for residents. In addition, I'm concerned about affordable rent/ownership not being the primary goal of the project. If only 20% of units are slated for affordable housing, and those units would go to 60-80% of King County-wide AMI, that is insufficient and will accelerate gentrification. Especially b/c a large percentage of Skyway residents are at 50% or below of King County AMI. We need to do better for the families and residents who have lived here for many years. I would like to see at least 40% designated for affordable housing, and a clearly communicated and committed mix of affordability, including some for those living at 50% AMI or below. In short, I do not support the rent-to-own model. I do not support the current plan for development.

Lastly, and related to all of the above, I would request additional community meetings, community engagement, and opportunities for more residents to learn more about the entire project (clean up and proposed development) and to weigh in with their questions.

## **Response (In 5 sections):**

### **Section 1**

I live and work in Skyway, down the street from the contamination site and proposed development. Though I live within the 1/4 mile radius of the site, I did not receive any flyer or communication directly about this process--but I learned about it through the Skyway Coalition. I am concerned about the short time frame for community input and that not enough people are aware of the clean-up plan/process and the proposed development to be able to fully weigh in.

### **Section 1 Response:**

We are sorry you did not receive a flyer. We use the United States Postal Service Mailing Routes to distribute our community mailers. This means they drop one flyer off at every mailbox along the routes we select. The routes we used reach about ½ mile radius around the site. We will continue to use this ½ mile radius for future outreach. We have added your email to our email list for this site so you will receive the mailer electronically. We would also be happy to add your address to our direct mailing list to make sure you receive our materials in the future. You can reach out to [Meredith Waldref](mailto:Meredith.Waldref@ecy.wa.gov)<sup>52</sup> to be added to that list.

Washington's cleanup law, the Model Toxics Control Act (MTCA), requires that we hold 30-day public comment periods at key stages in the cleanup process. We are extending these comment periods to 45 days for the community to have more time to review documents.

### **Section 2:**

I am concerned about the impacts of the contamination on my neighbors and my family.

### **Section 2 Response:**

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<sup>52</sup> [Meredith.Waldref@ecy.wa.gov](mailto:Meredith.Waldref@ecy.wa.gov)

In order to experience health effects from a chemical, it is necessary to come into contact with the chemical. This could happen by drinking water or breathing air that contain the chemical. Longer exposures and higher concentrations are more likely to affect you.

If you get your drinking water from Skyway Water and Sewer District, Ecology believes your drinking water will not contain chemicals from the Boathouse Inc Renton Skyway site (the Site). This is because the contaminated groundwater at the Site is shallow (at around 13-15 feet deep) while the closest water supply well is 117 feet deep. It is unlikely that chemicals from the Site will go as deep as the water supply well. Additionally, a representative of Skyway Water and Sewer stated during our August 3, 2022 meeting that the contaminants in the soil and groundwater at this site are routinely tested for in Skyway's drinking water. The testing shows that these contaminants are non-detectable in Skyway's drinking water meaning the water is safe and free of the contamination.

If you spent time in one of the buildings located at the property or next to it, it is possible that you might breathe in low concentrations of chemicals from the Site. A sample of soil gas below the building next door contained TCE at a concentration below our screening level, which does not indicate potential health threats. However additional soil gas data should be collected to confirm this result.

If you did drink water or breathe air containing PCE, it could affect your nervous system or cause cancer. If you were exposed to TCE or vinyl chloride, it could affect your nervous system or immune system or cause cancer. PCE and TCE can also cause problems with pregnancies or birth defects. For more information about health effects of these and other chemicals, visit the [Agency for Toxic Substances and Disease Registry's \(ATSDR\) ToxFAQs](https://www.cdc.gov/ATSDR/ToxFAQs/)<sup>53</sup> web site.

### **Section 3:**

I'm concerned about the proposed development plans, and I do not support the current proposed development. I am also confused b/c I have seen different numbers cited for affordability in various places. In one document, I saw that 20% would be designated to 60-80% AMI. In another I saw that 30-40% would be for affordable housing but no indication of what AMI these units would be for. This location is such a critical location for Skyway, and if it is not done correctly, with TRUE affordability and community-driven development without displacement as the central goal, this project will accelerate the displacement of families who have lived here for decades--many of whom are already struggling to make rent and already cannot afford homeownership. The model I have heard the developer discuss previously in meetings is a rent-to-own model, which has been researched by King County and the community through our anti-displacement strategies planning. It was shown to ultimately benefit the developer and not the community--it does not foster true affordability for residents. In addition, I'm concerned about affordable rent/ownership not being the primary goal of the project. If only 20% of units are slated for affordable housing, and those units would go to 60-80% of King County-wide AMI, that is insufficient and will accelerate gentrification. Especially

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<sup>53</sup> <https://www.cdc.gov/TSP/ToxFAQs/ToxFAQsLanding.aspx>

b/c a large percentage of Skyway residents are at 50% or below of King County AMI. We need to do better for the families and residents who have lived here for many years. I would like to see at least 40% designated for affordable housing, and a clearly communicated and committed mix of affordability, including some for those living at 50% AMI or below. In short, I do not support the rent-to-own model. I do not support the current plan for development.

### **Section 3 Response:**

We apologize for the confusion. Affordability for this project is targeting the 60-80 % [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>54</sup>. The King County AMI is not being used.

The number of affordable units in the project is not set but the percentage of those units that are affordable must be at least 20% of the total number of residential units. The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. As long as the affordability is 80% or less of the local AMI and for a minimum of 20% of units are affordable Ecology cannot dictate any more stipulations on the redevelopment. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>55</sup>.

Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### **Section 4:**

Lastly, and related to all of the above, I would request additional community meetings, community engagement, and opportunities for more residents to learn more about the entire project (clean up and proposed development) and to weigh in with their questions.

### **Section 4 Response:**

Ecology is planning to provide increased community meetings, engagement, and learning opportunity based on community concerns and interest in the project by holding public meetings at each phase of the cleanup process. We are committed to strengthening the community understanding of the contamination at this site and cleanup process.

I would encourage you to submit all comments and feedback on the proposed redevelopment directly to [Gardner Global Inc](#)<sup>56</sup>. The developers holds biweekly meeting about the redevelopment. We encourage you to attend those meetings to get the details from the developer. You can request the meeting invite from the above link.

## **Comment from: Rebecca Berry**

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<sup>54</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<sup>55</sup> <https://forms.office.com/r/CzxhL3jEhw>

<sup>56</sup> <https://forms.office.com/r/CzxhL3jEhw>

I've attached a pdf file with my comments

**Comment Attachment:**

**Part I:** Context in support of my public comment

**Part II:** Comments regarding proposed clean-up plan and development

**Part III:** Core Questions

**Part I:**

**I live my life in Skyway** - *as a BIPOC woman and lifetime renter, displacement & new developments greatly and personally impact my family, my neighbors and families in Skyway*

- I raise my kids here, over 11 years we've built our community and network of support here;
- my kids attend schools in Skyway and I'm connected with hundreds of families here
- I walk, shop, eat, socialize, and engage daily in Skyway

**I've invested my time volunteering & working in Skyway over many years** - *I have deep engagements & connections to hundreds of families in Skyway via school, volunteering & work, growing authentic perspectives & spectrums of lived experiences & needs of my Skyway community*

- Volunteered building projects and programs to unite and empower families at Lakeridge elementary; as a result of my success and deep engagement in the community I was hired to work at the school engaging and empowering parents and families and coordinating community partners
- Advocated on behalf of families to Renton School Board for school zone & parking lot safety
- United with Skyway families to request sidewalk to increase safety for walking students
- I am still actively involved in several school, and community forums and groups

**I am a trusted, publicly accountable & verifiable representative & leader in Skyway** - *As director of Skyway Coalition, I'm honored to steward historic & current community-led planning & advocacy alongside several other organization leaders with expansive networks and impacts in our Skyway community*

- **Skyway Coalition is a trusted and valued representative of the Skyway community and are regularly called on** by King County Councilmember Zahilay, multiple King County departments, directors, and legislators including, Senator Saldaña and Representatives Santos and Harris-Talley to inform policies, funding and advocacy that serves and protects our unincorporated community currently threatened by displacement
- The Coalition leaders and organizations have engaged and listened to what our diverse, unincorporated community needs day-in-and-out for decades— and majority work from the perspective of having the deep ties and history of living their lives in the community
- We've successfully centered the needs and voice of the community and leveraged our trusted partnerships to lead community advocacy securing:

- Over \$20 million for affordable housing, econ dev and a community center
- Donation of local U.S. Bank building to community ownership (soon-to-be Skyway Resource Center)

## Part II

**I am not in support of the development as proposed at Skyway Mart/Boathouse. I am specifically concerned with:**

- the 'lease-to-own' approach; King Co.'s 2021 Anti-displacement report recommends against 'rent/lease' and red flags it as a 'risky' impact on community; Skyway is actively facing high displacement already, this model will increase displacement of our residents
- the use of wider King County's area median income (AMI) v. Skyway's AMI; the unincorporated, and longtime underinvested in community of Skyway's AMI is significantly lower than our surrounding more affluent cities and communities; by using King Co.'s macro lens of AMI, the proposed project gives the impression of affordability, but will displace our residents
- the flier mailed to my home re: this clean-up and proposed development shared the development is planning for the minimum of 20% 'affordable rental units' as required by Dept of Ecology's to qualify for clean-up funding;
- Skyway is widely known as the next Seattle area community to be gentrified pushing out generations of mostly diverse families most who have already been pushed out of the Central District, Beacon Hill, Columbia City and the Rainier Valley– proposing the minimum units of 'affordable' rental units using the high end of King Co.'s area median income is not a affordable housing development for our community already feeling the impacts of displacement and will directly contribute to increasing displacement our residents
- planning for the minimum 20% 'affordable' rental units required by Dept of Ecology, allows for approx. 200 market rate units that will contribute to push out families unable to afford to buy in their home community Skyway

**I call for the Dept. of Ecology to be more intentional with, and accountable to, engaging with the community; taking action beyond the minimum requirement for community enqagement** re: communicating the impacts of the contamination and the clean-up process; as well as representing this government agency in public spaces with respect and professionalism. I am specifically concerned with:

- The processes, procedures of Dept. of Ecology, that minimally allows for only 1 month's notice for public comment
  - Notice via USPS only required to reach ¼ mile radius around site, despite impacts reaching across wider community
  - Notice shared to 'community organizations' transferring the uncompensated burden of deeper enqagement to the small staffed grassroots orgazinations already working to capacity investing in building up the community.

- Very concerned with the Public Participation Grant program; this ‘competitive grant program’ offers an application window of 3/30/31-4/29/21, which not only doesn’t apply to this 30 day window of public comment, but has been closed for three months; again it appears this *gives the impression that their is intention to support authentic community engagement and compensated partnership with local, connected community organization– but falls embarrassingly short and bypasses actually supporting community engagement.*
- A one month window for an unincorporated community that lacks adequate support and government representation and who speak dozens of languages, to review lengthy legal documents and technical overviews of contamination and proposed developments with undefined ‘affordable’ metrics is a disgraceful practice.

Further, when the Dept. of Ecology was contacted concerning an error their site listed for public comment closing, a member of your team shared - *“usually they get somewhere from 0-3 comments on the types of documents... because people think they don’t have anything to add— especially the legal documents...but we will consider any comments people wanna make about those documents... how we communicate with the public and what would be a better avenue”*

This reads as well-intentioned and open and responsive to feedback, but it is also clear there is no history of deep feedback and no movement toward creating systems to more deeply inform, engage and support community/public comments.

- The Public Comment Hearing in Skyway, August 3rd.
  - I am disappointed in the aggressive, condescending tone the developer showed to our community, in his brief 3-5 minute ‘presentation’ of the proposed development
  - It is unbelievable Ecology moved along with the meeting without acknowledging or condemning the developer’s blatant and disrespectful response to a Skyway resident’s questions on experience with contamination clean-up
  - There were many questions left unanswered in the chat, mostly relating to the affordability metrics used and the contamination impacts;
  - While I understand and respect giving an option to not to include name or affiliation on public comment form, this also leaves plenty of room for individuals from outside of the impact of this project to share comments.

### Part III

There are core terms that should be clearly defined:

- **Affordable Housing** - housing developments are not either affordable or not, there is a spectrum of affordability.

- Some important components that would help communities understand how to respond to development and whether it is affordable to its residents include:
  - a. Clear percentage of affordable units
  - b. which **area median income (AMI)** is used, and what % will be used (not a range)
  - c. Impact of model of the development (**rental, ownership, lease/rent-to-own**)
  - d. the consideration of the unique landscape of the community (displacement risk; AMI)

The proposed development indicates its position on the high end of ‘affordability’ and at the minimum required for affordable housing- which will actually bring in more market rate units than it provides ‘affordable’, and uses a model that has been studied as increasing displacement.

## Response (In 8 sections):

### Section 1:

#### Part II

I am not in support of the development as proposed at Skyway Mart/Boathouse. I am

specifically concerned with:

the ‘lease-to-own’ approach; King Co.’s 2021 Anti-displacement report recommends against ‘rent/lease’ and red flags it as a ‘risky’ impact on community; Skyway is actively facing high displacement already, this model will increase displacement of our residents

### Section 1 Response:

The redevelopment that occurs after the cleanup is outside of Ecology’s cleanup authority. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>57</sup>.

Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### Section 2:

the use of wider King County’s area median income (AMI) v. Skyway’s AMI; the unincorporated, and longtime underinvested in community of Skyway’s AMI is significantly lower than our surrounding more affluent cities and communities; by using King Co.’s macro lens of AMI, the proposed project gives the impression of affordability, but will displace our residents

### Section 2 Response:

Affordability for this project is defined by the [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>58</sup>. The King County AMI is not being used.

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<sup>57</sup> <https://forms.office.com/r/CzxhL3jEhw>

<sup>58</sup> <https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

### Section 3:

the flier mailed to my home re: this clean-up and proposed development shared the development is planning for the minimum of 20% 'affordable rental units' as required by Dept of Ecology's to qualify for clean-up funding;

Skyway is widely known as the next Seattle area community to be gentrified pushing out generations of mostly diverse families most who have already been pushed out of the Central District, Beacon Hill, Columbia City and the Rainier Valley– proposing the minimum units of 'affordable' rental units using the high end of King Co.'s area median income is not a affordable housing development for our community already feeling the impacts of displacement and will directly contribute to increasing displacement our residents

planning for the minimum 20% 'affordable' rental units required by Dept of Ecology, allows for approx. 200 market rate units that will contribute to push out families unable to afford to buy in their home community Skyway

### Section 3 Response:

Ecology's authority in this project is for the cleanup of the contamination. We are not able to dictate to the developer the percentage of affordable units they target for their redevelopment beyond the 20% minimum. Engaging the developer on these topics is the appropriate avenue for seeking action on the specific concerns you expressed about the Skyway Towncenter Project.

### Section 4:

I call for the Dept. of Ecology to be more intentional with, and accountable to, engaging with the community; taking action beyond the minimum requirement for community engagement re: communicating the impacts of the contamination and the clean-up process; as well as representing this government agency in public spaces with respect and professionalism. I am specifically concerned with:

The processes, procedures of Dept. of Ecology, that minimally allows for only 1 month's notice for public comment

Notice via USPS only required to reach ¼ mile radius around site, despite impacts reaching across wider community.

Notice shared to 'community organizations' transferring the uncompensated burden of deeper engagement to the small staffed grassroots organizations already working to capacity investing in building up the community.

### Section 4 Response:

Ecology has and is planning to hold public meetings at each phase of the cleanup process. We are committed to strengthening the community understanding of the contamination at this site and cleanup process.

Model Toxics Control Act (MTCA) does not specifically call out a ¼ miles radius for community notification of comment periods. However, that is our standard practice. For the latest



comment period we used postal routes which reach about ½ mile radius around the site. We will continue to use that extended radius for future outreach.

One of the purposes for holding this comment period on the legal agreement and public participation plan documents was to get more information from the community on how we can best do outreach for the cleanup. We now have a better picture that will help us reach a broader audience. In addition to engaging the public directly, sending notices of the comment period directly to community organizations is just another method of informing the community. We want to make sure we are connecting with these important groups throughout this process and providing them with the most accurate information so they can have meaningful involvement in the cleanup process.

### **Section 5:**

Very concerned with the Public Participation Grant program; this ‘competitive grant program’ offers an application window of 3/30/31-4/29/21, which not only doesn’t apply to this 30 day window of public comment, but has been closed for three months; again it appears this *gives the impression that their is intention to support authentic community enqagement and compensated partnership with local, connected community orgaization– but falls embarrassingly short and bypasses actually supporting community engagement.*

### **Section 5 Response:**

The Public Participation Grant program helps community groups communicate environmental issues in their community. Public Participation Grants are awarded to community groups or individuals with established structures to track and fulfill the communication goals on environmental issues impacting a community to the community. These grants are issued on a biennial cycle. We have passed your feedback on to the Public Participation Grant Coordinator, [Faith Wimberley](#)<sup>59</sup>.

The Public Participation Grant process is separate from the Public Participation Plan and comment periods for this Site. We invite you and other community groups to inquire about receiving a grant by reaching out to Faith Wimberley.

### **Section 6:**

A one month window for an unincorporated community that lacks adequate support and government representation and who speak dozens of languages, to review lengthy legal documents and technical overviews of contamination and proposed developments with undefined ‘affordable’ metrics is a disgraceful practice.

Further, when the Dept. of Ecology was contacted concerning an error their site listed for public comment closing, a member of your team shared - *“usually they get somewhere from 0-3 comments on the types of documents... because people think they don’t have anything to add—*

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<sup>59</sup> [faith.wimberley@ecy.wa.gov](mailto:faith.wimberley@ecy.wa.gov)

*especially the legal documents...but we will consider any comments people wanna make about those documents... how we communicate with the public and what would be a better avenue”*

This reads as well-intentioned and open and responsive to feedback, but it is also clear there is no history of deep feedback and no movement toward creating systems to more deeply inform, engage and support community/public comments.

### **Section 6 Response:**

Washington’s cleanup law, the Model Toxics Control Act (MTCA), requires that we hold 30-day public comment periods at key stages in the cleanup process. We are extending these comment periods to 45 days to allow more time for the community to review documents, especially legal or complex, detailed technical documents. This was not the case during this comment period.

There was an error in one of the many locations the comment period was announced. As soon as we were notified of the error, it was corrected. One of the purposes of the public meeting and the factsheet is to give the public a summary of the documents to help them in review so they can give substantive comments on the documents during specific phases of the cleanup process. The amount of time for review is usually not the problem. Ecology staff are available for questions throughout the cleanup process. These steps are taken whether or not the public utilizes them. All of these things are done to support meaningful community engagement.

### **Section 7:**

The Public Comment Hearing in Skyway, August 3rd.

I am disappointed in the aggressive, condescending tone the developer showed to our community, in his brief 3-5 minute ‘presentation’ of the proposed development

It is unbelievable Ecology moved along with the meeting without acknowledging or condemning the developer’s blatant and disrespectful response to a Skyway resident’s questions on experience with contamination clean-up

There were many questions left unanswered in the chat, mostly relating to the Faffordability metrics used and the contamination impacts;

While I understand and respect giving an option to not to include name or affiliation on public comment form, this also leaves plenty of room for individuals from outside of the impact of this project to share comments.

### **Section 7 Response:**

#### **Mr. Gardner’s behavior**

Mr. Gardner’s behavior at our public meeting was surprising and unexpected for us. We recognize that it was not appropriate, and we apologize. As the hosts of the meeting, it was our responsibility to maintain a safe and welcoming environment for all attendees and the behavior discussed above did not lead to a respectful meeting environment. At future meetings, we will strengthen our facilitation approach and better establish participation ground rules for everyone in the meeting in hopes of maintaining an environment that welcomes and promotes community.

We apologize for leaving questions unanswered in the chat. We chose to move on to make sure to finish the content planned for the meeting. We are hoping this comment response summary as well as future meetings with community stakeholders will help answer remaining questions.

### **Affordability Metrics:**

Affordability for this project is defined by the [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>60</sup>. The King County AMI is not being used. 20% of the total residential units are required to be 80% or less of the AMI for the Skyway-West Hill neighborhood. It is up to the developer to decide what area median income bracket they would like to target.

### **Contamination Health Risks:**

In order to experience health effects from a chemical, it is necessary to come into contact with the chemical. This could happen by drinking water or breathing air that contain the chemical. Longer exposures and higher concentrations are more likely to affect a person.

If you get your drinking water from Skyway Water and Sewer District, Ecology believes your drinking water will not contain chemicals from the Boathouse Inc Renton Skyway site (the Site). This is because the contaminated groundwater at the Site is shallow (at around 13-15 feet deep) while the closest water supply well is 117 feet deep. It is unlikely that chemicals from the Site will go as deep as the water supply well. Additionally, a representative of Skyway Water and Sewer stated during our August 3, 2022 meeting that the contaminants in the soil and groundwater at this site are routinely tested for in Skyway's drinking water. The testing shows that these contaminants are non-detectable in Skyway's drinking water meaning the water is safe and free of the contamination.

If you spent time in one of the buildings located at the property or next to it, it is possible that you might breathe in low concentrations of chemicals from the Site. A sample of soil gas below the building next door contained TCE at a concentration below our screening level, which does not indicate potential health threats. However additional soil gas data should be collected to confirm this result.

If you did drink water or breathe air containing PCE, it could affect your nervous system or cause cancer. If you were exposed to TCE or vinyl chloride, it could affect your nervous system or immune system or cause cancer. PCE and TCE can also cause problems with pregnancies or birth defects. For more information about health effects of these and other chemicals, visit the [Agency for Toxic Substances and Disease Registry's \(ATSDR\) ToxFAQs](#)<sup>61</sup> web site.

## **Section 8**

### **PART III**

There are core terms that should be clearly defined:

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<sup>60</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<sup>61</sup> <https://wwwn.cdc.gov/TSP/ToxFAQs/ToxFAQsLanding.aspx>

Affordable Housing - housing developments are not either affordable or not, there is a spectrum of affordability.

Some important components that would help communities understand how to respond to development and whether it is affordable to its residents include:

Clear percentage of affordable units

which area median income (AMI) is used, and what % will be used (not a range)

Impact of model of the development (rental, ownership, lease/rent-to-own)

the consideration of the unique landscape of the community (displacement risk; AMI)

The proposed development indicates its position on the high end of 'affordability' and at the minimum required for affordable housing- which will actually bring in more market rate units than it provides 'affordable', and uses a model that has been studied as increasing displacement.

### **Section 8 Response:**

Affordable housing is generally defined as housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities. Gardner Global Inc is targeting the 60%-80% AMI bracket for the 20% affordable units they are required to create in their proposed redevelopment.

The [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>62</sup>. The King County AMI is not being used.

For specifics on the proposed developments model (rental, ownership/rent-to-own) and the consideration of the unique landscape of the community (displacement risk, AMI) you will have to engage Gardner Global on directly. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>63</sup>.

Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

## **Comment from: Dinah Wilson**

I live in the Lakeridge area of Skyway & attended the community meeting hosted by DOE about the Boathouse site. Already, this project has started on the back foot-community was not centered at the meeting & has not been centered in the process. The developer should have been picked in collaboration with the community, but DOE has already made up it's mind to pick a developer with a sorted history evidently believing the community is ok being

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<sup>62</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<sup>63</sup> <https://forms.office.com/r/CzxhL3jEhw>

disrespected by the developer as long as it is a BIPOC developer. The most important qualities are experience with contaminated sites, capacity to do a good job, & working in a way that community & the people most impacted by the site are valued. DOE sat silently by as the contractor was rude & disrespectful. DOE left many questions from the community unanswered. The community should know how the site will be cleaned, what the developers experience is, where the contaminated soil will be taken, if the toxic chemicals in the groundwater will be stirred up & more toxic when the soil is dug up, if business owners & residents have been impacted by the contaminated soil & groundwater, if cancer rates near the site are higher, etc.

The community should define affordability.

This project is very concerning particularly because of questions & lack of confidence in its leadership.

## **Response:**

### **Redevelopment:**

Thank you for your comment. Ecology's Toxics Cleanup Program (TCP) regulates and oversees the cleanup of contaminated sites throughout the state of Washington. Developers come to the Department of Ecology with projects on contaminated sites. We provide guidance and oversight for these developers (and property owners) for cleanup under the Model Toxics Control Act. Developers who want to develop on contaminated sites take on the responsibility of cleaning up the site under Ecology oversight.

All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>64</sup>. You are welcome to attend Gardner Global's online meetings on their redevelopment every other week. Request the meeting link using the comment form above.

### **The August 3rd Meeting:**

Mr. Gardner's behavior at our public meeting was surprising and unexpected for us. We recognize that it was not appropriate, and we apologize. As the hosts of the meeting, it was our responsibility to maintain a safe and welcoming environment for all attendees and the behavior discussed above did not lead to a respectful meeting environment. At future meetings, we will strengthen our facilitation approach and better establish participation ground rules for everyone in the meeting in hopes of maintaining an environment that welcomes and promotes community.

We apologize for leaving questions unanswered in the chat. We chose to remove Mr. Gardner from the conversation in order to finish the planned meeting content. We are hoping this comment response summary as well as future meetings with community stakeholders will help answer remaining questions.

### **Contamination Health Risks:**

In order to experience health effects from a chemical, it is necessary to come into contact with

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<sup>64</sup> <https://forms.office.com/r/CzxhL3jEhw>

the chemical. This could happen by drinking water or breathing air that contain the chemical. Longer exposures and higher concentrations are more likely to affect a person.

If you did drink water or breathe air containing PCE (dry cleaning solvent), it could affect your nervous system or cause cancer. If you were exposed to TCE or vinyl chloride, it could affect your nervous system or immune system or cause cancer PCE and TCE can also cause problems with pregnancies or birth defects. Symptoms include headaches, vision problems, and problems with muscle coordination. For more information about health effects of these and other chemicals, visit the [Agency for Toxic Substances and Disease Registry's \(ATSDR\) ToxFAQs](#)<sup>65</sup> web site.

### Affordability:

Affordability for this project is targeting the 60-80 % [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>66</sup>. The King County AMI is not being used.

The number of affordable units in the project is not set but the percentage of those units that are affordable must be at least 20% of the total number of residential units. The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. As long as the affordability is 80% or less of the local AMI and for a minimum of 20% of units are affordable Ecology cannot dictate any more stipulations on the redevelopment. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>67</sup>.

Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

### Transparency:

After holding this meeting, we have seen the lack of trust between the community and the developer. Ecology's responsibility is to clean up the site. We do our best to educate communities and provide a transparent cleanup process under the Model Toxics Control Act. We also encourage the public to attend the developer's regular meeting where he discusses design elements for the redevelopment project. That is the outlet for development input. Get the meeting link from [Gardner Global Inc](#)<sup>68</sup>.

## Comment from: Fin Hardy

Skyway needs housing that is truly affordable and facilitated by a developer that has a genuine connection to our neighborhood. The larger site of Skyway Mart would be better suited for a community center, which Skyway has been asking for for many years. It shouldn't take a developer to kickstart the toxic waste cleanup. Why hasn't king county prioritized toxic waste

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<sup>65</sup> <https://wwwn.cdc.gov/TSP/ToxFAQs/ToxFAQsLanding.aspx>

<sup>66</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<sup>67</sup> <https://forms.office.com/r/CzxhL3jEhw>

<sup>68</sup> <https://forms.office.com/r/CzxhL3jEhw>

cleanup prior to the site being purchased, this shows a real underinvestment and systemic racism by king county toward Skyway.

### **Response:**

Thank you for your comment. In Washington state, the owner of a contaminated property is responsible for the cleanup. Ecology ensures the cleanups is conducted according to the Model Toxics Control Act (MTCA). As the new owner of the Boathouse Inc Renton Skyway parcel, Gardner Global Inc. will now take responsibility for the cleanup.

There are many sites awaiting cleanup in King County. A list of them can be found in the [Hazardous Site List](#)<sup>69</sup>.

### **Comment from: Cisco Orozco**

I am against the planned development. It is another example of developers taking advantage of historically marginalized communities and the "affordable" properties in favor of new high-earner incomers. If you want to know why there is a housing crisis, why homelessness is rising, you just need to look at these kinds of developments and the lack of accountability that our local and federal governments impose these developers. Many people, including myself will get pushed out. Dept. of Ecology and other governing bodies can do better than this. It is also known that this developer pays people to write 'positive' comments, that should be investigated.

### **Response:**

Thank you for your comment. Ecology's authority on this project is for the cleanup of the contamination. We will provide oversight and guidance for Gardner Global Inc for the cleanup of the Boathouse Inc Renton Skyway cleanup site. All comments on the proposed redevelopment should be directed to [Gardner Global](#)<sup>70</sup>.

The purpose of this first cleanup public comment period was to get comments from the public on the two documents for the cleanup of the site

- Public Participation Plan – how we are going to communicate with the community about the cleanup, and
- Perspective Purchasers Consent Decree – what the purchaser has to do to clean up the site to limit their liability for the contamination on the site.

The public meeting was an opportunity to educate the community on the cleanup process, summaries the site status, the plan as we move forward, and answer questions. Comments for and against the proposed design for redevelopment do not impact what happens during the cleanup of the contaminated site.

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<sup>69</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/2209042B.html>

<sup>70</sup> <https://forms.office.com/r/CzxhL3jEhw>

## Comment from: Jakub Harmany

My son goes to daycare next to the property and I prefer to see a community center here rather than apartments that gentrify the neighborhood. Skyway deserves a community center for our future generations. The AMI that is being used to determine rent for the 50 affordable units does not reflect Skyway residents.

### Response:

Affordability for this project is targeting the 60-80 % [Area Median Income \(AMI\) for The Skyway-West Hill neighborhood](#)<sup>71</sup>. The King County AMI is not being used.

The number of affordable units in the project is not set but the percentage of those units that are affordable must be at least 20% of the total number of residential units. The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. As long as the affordability is 80% or less of the local AMI and for a minimum of 20% of units are affordable Ecology cannot dictate any more stipulations on the redevelopment. All comments on the proposed redevelopment should be directed to [Gardner Global Inc](#)<sup>72</sup>.

Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

## Comment from: Rachel Daliva

I am in support of this proposal for affordable housing and clean-up of this site. As a resident and homeowner in Skyway, it's incredibly vital that we grow and invest smartly in this area without pushing out its current residents. I'm hoping that this project can continue to engage the community with transparency in this process.

### Response:

Thank you for your comment. We will hold more public comment periods and public meetings on the cleanup process for the Boathouse Inc. Renton Skyway cleanup site. Ecology's responsibility is to clean up the site. We will do our best to provide a transparent cleanup process under the Model Toxics Control Act.

## Comment from: S Kumagai

I am AGAINST this development. I live, work and raise an asthmatic child in Skyway. The developer is only concerned about their own wealth, not the Skyway community members lives and the culture of the community. The fact that the residents of Skyway do not get any words

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<sup>71</sup>

<https://www.census.gov/quickfacts/fact/table/brynmawrskywaycdp washington,kingcountywashington/INC110220?>

<sup>72</sup> <https://forms.office.com/r/CzxhL3jEhw>



or information about this public comment at all unless you have a personal connection to the community leader or live only 1/4 mile from the site tells that the Dept of Ecology and the Court are not at all taking serious effort into protecting the well-being of the community members. The level of contamination that will be uncovered by this development should be carefully examined taking into account this area's already overburdened reality, the pollution from major roadways and airways flying over the community that is readily shown by the Washington State Dept of Health's Washington Environmental Health Disparities Map. The area right next door to and across the street from the project site already has an established community garden and P-patch development plan in place and scheduled to break the ground this fall. The unearthing the contamination will detrimental effects on the garden & p-patches where community members including those who are at higher risk, including young children, youth, women of reproductive age, and elderies, will grow FOODS for their consumption. The high-rise development right east to the garden/p-patch sites will block the sun from the garden/p-patch and will negatively impact the success of the garden/p-patch project that the community has worked so long to come to fruition. The potential exposure to chemicals and the subsequent health concerns that pause on the communities who are committed to creating the lively community space/garden out of our own desire and decisions for food & social justice (vs. outsider coming to impose on us like this proposed development) will dehumanize the community members and ruin all the efforts and resources that have gone in. The development MUST NOT move forward.

### **Response (In 3 sections):**

#### **Section 1:**

I am AGAINST this development. I live, work and raise an asthmatic child in Skyway. The developer is only concerned about their own wealth, not the Skyway community members lives and the culture of the community. The fact that the residents of Skyway do not get any words or information about this public comment at all unless you have a personal connection to the community leader or live only 1/4 mile from the site tells that the Dept of Ecology and the Court are not at all taking serious effort into protecting the well-being of the community members.

#### **Section 1 Response:**

This public comment period is part of the standard public engagement Ecology does for cleanup sites under legal agreements. The public meeting was an opportunity to educate the community on the cleanup process, summarize the site status, the plan as we move forward, and answer questions. Ecology is planning to hold public meetings at each phase of the cleanup process. We are committed to strengthening the community understanding of the contamination at this site and cleanup process.

Model Toxics Control Act (MTCA) does not specifically call out a ¼ miles radius for community notification of comment periods. However, that is our standard practice. For this comment period we used postal routes which reach all residents within about ½ mile radius around the site. We will continue to use this extended ½ mile radius for future comment periods. Outside of that area, interested stakeholders can be added to a mailing list or email list to be notified of

activities related to the cleanup. Interested stakeholders should email [Meredith Waldref](mailto:Meredith.Waldref@ecy.wa.gov)<sup>73</sup> to be added to one of these lists.

## **Section 2:**

The level of contamination that will be uncovered by this development should be carefully examined taking into account this area's already overburdened reality, the pollution from major roadways and airways flying over the community that is readily shown by the Washington State Dept of Health's Washington Environmental Health Disparities Map.

### **Section 2 Response:**

The next stage in the cleanup process is called the Remedial Investigation. Its purpose is to investigate the nature (what types of contamination are present) and extent (the locations of the contamination and distances it may have traveled) of the contamination. This information will be shared with the public and will be available for public comment. We will hold another public meeting to answer questions and explain the results in more detail.

Ecology will ensure the contamination is cleaned up to the standards for residential use described in the Model Toxics Control Act.

## **Section 3:**

The area right next door to and across the street from the project site already has an established community garden and P-patch development plan in place and scheduled to break the ground this fall. The unearthing the contamination will detrimental effects on the garden & p-patches where community members including those who are at higher risk, including young children, youth, women of reproductive age, and elderies, will grow FOODS for their consumption. The high-rise development right east to the garden/p-patch sites will block the sun from the garden/p-patch and will negatively impact the success of the garden/p-patch project that the community has worked so long to come to fruition. The potential exposure to chemicals and the subsequent health concerns that pause on the communities who are committed to creating the lively community space/garden out of our own desire and decisions for food & social justice (vs. outsider coming to impose on us like this proposed development) will dehumanize the community members and ruin all the efforts and resources that have gone in. The development MUST NOT move forward.

### **Section 3 Response:**

As a regulatory agency, Ecology will ensure that the cleanup is done in accordance with the Model Toxics Control Act (MTCA). During the construction phase of cleanup, when contamination is being treated at the site or removed entirely, crews will follow safe handling procedures for (re)moving contamination from this site. These best management practices (safe Handling procedures) limit the escape of contamination from the work areas. We have added the P-Patch program to the email list for this site as well. Once complete, the cleanup

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<sup>73</sup> [Meredith.Waldref@ecy.wa.gov](mailto:Meredith.Waldref@ecy.wa.gov)

will protect both the people and environment at and around this site. Additionally, the feasibility study phase, prior to construction, will study all the different cleanup technologies proposed for this Site. The short-term impacts to adjacent properties will be evaluated and used to determine the appropriate cleanup alternative for the site.

The redevelopment that occurs after the cleanup is outside of Ecology's cleanup authority. All comments on the proposed redevelopment should be directed to [Gardner Global](#)<sup>74</sup>. Additionally, Gardner Global holds an online meeting on their redevelopment every other week and invites community participation. Request the meeting link using the comment form above.

## Comment from: Cynthia Lamothe, Skyway Water & Sewer District

See comment letter uploaded August 16, 2022.

### Comment Attachment:

August 16, 2022

Re: Boathouse Inc Renton Skyway Cleanup Site  
Facility Site ID: 566527869 Cleanup Site ID: 567  
Prospective Purchaser Consent Decree (PPCD) & Public Participation Plant (PPP)

Dear Sandra Matthews:

The District submits the following comments on the subject cleanup site and documents:

1. During the public meeting, the Ecology Site Manager seemed to state that the closest drinking water wells were likely residential wells at a distance of at least a mile. Please note that Skyway Water & Sewer District's water supply wells are located approximately 0.5-mile NNE of the site.
2. The Boathouse Inc Renton Skyway site is within the District's delineated wellhead protection areas, falling between the six-month and one-year time-of-travel (Zone 1) for their closest primary source well.
3. There appears to be appreciable uncertainty in the local groundwater gradient in advance of the remedial investigation/feasibility study (RI/FS). Given the location of the project near the apex of the hill, some diverging, radial flow is anticipated. Indeed, Ecology presented annotated aerial images indicating a shallow gradient to the NW (for the former gas station) and separately both Wand SW (for the former dry cleaner), while the estimated extent of chlorinated solvent impacts to groundwater suggests some movement to the SE. This uncertainty in flow directions is a data gap that needs to be resolved during the RI/FS before downgradient wells can be identified and potential impacts estimated. Monitoring wells, both on and off site, are likely required to identify seasonal gradients in proximity to the site.

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<sup>74</sup> <https://forms.office.com/r/CzxhL3jEhw>

4. The RI/FS must clearly define the vertical and horizontal boundaries of soil and groundwater contaminants.
5. The geology and hydrogeology of the contaminant site must be characterized and placed in context with the geology and hydrogeology of the shallow and intermediate aquifers utilized by the District. This characterization must include assessing the risks of Non-Aqueous Phase Liquids (NAPL), Dense Non-Aqueous Phase Liquids (DNAPL), Vapor and dissolved phase contaminant migration through unsaturated and saturated formations.
6. As a key stakeholder, the District requests to be provided the opportunity to provide technical review of the RI/FS work plan and resulting studies in order to ensure that its resources are appropriately protected.

If you have any questions, I can be reached at 206-772-7343 or [cynthial@skywayws.org](mailto:cynthial@skywayws.org).

Cynthia Lamothe  
General Manager

## **Response:**

Thank you for your comments. Below are our responses to each comment:

1. Thank you for the precise location of the well.
2. Thank you for this information.
3. The purpose of the Remedial Investigation (next stage of the cleanup) is to investigate and define the nature and extent of the contamination. Seasonal groundwater flow variations will be a part of that investigation and is one reason the investigation takes place over several seasons.
4. The Remedial Investigation will define the vertical and horizontal boundaries of soil and groundwater contaminants.
5. The Remedial Investigation will do this.
6. The water district will have an opportunity to review the documents produced for the Boathouse Inc Renton Skyway cleanup site.

# Appendices

Appendix A. Public comments in original format

## **I-1: Brian Greggs**

### **Comment I-1-1**

I would like to comment in favor of the consent decree and public participation plan for the proposed development. I am a Skyway resident and homeowner, and I support efforts by Ecology to incentivize redevelopment of contaminated parcels of land. The parcel(s) in question are in the heart of the Skyway business district, and though not vacant, the extant buildings are underused and nearing the end of their functional lives. I feel that the community would be improved by the present remediation and redevelopment proposal. We have a shortage of affordable rental and/or homeownership opportunities in the neighborhood, and the proposed commercial spaces would also help attract shoppers to spend more of their dollars in the neighborhood. I would like to see increased educational efforts take place, on the part of Ecology or community groups (through public participation grants), to help community members understand that: a) their drinking water has never been measurably impacted by this contamination; b) this type of contamination is extremely common among almost all properties with a past or present history of dry cleaning, and has been identified on hundreds of properties all across the city and county, both in affluent and in less-affluent neighborhoods alike; and c) these properties often remain or become underused and blighted for decades or more, due to the costs, uncertainties, and risks of performing a full investigation and remediation.

## **I-2: Njuguna Gishuru**

### **Comment I-2-1**

As a private developer from outside of the Skyway community receiving public funds to clean up this site and profit from it, I believe it's essential that they make this project affordable for Skyway residents. The State of Washington is funding this clean up in exchange for a defined public benefit, affordable housing. In the context of this community, the Blackest and most BIPOC community by percentage in our state, affordability must be tied to our local area median income. We must also recognize that our residents are significantly cost burdened and generally spend over 30% of their income on housing. If housing is developed that is affordable for residents outside of our community but not those combating housing inaccessibility in our community we will be accelerating displacement and gentrification. Public funds will be supporting a large development that will draw in wealthier and whiter residents who are being priced out of higher cost areas. We will be creating the illusion of equity and affordable housing for this community while the developer builds an engine of displacement that drives our housing insecure primarily BIPOC residents out. It's imperative that this development make at least 50% of its units affordable based on Skyway-West Hill's AMI. It's also critical that the developer work with and respect the leaders and residents of this community. On August 3rd 2022 on the Boathouse Inc. Renton Skyway Cleanup Site Public Meeting Zoom Call Jaebadiah S. Gardner insulted our community elder Dinah Wilson, a long time public servant and people's champion with decades of tireless investment in our community and many more in the county.

It was reprehensible for a young Black professional to insult an exemplary Black woman his mother's age in a public forum and we were all shamed and appalled by his actions. We were also appalled by the Department of Ecology staff's refusal to reprimand Mr. Gardner and protect Ms. Wilson. The Skyway community demands an apology for Ms. Dinah from both parties and hopes Mr. Gardner can pray and reflect on his misguided actions. Our community's future can only be built on a strong foundation of respect, solidarity and empowerment. Without those key ingredients no amount of cash or "clout" will entitle anyone to our support. I hope we all remember that the community's well being is priority #1. Environmental and economic justice are our rights not favors from the Department or the developer.

### **I-3: Njuguna Gishuru**

#### **Comment I-3-1**

Meredith Waldref, Public Outreach Specialist, received the following emailed comment on 8/4/2022 at 9:48am. Meredith asked the commenter, Njuguna Gishuru, if he would like the email uploaded as a formal comment to the public record. He said yes and Meredith uploaded it on 8/5/2022 as a PDF attachment.

(See comment attachment below)

## Waldref, Meredith (ECY)

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**From:** Njuguna Gishuru  
**Sent:** Thursday, August 4, 2022 9:48 AM  
**To:** Waldref, Meredith (ECY)  
**Subject:** Concerns Regarding Boathouse Inc. Renton Skyway Cleanup Site Public Meeting

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link**

Hello Ms. Waldref,

My name is Njuguna Gishuru. I am a Skyway community member who was on the **Boathouse Inc. Renton Skyway Cleanup Site Public Meeting** zoom call yesterday. I am reaching out to you to express my dissatisfaction and dismay with the conduct and approach of developer Jaebadiah Gardner on that call and of Department Ecology staff in failing to check his behavior.

During the call when community elder and long time public servant [Dinah Wilson](#) asked what type of experience Gardner Global has had with the type of hazardous materials clean up required for this project Mr. Garder replied "more than you" in a snide and insulting manner and refused to answer her question. This was very disrespectful and dismissive and the Department of Ecology staff members simply sat idly by and said nothing when this overt statement of hostility was made towards a woman of honor in our community. By providing Mr. Gardner with a platform to dismiss and demean our community members and not supporting Ms. Wilson or reprimanding him you condoned his behavior and gave it the appearance of Department sanction. This was a microaggression in the broad light of day that women should not be subject to in 2022. Mr Gardner also made a statement to the community that he "[wants all the smoke](#)" a slang term meaning that one welcomes conflict and even violence. Many of us took this as a threat. It is alarming to our community that the posture of the developer and department seems hostile to an actively engaged community, the same one that funds the clean up of a for profit project and delegates power to the department through our elected representatives. It seems the department and developer feel you are doing us a favor. However, ecological and economic justice are our rights and we will proudly assert them especially after decades of neglect. That history of systemic neglect does not give any developer or department license to disregard our agency or dignity.

**We need the Department to formally and publicly reprimand Mr. Gardner for his conduct on the call and to reach out and apologize to elder Dinah Wilson as soon as possible. We also need you to formally evaluate and address our serious concerns about affordability and using public funds to support a project that can be called affordable housing while it is not affordable for Skyway-West Hill's housing insecure residents.** If housing is developed that is affordable for residents outside of our community but not those combating housing insecurity in our community it will be accelerating displacement and gentrification. Public funds will be supporting a large development that will draw in wealthier and whiter residents who are being priced out of higher cost areas. The department will be cultivating the illusion of equity and affordable housing for this community while you support the development of an engine that drives our housing insecure primarily BIPOC residents out. **It's imperative that this development make at least 50% of its units**



**affordable based on Skyway-West Hill's AMI and that priority be given to historic residents of the community.** This was done in projects Gardner Global worked on and supported for AfricaTown Community Land Trust in the Central District of Seattle so we are confident it can be done in Skyway.

I would appreciate a prompt and considered response as soon as possible. I have already registered comments with both your department and Gardner Global and will be remaining engaged on this issue. I appreciate your important contribution to our state's ecological wellbeing and our community hopes to work with you in solidarity going forward, thank you.

Njuguna Gishuru

**I-4: Yvonne Peko**

**Comment I-4-1**

We support GardnerGlobal!

**I-5: Doug Webb**

**Comment I-5-1**

Appreciate everything you're doing to clean up a toxic site!

**I-6: Ruby Holland**

**Comment I-6-1**

Please support GardnerGlobal in their efforts to clean up toxic sites in Seattle's Communities of Color, in order to build affordable housing on these sites. Communities of Color need both, affordable housing and a toxic free environment, free from cancer and disease causing chemicals. I applaud and appreciate GardnerGlobal for taking this important and necessary first step.

(See comment attachment below)



Image attachment from Ruby Holland

## **I-7: Peter Joseph**

### **Comment I-7-1**

Investigation work has been ongoing at this site for the last couple months. Just this week, subsurface work is being conducted adjacent to a daycare. While vapor intrusion is a serious concern for chlorinated solvent cleanup sites, the daycare represents a potential exposure pathway for high risk receptors. Will Ecology provide results to the vapor intrusion assessment to the public in a timely manner?

If the vapor assessment is only provided following completion of the remedial investigation, which could take substantial amount of time to complete, there could be unwarranted exposure of toxic chemicals to children and their caregivers.

## **I-8: Liz**

### **Comment I-8-1**

Based on the publicly available data, TCE and PCE are present in groundwater at levels that exceed screening levels and pose a risk to vapor intrusion. The previous sub-slab sampling was incredibly limited and did not assess VI risk in all buildings in proximity. TCE in groundwater in close proximity to buildings that include women of child-bearing age may require immediate action based on Ecology and EPA guidance. This is especially concerning for the daycare located just to the southwest of the known contamination, but also applicable for the Skyway Mart and church. If additional sub-slab and indoor sampling has not already been completed to assess VI, the GW concentrations warrant immediate investigation.

## **I-9: MATT KOSTECKA**

### **Comment I-9-1**

At the end of the day, we won't be able to solve the housing crisis in Seattle without significantly increasing the supply of housing to accommodate our growing population. We can't legislate our way out of landlords having all of the leverage over people that need housing given the exceptional imbalance between supply and demand. We also need to make sure that our work to address this crisis is done in ways that also work to address rather than exacerbate existing inequities in our region.

The work proposed here clearly aligns to those needs. We are talking about a local black business owner who has literally jumped over every typical barrier faced by business owners of

color, and who has a deep commitment to affordable housing and racial equity, who is proposing to invest in a toxic site and turn it into something that - in a small but meaningful way - puts another dent in our need for more (and more affordable) houses.

Yes, let's make sure the development is safe for all nearby residents - without question. But as a resident of the South Seattle area and a born-and-raised South End resident, I strongly support getting this proposal over the finish line.

### **I-10: De'Vonte' Parson**

#### **Comment I-10-1**

I am the executive director of Pro Se Potential a nonprofit organization focused on empowering our young people of Color to uplift their communities. We support what Global is doing because they are helping shape the environment in a positive way for the young people we serve and their families. We wish them much more success and prosperity.

- De'Vonte'

### **I-11: Belinda Buchanan**

#### **Comment I-11-1**

I'm an UW graduate and welcome affordable housing and workplace type housing. I'd like to move home. I support the cleaning of this area

### **I-12: Peter Kidane**

#### **Comment I-12-1**

I support this project.

### **I-13: Marina Gray**

#### **Comment I-13-1**

I am in absolute support of Gardner Global Inc. doing the necessary and responsible work of cleaning up toxic elements at the Boathouse Inc Renton Skyway Site in King County. Far too often our communities of color are impacted by toxic elements harmful to our health and the development of our children. I am deeply appreciative of their work to ensure this clean up occurs before development.

Respectfully,

Marina Gray  
King County Resident and Community Advocate

**I-14: F.D. Scott**

**Comment I-14-1**

Hello Department of Ecology,

I'm concerned about the developer's disinterest in working with the Skyway/Westhill community and I don't think this development is well suited for our area as it is currently proposed.

Some of the questions I hope you can answer are:

Is the Department of Ecology open to cleaning toxic sites in the Skyway/Westhill community even if there's no immediate intent to build?

Can the Department of Ecology provide a list of the safest options to remove toxins in our area (with or without the current developer)?

Is it possible that Ecology can fund a community survey to confirm if the community wants the proposed development?

**I-15: Michel Paves**

**Comment I-15-1**

We need more affordable housing options, so I'm in support of Gardner Global's project as well as grateful for the plans to clean up this site. I'm also relieved that a Black-Owned business and developer will be at the helm. Knowing that this location contains toxins is upsetting, especially considering how historically and presently neighborhoods of color are often experiencing this type of environmental injustice and inequity. I'm glad this was discovered and that something will be done to recover the area.

## **I-16: Efrem Fesaha**

### **Comment I-16-1**

I fully support, and I'm grateful that GardnerGlobal is willing to take the initiative to clean up a polluted site that has been neglected since it is found in a neighborhood primarily inhabited by black and brown community members.

## **I-17: Mara Palmer**

### **Comment I-17-1**

I am a current skyway resident in full support of the efforts of GardnerGlobal to create a clean and safe living environment correcting the damage that has been done to the land.

## **I-18: Andy Paves**

### **Comment I-18-1**

As a newer Skyway resident, I am writing in full support of Gardner Global and this project. In tracking the discussions/forums on this project, my impression is that some may view GG and this project as just another outside (the neighborhood at least), greedy developer whose only concern is about profit with little to no regard for the community. I totally empathize with concerns about gentrification/displacement - I was forced out of apartments 2x by the same company that intended (and made it clear on their website) to raise rent unreasonably high so people move out, renovate, and re-rent to "maximize profit." (The fact that the company was bankrolled by the CEO's father made it even harder to swallow).

What I know about GG is that they are the exact opposite and are hoping to buck the trends that many are justifiably worried about. They are rooted in this city, truly committed to investing in and giving back to underserved and too often neglected communities, and working towards affordable housing and environmental justice. I would recommend looking in to some of their other work as evidence of what they are all about (eg this story - <https://www.king5.com/amp/article/news/local/black-history/develop-seattle-central-district-black-businesses/281-e251078d-7481-4a31-a9d1-83582c682879>) . I believe this project will provide housing and economic opportunities/access that are not currently present in Skyway - eg affordable housing, space for local small businesses, employment opportunities. I also look forward to the potential having a revamped and walkable retail/town center that is near to me and my family. Finally, it is absolutely necessary to clear the contamination at the site. It has been neglected for so long, as is often the case in primarily BIPOC, lower income neighborhoods. Without GG looking in to it, who knows how much longer it would have been overlooked. And I trust that they will oversee the clean up with necessary care and attention with the community's safety in mind (otherwise the project would be DOA)

**I-19: Sean Connor****Comment I-19-1**

I was excited to learn about a project that involves cleaning up the environment and turning the area into affordable housing. Especially in an area that can benefit communities of color. Over the years I've seen Jaebadiah Gardner and GardnerGlobal take on big projects. Projects that have meaning and purpose. The company has built a reputation of integrity and excellence. I think they would be a great partner to work with on any endeavor, but specifically one that will benefit the community.

**I-20: Cynthia K****Comment I-20-1**

What I find alarming as a Skyway residents is that this program provides public funds to developers to clean up contaminated sites in our community and develop property that is affordable for people outside of the community but not historic residents of the community while calling it "affordable housing". This could accelerate displacement. This can be easily addressed by tying affordability to the specific geography where the property is located. That ensures benefit to the specific residents of the community who are structurally disadvantaged.

**I-21: Brooks Glenn****Comment I-21-1**

GardnerGlobal has done amazing work throughout Seattle for Black and Brown communities. Their desire to have a polluted sight cleaned up to further provide housing options is notable and should be supported on all fronts. I stand with the work they are doing and would hope they are afforded a smooth process.

**I-22: Anthony Shoecraft****Comment I-22-1**

I am a native Seattleite—born and raised in Skyway, and also a current home owner in the Skyway neighborhood. I have seen the ups and downs of the neighborhood and have invested sweat equity toward its improvement over the years. I fully support GardnerGlobal's Skyway project and its efforts to revitalize and improve the neighborhood.



### **I-23: Elijah Baker**

#### **Comment I-23-1**

I support Gardner Global helping cleaning up the community to help support the black and brown community and development of affordable housing!

### **I-24: Marcus Harden**

#### **Comment I-24-1**

I am in full support of the ecology to clean up this area and skyway and to make it live able and usable for what is to come as the next step for what Skyway needs and deserves.

### **I-25: Julia Bobadilla Melby**

#### **Comment I-25-1**

?What are the health symptoms of contamination from the chemicals found at this site? Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents. Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals? ? Was the Dry Cleaners business ever listed in the biennial report to the legislature? an investigation was completed in 1999. ? What was found at that time? ? Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway Cleaners) closed in 2002? That is 5 years. ? How often did ecology check in on this business to ensure compliance? ? Were people who live and work in the area notified of this in 2015? If so, how? If not, why not? ? So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999? Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway's commercial nodes for lower-income residents. ? Do you know how to do development without displacement?

? In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing

cost increases are boosting worries about displacement? ? Can Skyway's median income be used in determining rents?

? Can developers be provided with a subsidy as an incentive to provide low income housing?

? Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together? ? How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I'm concerned that the professional geologist, hydrologist, engineer, might get paid to lie on the testing to protect the developer's interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets. How is the air quality outside and inside? Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. This is cultural genocide what you are letting happen? The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands? To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

(See comment attachment below)

Julia Comments. Skyway Contamination near my house. 8/16/2022

I went to the nearby grocery store to purchase drinking water after the negative experience I had attending the WA Department of Ecology zoom public meeting on Wednesday, August 3, 2022.

Although Ecology and the Water/Sewer staff tried to comfort us at the public meeting that the drinking water is safe, I found this information on the Environmental Protection Agency (EPA)

“Contamination of groundwater **can result in poor drinking water quality**, loss of water supply, degraded surface water systems, high cleanup costs, high costs for alternative water supplies, and/or potential health problems.”

[EPA website:](#)

<https://www.epa.gov/sites/default/files/2015-08/documents/mgwc-gwc1.pdf>

?What are the health symptoms of contamination from the chemicals found at this site?

From the WA Ecology Department website: <https://apps.ecology.wa.gov/cleanupsearch/site/567>

“The Department of Ecology (Ecology) is overseeing a cleanup of the Boathouse Inc Renton Skyway Site in the Skyway neighborhood, being done by GardnerGlobal, Inc (GG). Ecology is providing funding for this cleanup through their new [Affordable Housing Cleanup Grant Program](#). This program ensures sites are “cleaned up properly while promoting community engagement and ensuring affordable housing in the process.”

The Boathouse Inc. Renton Skyway site (Site) is a former retail store and dry cleaning facility (Ken's Skyway Cleaners) located in Seattle, King County, Washington. A dry cleaning facility (Ken's Skyway Cleaners) was in operation at the Site from 1982 until 2002. Operations at this dry cleaning facility resulted in the release of hazardous chemicals to soil and groundwater. The 0.48-acre property is located approximately 5,700 feet from the Duwamish River, and zoned for community business (CBSO) use.

Municipal groundwater wells for the Skyway Water District (approximately 9,890 users) and the City of Renton (approximately 62,100 users) are located within 2 miles of the Site. Solvent-impacted groundwater has been confirmed at the Site, but has not been confirmed to affect municipal groundwater supplies.”

Taken from page 8 of the [Prospective Purchaser Consent Decree \(PPCD\)](#)

“Contamination at the Site is likely related to the former Ken's Skyway Cleaners. Additional sources and/or releases may be identified during further investigations. Sampling from previous environmental investigations at the Site demonstrate that

Tetrachloroethene (PCE) is present above MTCA Method A cleanup levels in soil and groundwater,  
Trichloroethene (TCE), and Vinyl Chloride (VC) are present in groundwater above MTCA Method A cleanup levels in groundwater,  
Cis- 1,2 dichloroethene (DCE) is present in groundwater above the MTCA Method B NonCarcinogen Standard Formula Value, and PCE, TCE and VC are likely present in soil gas above their MTCA Method B Screening Levels based on groundwater sampling results. These hazardous substances have been, and may continue to be, released at the Site into the environment including to soil, soil gas, and groundwater.”

My concerns:

1. Ecology staff indicated they are required to place an ad in the Seattle Times to publicize information. I expressed concern that doing this is inequitable since to view the Seattle Times usually requires a subscription that not everyone has nor can afford. The staff said it is in the MTCA - Model Toxics Control Act. When I searched the internet for this, it came up as a Washington state act. I also explained that ethnic media should be used also. Skyway is a very diverse community, the most diverse zip code in the state. The demographics of Skyway should be taken into consideration as to what media is used by Skyway residents.

Here is the WAC:<https://app.leg.wa.gov/wac/default.aspx?cite=173-340-600>

“(c) Newspaper publication. Notice of the proposed action shall be published in the newspaper of largest circulation in the city or county of the proposed action, by one or more of the following methods: Display ad; legal notice; or any other appropriate format, as determined by the department.

(d) Other news media. Notice of the proposed action shall be mailed to any other news media that the department determines to be appropriate. The department may consider how a medium compares with the newspaper of largest circulation in terms of: Audience reached; timeliness; adequacy in conveying the particular information in the notice; cost; or other relevant factors.”

**Contradictions.** Ecology staff said in the meeting that contamination was found in 2018. My question was not fully answered as to who was to monitor the dry cleaners use of chemicals?

Ecology indicated that a certain number of people need to be affected in the area, or something to that nature, before they clean up. I read parts of the MTCA - Model Toxics Control Act, Cleanup Regulation on page 37, <https://apps.ecology.wa.gov/publications/publications/9406.pdf>  
In there it states:

“(4) Site assessment and ranking. For high priority sites, the department shall complete the site hazard assessment and hazard ranking within one hundred eighty days of the scheduled start date. These sites shall be identified in the department's Site Register.

Sites not designated as a high priority shall be scheduled for future investigations and listed in the biennial report to the legislature (WAC 173-340-340). The department shall conduct at least thirty-five site hazard assessments each fiscal year until the number of sites needing site hazard assessments are reduced below this number. “

**My Questions:**

? Was the Dry Cleaners business ever listed in the biennial report to the legislature?

According to the Ecology's web page with information about this contaminated site <https://apps.ecology.wa.gov/cleanupsearch/site/567> an investigation was completed in 1999.

? What was found at that time?

The webpage goes on to say “in 2002 The Site joined the Voluntary Cleanup Program (VCP) in 2002 and placed on the list with ID number NW0926, and was terminated from the program in 2007 due to inactivity.”

? Why was the site terminated from the Voluntary Cleanup Program in 2007 when the former dry cleaning facility (Ken's Skyway Cleaners) closed in 2002? That is 5 years.

The Voluntary Cleanup Program (VCP) helps property owners who are independently cleaning up their site. Webpage:  
<https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanups/Voluntary-Cleanup-Program>

? How often did ecology check in on this business to ensure compliance?

In 2015 Ecology conducted a Site Hazardous Assessment and added the Site to the Hazardous Sites List with a ranking of "3" moderate risk.

? Were people who live and work in the area notified of this in 2015? If so, how? If not, why not?

On January 17, 2019, a Limited Phase II screening was conducted. PCE, TCE and Vinyl Chloride (VC) were found above state cleanup level in groundwater. This report also documents the potential of the groundwater plume migrating to the south and under the adjacent southern property.

? So why has this site not been cleaned yet with us being in the year 2022 yet there was an investigation in 1999?

In 2020 Ecology is beginning negotiations with the liable persons to clean up the Site.

? How are the negotiations going? Who are the liable persons?

Questions on PROSPECTIVE PURCHASER CONSENT DECREE:

On page 3 it states: “so it may be redeveloped and reused as the Skyway Towncenter project, a mixed affordable rental and affordable condominium ownership housing project (Project). The Project will provide approximately 254 total units: 71 to 94 units of affordable rental housing, or 30 percent to 40 percent of the Project units, and approximately 142 to 165 units of affordable lease-to-own condominiums, or 60 percent to 70 percent of the Project units. 12536 Renton Ave LLC is continuing to assess unit numbers according to the King County Code, and anticipates that these unit counts may increase. The Project will also include commercial space.”

? Affordable for who exactly?

Based on community input, a new long-range plan for the area under consideration by the Metropolitan King County Council this year includes regulations that would require for-profit developers to reserve at least 15%-30% of the units they construct in Skyway’s commercial nodes for lower-income residents.

? Do you understand that low income housing is different from affordable housing?

? Do you know how to do development without displacement?

? In an area where two-thirds of the 18,000 Skyway residents are people of color and the per capita annual income is \$25,000 less than in Seattle, per U.S. census data. Do you know housing cost increases are boosting worries about displacement?

? Which area are you looking at when the term Area Median Income (AMI) is used?

? Can Skyway’s median income be used in determining rents?

? Can developers be provided with a subsidy as an incentive to provide low income housing?

? Can all developers be required to create a Community Benefits Agreement (CBA can include what kind of retail shops community members would like to see on the first floor of a housing complex, art by locals, hiring of locals, etc.) with a local community organization like Skyway Coalition so the developer can be informed on what the needs are at that specific time and how the community can partner with the developer in achieving a community vision together?

In The PROSPECTIVE PURCHASER CONSENT DECREE, section VIII Performance, page 16:

? How will testing done by geologists, hydrologists, engineers licensed by Washington State be verified? I’m concerned that the professional geologist, hydrologist, engineer, might get paid to

lie on the testing to protect the developer's interest in making money/profits on the housing, rather than protect the environment (land & air) and people, children, and pets.

On page 7 of the Exhibits document, it states the following: "As part of the project background, existing environmental data on site soil, groundwater, and soil vapor will be compiled and evaluated for data gaps."

Soil vapor is a term I had to look up online. The Environmental Protection Agency (EPA) website talks about "Migration of Soil Vapors to Indoor Air" Here is the EPA webpage on vapor intrusion. <https://www.epa.gov/vaporintrusion/what-vapor-intrusion>

? How is the air quality outside and inside? I assume it has been tested?

[Public Participation Plan](#) (PPP) input:

Given this info in the PPP: "tracts were researched for health risks to sensitive populations to better inform the outreach needs for the site. Tract 026001 has a risk rating of 2 (low) while track 026100, to the west, has a risk rating of 10 (highest)."

? Why does the area not have signs or is not closed off?

The Public Participation Plan states, "Based on federal guidance, any score greater than the 80th percentile should be considered significant."

? Since all but one is higher than the concerning 80, why are there no warning signs posted around the area? It is near a park that children frequent. Below is the image with the info I am referring to:

**EJScreen Report (Version 2.0)**  
 .25 miles Ring Centered at 47.492037,-122.239895  
 WASHINGTON, EPA Region 10  
 Approximate Population: 1,615  
 Input Area (sq. miles): 0.20

Selected Variables	Percentile in State
<b>Environmental Justice Indexes</b>	
EJ Index for Particulate Matter 2.5	84
EJ Index for Ozone	84
EJ Index for 2017 Diesel Particulate Matter*	89
EJ Index for 2017 Air Toxics Cancer Risk*	85
EJ Index for 2017 Air Toxics Respiratory HI*	85
EJ Index for Traffic Proximity	79
EJ Index for Lead Paint	93
EJ Index for Superfund Proximity	94
EJ Index for RMP Facility Proximity	88
EJ Index for Hazardous Waste Proximity	91
EJ Index for Underground Storage Tanks	93
EJ Index for Wastewater Discharge	98

*Figure 7 Chart showing environmental justice rankings for a quarter-mile area around the site*

Giving the developer the discretion to determine affordability as they see fit without regard to the area median income of this community specifically is alarming. This is a community facing rapid displacement and affordability should be defined based on the AMI of this community specifically. The community only benefits from affordability if that affordability is based on its economic realities.

I think what is alarming to Skyway residents is that this program can potentially provide public funds to developers to clean up contaminated sites in our community and develop property that is affordable for people outside of the community but not historic residents of the community while calling it "affordable housing". This could accelerate displacement. This can be easily addressed by tying affordability to the specific geography where the property is located. That ensures benefit to the specific residents of the community who are structurally disadvantaged.

This is cultural genocide what you are letting happen? The WA Department of Ecology, a public entity, who gets some funds from taxes, is giving a grant to a developer, who will get to choose the affordability level of the housing. By not including low income residents, you are creating segregation, a form of redlining. Many low income residents are Black and Brown. These chemicals are in the air. Letting this go on since 1999! Wow! People can get very sick, if they are sick already, with a low immune system, then they could die. Do you want this on your hands? To the developer, shame on you for giving your rudeness to an elder community member. You showed us that you are not friendly, and thus, not for our community. I hope you can find it in your heart to do the right humane, loving thing.

Concerned Resident,  
 Julia Bobadilla-Melby



## **I-26: Cherryl Jackson-Williams**

### **Comment I-26-1**

I live my life in Skyway - I have been residing in this beautiful community since 2010 raising two generations of children who observe Skyway as their home in every sense of the word.

Raising my children here I have engaged with many organizations and community members to build up our community and network of support here. My daughter attends school in Skyway and due to my my personal and professional work I am connected to a plethora of families. I also am very intentional regarding the local economy of my community and engage in due diligence to ensure that shop, eat, socialize, and engage daily in Skyway to give back.

I've invested my time volunteering & working in Skyway for the last five years. As such, I have extensive partnerships and connections to hundreds of families in Skyway ensuring that in all ways that I show up centers their voice, dreams and desires while leveraging my professional acumen, positionality and own voice to acquire the community's objectives. I will remain diligent in these engagements until those prioritized dreams are realized.

As a trusted publicly accountable & verifiable representative & Skyway Advocate- I'm humbled to be part of the founding partners of the Skyway Coalition a collective that has stewarded historic & current community-led planning & advocacy towards ensuring that our Skyway community continues to thrive.

Skyway Coalition is a trusted and valued representative of the Skyway community and are regularly called on by King County Councilmember Zahilay, multiple King County departments, directors, and legislators including, Senator Saldaña and Representatives Santos and Harris-Talley to inform policies, funding and advocacy that serves and protects our unincorporated community currently threatened by displacement

I am specifically concerned with:

the 'lease-to-own' approach; King Co.'s 2021 Anti-displacement report recommends against 'rent/lease' and red flags it as a 'risky' impact on community; Skyway is actively facing high displacement already, this model will increase displacement of our residents

the use of wider King County's area median income (AMI) v. Skyway's AMI; the unincorporated, and longtime underinvested in community of Skyway's AMI is significantly lower than our

surrounding more affluent cities and communities; by using King Co.'s macro lens of AMI, the proposed project gives the impression of affordability, but will displace our residents

the flier mailed to my home re: this clean-up and proposed development shared the development is planning for the minimum of 20% 'affordable rental units' as required by Dept of Ecology's to qualify for clean-up funding;

Skyway is widely known as the next Seattle area community to be gentrified pushing out generations of mostly diverse families most who have already been pushed out of the Central District, Beacon Hill, Columbia City and the Rainier Valley proposing the minimum units of 'affordable' rental units using the high end of King Co.'s area median income is not a affordable housing development for our community already feeling the impacts of displacement and will directly contribute to increasing displacement our residents

planning for the minimum 20% 'affordable' rental units required by Dept of Ecology, allows for approx. 200 market rate units that will contribute to push out families unable to afford to buy in their home community Skyway

In addition, I am disappointed in the aggressive, condescending tone the developer showed to our community, in his brief 3-5 minute 'presentation' of the proposed development

It is unbelievable DOE moved along and concluded the meeting without acknowledge or condemning the developer's blatant and disrespectful response to a Skyway resident's questions on experience with contamination clean-up;

His response was snidely shared as "More than you!", at least 3 different ways, even following the resident's calm response sharing her dissatisfaction with his unnecessary attitude.

There were many questions left unanswered in the chat, mostly relating to the affordability metrics used and the contamination impacts;

While I understand and respect giving an option to not to include name or affiliation on public comment form, this also leaves plenty of room for anyone to encourage supporters from outside the community who claim connection to/ impact to the project. For example, it appears curious that the public meeting was over 50 guests who asked direct questions concerning contamination, impact of that contamination and concerns over affordability and displacement and there are dozens of comments on the DOE site springing up in support with a short simple sentence or two.

## **I-27: Ryan Quigtar**

### **Comment I-27-1**

I have many concerns with this project not adequately addressing the many needs of the Skyway neighborhood. It is unclear the level of affordability with these units. In our most recent public meeting hosted by Ecology, Gardner Global CEO displayed strong negative feelings and rude responses to the Skyway community. I do not believe that is how you build relationship with a community you're not from and building a project that would significantly impact the neighborhood.

Not to mention, the significant contamination is something we're all concerned about and want to make sure we have positive stewards of this land.

Moving forward, Ecology should record all future meetings and include as part of the public record.

Below are a few questions I have that I hope can be answered as specific as possible.

How much experience does Gardner Global have with contamination clean up? (ie, how many different projects have they done, over how many years?)

The pamphlet that was sent out and what has been communicated on this platform are two different numbers. Which one is it? Can you also explicitly define the term "affordable." What percentage of the AMI is the goal for these units?

Will Gardner Global hold public meetings on their own? Without Ecology, the Skyway Community may have not known about this project until much later in the process with little to no opportunity to have a say.

Is Ecology financing the entire clean up project or is this something that Gardner Global is expected to raise their own funds?

What is the estimated timeline for clean up and construction to finish?

## **I-28: Christabel Fowler**

### **Comment I-28-1**

I am deeply concerned about the lack of transparency by the developer on the level of affordability of the units being brought into Skyway.

I am a 15 year resident of Skyway with a child who resides and has been attending school in Skyway. We also have a creek that runs right across our backyard, undoubtedly fed by water closer to the proposed development site. We need better information on the level of contamination that is potentially getting into our water - both drinking and waterways. The proximity of this site is too close to homes, schools, and public access areas to treat this lightly. Our kids and families deserve safe, affordable housing and water.

### **I-29: Alesia Cannady**

#### **Comment I-29-1**

My greatest concern is how far and wide is the contamination and will you tell us truthfully if I or my neighbors are impacted and what will be done regarding our contaminated properties if it's revealed.

I personally have real concern. I have an 8-year-old granddaughter and live near the contaminated area.

### **I-30: Beth Hintz**

#### **Comment I-30-1**

I live and work in Skyway, down the street from the contamination site and proposed development. Though I live within the 1/4 mile radius of the site, I did not receive any flyer or communication directly about this process--but I learned about it through the Skyway Coalition. I am concerned about the short time frame for community input and that not enough people are aware of the clean-up plan/process and the proposed development to be able to fully weigh in. I am concerned about the impacts of the contamination on my neighbors and my family.

I'm concerned about the proposed development plans, and I do not support the current proposed development. I am also confused b/c I have seen different numbers cited for affordability in various places. In one document, I saw that 20% would be designated to 60-80% AMI. In another I saw that 30-40% would be for affordable housing but no indication of what AMI these units would be for. This location is such a critical location for Skyway, and if it is not done correctly, with TRUE affordability and community-driven development without displacement as the central goal, this project will accelerate the displacement of families who have lived here for decades--many of whom are already struggling to make rent and already cannot afford homeownership. The model I have heard the developer discuss previously in meetings is a rent-to-own model, which has been researched by King County and the community through our anti-displacement strategies planning. It was shown to ultimately benefit the developer and not the community--it does not foster true affordability for residents. In addition, I'm concerned about affordable rent/ownership not being the primary goal of the

project. If only 20% of units are slated for affordable housing, and those units would go to 60-80% of King County-wide AMI, that is insufficient and will accelerate gentrification. Especially b/c a large percentage of Skyway residents are at 50% or below of King County AMI. We need to do better for the families and residents who have lived here for many years. I would like to see at least 40% designated for affordable housing, and a clearly communicated and committed mix of affordability, including some for those living at 50% AMI or below. In short, I do not support the rent-to-own model. I do not support the current plan for development.

Lastly, and related to all of the above, I would request additional community meetings, community engagement, and opportunities for more residents to learn more about the entire project (clean up and proposed development) and to weigh in with their questions.

**I-31: Rebecca Berry**

**Comment I-31-1**

I've attached a pdf file with my comments

(See comment attachment below)

**Part I:** Context in support of my public comment

**Part II:** Comments regarding proposed clean-up plan and development

**Part III:** Core Questions

**Part I:**

**I live my life in Skyway** - *as a BIPOC woman and lifetime renter, displacement & new developments greatly and personally impact my family, my neighbors and families in Skyway*

- I raise my kids here, over 11 years we've built our community and network of support here;
- my kids attend schools in Skyway and I'm connected with hundreds of families here
- I walk, shop, eat, socialize, and engage daily in Skyway

**I've invested my time volunteering & working in Skyway over many years** - *I have deep engagements & connections to hundreds of families in Skyway via school, volunteering & work, growing authentic perspectives & spectrums of lived experiences & needs of my Skyway community*

- Volunteered building projects and programs to unite and empower families at Lakeridge elementary; as a result of my success and deep engagement in the community I was hired to work at the school engaging and empowering parents and families and coordinating community partners
- Advocated on behalf of families to Renton School Board for school zone & parking lot safety
- United with Skyway families to request sidewalk to increase safety for walking students
- I am still actively involved in several school, and community forums and groups

**I am a trusted, publicly accountable & verifiable representative & leader in Skyway** - *As director of Skyway Coalition, I'm honored to steward historic & current community-led planning & advocacy alongside several other organization leaders with expansive networks and impacts in our Skyway community*

- **Skyway Coalition is a trusted and valued representative of the Skyway community and are regularly called on** by King County Councilmember Zahilay, multiple King County departments, directors, and legislators including, Senator Saldaña and Representatives Santos and Harris-Talley to inform policies, funding and advocacy that serves and protects our unincorporated community currently threatened by displacement
- The Coalition leaders and organizations have engaged and listened to what our diverse, unincorporated community needs day-in-and-out for decades— and majority work from the perspective of having the deep ties and history of living their lives in the community
- We've successfully centered the needs and voice of the community and leveraged our trusted partnerships to lead community advocacy securing:
  - Over \$20 million for affordable housing, econ dev and a community center
  - Donation of local U.S. Bank building to community ownership (soon-to-be Skyway Resource Center)

## Part II

**I am not in support of the development as proposed at Skyway Mart/Boathouse. I am specifically concerned with:**

- the 'lease-to-own' approach; King Co.'s 2021 Anti-displacement report recommends against 'rent/lease' and red flags it as a 'risky' impact on community; Skyway is actively facing high displacement already, this model will increase displacement of our residents
- the use of wider King County's area median income (AMI) v. Skyway's AMI; the unincorporated, and longtime underinvested in community of Skyway's AMI is significantly lower than our surrounding more affluent cities and communities; by using King Co.'s macro lens of AMI, the proposed project gives the impression of affordability, but will displace our residents
- the flier mailed to my home re: this clean-up and proposed development shared the development is planning for the minimum of 20% 'affordable rental units' as required by Dept of Ecology's to qualify for clean-up funding;

Skyway is widely known as the next Seattle area community to be gentrified pushing out generations of mostly diverse families most who have already been pushed out of the Central District, Beacon Hill, Columbia City and the Rainier Valley– proposing the minimum units of 'affordable' rental units using the high end of King Co.'s area median income is not a affordable housing development for our community already feeling the impacts of displacement and will directly contribute to increasing displacement our residents

- planning for the minimum 20% 'affordable' rental units required by Dept of Ecology, allows for approx. 200 market rate units that will contribute to push out families unable to afford to buy in their home community Skyway

**I call for the Dept. of Ecology to be more intentional with, and accountable to, engaging with the community; taking action beyond the minimum requirement for community engagement re: communicating the impacts of the contamination and the clean-up process; as well as representing this government agency in public spaces with respect and professionalism. I am specifically concerned with:**

- The processes, procedures of Dept. of Ecology, that minimally allows for only 1 month's notice for public comment
  - Notice via USPS only required to reach ¼ mile radius around site, despite impacts reaching across wider community
  - Notice shared to 'community organizations' transferring the uncompensated burden of deeper engagement to the small staffed grassroots organizations already working to

capacity investing in building up the community.

Very concerned with the Public Participation Grant program; this 'competitive grant program' offers an application window of 3/30/31-4/29/21, which not only doesn't apply to this 30 day window of public comment, but has been closed for three months; again it appears this gives the impression that their is intention to support authentic community engagement and compensated partnership with local, connected community organization– but falls embarrassingly short and bypasses actually supporting community engagement.

- A one month window for an unincorporated community that lacks adequate support and government representation and who speak dozens of languages, to review lengthy legal documents and technical overviews of contamination and proposed developments with undefined 'affordable' metrics is a disgraceful practice.

Further, when the Dept. of Ecology was contacted concerning an error their site listed for public comment closing, a member of your team shared - *"usually they get somewhere from 0-3 comments on the types of documents... because people think they don't have anything to add— especially the legal documents...but we will consider any comments people wanna make about those documents... how we communicate with the public and what would be a better avenue"*

This reads as well-intentioned and open and responsive to feedback, but it is also clear there is no history of deep feedback and no movement toward creating systems to more deeply inform, engage and support community/public comments.

- The Public Comment Hearing in Skyway, August 3rd.
  - I am disappointed in the aggressive, condescending tone the developer showed to our community, in his brief 3-5 minute 'presentation' of the proposed development
  - It is unbelievable Ecology moved along with the meeting without acknowledging or condemning the developer's blatant and disrespectful response to a Skyway resident's questions on experience with contamination clean-up
  - There were many questions left unanswered in the chat, mostly relating to the affordability metrics used and the contamination impacts;
  - While I understand and respect giving an option to not to include name or affiliation on public comment form, this also leaves plenty of room for individuals from outside of the impact of this project to share comments.



### Part III

There are core terms that should be clearly defined:

- **Affordable Housing** - housing developments are not either affordable or not, there is a spectrum of affordability.
- Some important components that would help communities understand how to respond to development and whether it is affordable to its residents include:
  - a. Clear **percentage of affordable units**
  - b. which **area median income (AMI)** is used, and what % will be used (not a range)
  - c. Impact of model of the development (**rental, ownership, lease/rent-to-own**)
  - d. the consideration of the unique landscape of the community (displacement risk; AMI)

The proposed development indicates its position on the high end of 'affordability' and at the minimum required for affordable housing- which will actually bring in more market rate units than it provides 'affordable', and uses a model that has been studied as increasing displacement.

### **I-32: Dinah Wilson**

#### **Comment I-32-1**

I live in the Lakeridge area of Skyway & attended the community meeting hosted by DOE about the Boathouse site. Already, this project has started on the back foot-community was not centered at the meeting & has not been centered in the process. The developer should have been picked in collaboration with the community, but DOE has already made up it's mind to pick a developer with a sorted history evidently believing the community is ok being disrespected by the developer as long as it is a BIPOC developer. The most important qualities are experience with contaminated sites, capacity to do a good job, & working in a way that community & the people most impacted by the site are valued. DOE sat silently by as the contractor was rude & disrespectful. DOE left many questions from the community unanswered. The community should know how the site will be cleaned, what the developers experience is, where the contaminated soil will be taken, if the toxic chemicals in the groundwater will be stirred up & more toxic when the soil is dug up, if business owners & residents have been impacted by the contaminated soil & groundwater, if cancer rates near the site are higher, etc.

The community should define affordability.

This project is very concerning particularly because of questions & lack of confidence in its leadership.

### **I-33: Fin Hardy**

#### **Comment I-33-1**

Skyway needs housing that is truly affordable and facilitated by a developer that has a genuine connection to our neighborhood. The larger site of Skyway Mart would be better suited for a community center, which Skyway has been asking for for many years. It shouldn't take a developer to kickstart the toxic waste cleanup. Why hasn't king county prioritized toxic waste cleanup prior to the site being purchased, this shows a real underinvestment and systemic racism by king county toward Skyway.

**I-34: Cisco Orozco****Comment I-34-1**

I am against the planned development. It is another example of developers taking advantage of historically marginalized communities and the "affordable" properties in favor of new high-earner incomers. If you want to know why there is a housing crisis, why homelessness is rising, you just need to look at these kinds of developments and the lack of accountability that our local and federal governments impose these developers. Many people, including myself will get pushed out. Dept. of Ecology and other governing bodies can do better than this. It is also known that this developer pays people to write 'positive' comments, that should be investigated.

**I-35: Jakub Harmany****Comment I-35-1**

My son goes to daycare next to the property and I prefer to see a community center here rather than apartments that gentrify the neighborhood. Skyway deserves a community center for our future generations. The AMI that is being used to determine rent for the 50 affordable units does not reflect Skyway residents.

**I-36: Rachel Daliva****Comment I-36-1**

I am in support of this proposal for affordable housing and clean-up of this site. As a resident and homeowner in Skyway, it's incredibly vital that we grow and invest smartly in this area without pushing out its current residents. I'm hoping that this project can continue to engage the community with transparency in this process.

**I-37: S Kumagai****Comment I-37-1**

I am AGAINST this development. I live, work and raise an asthmatic child in Skyway. The developer is only concerned about their own wealth, not the Skyway community members lives and the culture of the community. The fact that the residents of Skyway do not get any words or information about this public comment at all unless you have a personal connection to the community leader or live only 1/4 mile from the site tells that the Dept of Ecology and the Court are not at all taking serious effort into protecting the well-being of the community

members. The level of contamination that will be uncovered by this development should be carefully examined taking into account this area's already overburdened reality, the pollution from major roadways and airways flying over the community that is readily shown by the Washington State Dept of Health's Washington Environmental Health Disparities Map. The area right next door to and across the street from the project site already has an established community garden and P-patch development plan in place and scheduled to break the ground this fall. The unearthing the contamination will detrimental effects on the garden & p-patches where community members including those who are at higher risk, including young children, youth, women of reproductive age, and elderies, will grow FOODS for their consumption. The high-rise development right east to the garden/p-patch sites will block the sun from the garden/p-patch and will negatively impact the success of the garden/p-patch project that the community has worked so long to come to fruition. The potential exposure to chemicals and the subsequent health concerns that pause on the communities who are committed to creating the lively community space/garden out of our own desire and decisions for food & social justice (vs. outsider coming to impose on us like this proposed development) will dehumanize the community members and ruin all the efforts and resources that have gone in. The development MUST NOT move forward.

#### **A-1: Skyway Water & Sewer District, Cynthia Lamothe**

##### **Comment A-1-1**

See comment letter uploaded August 16, 2022.

(See comment attachment below)



August 16, 2022

Via: DOE website

Department of Ecology, Northwest Regional Office  
Attn: Sandra Matthews, Site Manager  
15700 Dayton Ave N  
Shoreline, WA 98133

Re: Boathouse Inc Renton Skyway Cleanup Site  
Facility Site ID: 566527869 Cleanup Site ID: 567  
Prospective Purchaser Consent Decree (PPCD) & Public Participation Plant (PPP)

Dear Sandra Matthews:

The District submits the following comments on the subject cleanup site and documents:

1. During the public meeting, the Ecology Site Manager seemed to state that the closest drinking water wells were likely residential wells at a distance of at least a mile. Please note that Skyway Water & Sewer District's water supply wells are located approximately 0.5-mile NNE of the site.
2. The Boathouse Inc Renton Skyway site is within the District's delineated wellhead protection areas, falling between the six-month and one-year time-of-travel (Zone 1) for their closest primary source well.
3. There appears to be appreciable uncertainty in the local groundwater gradient in advance of the remedial investigation/feasibility study (RI/FS). Given the location of the project near the apex of the hill, some diverging, radial flow is anticipated. Indeed, Ecology presented annotated aerial images indicating a shallow gradient to the NW (for the former gas station) and separately both W and SW (for the former dry cleaner), while the estimated extent of chlorinated solvent impacts to groundwater suggests some movement to the SE. This uncertainty in flow directions is a data gap that needs to be resolved during the RI/FS before downgradient wells can be identified and potential impacts estimated. Monitoring wells, both on and off site, are likely required to identify seasonal gradients in proximity to the site.
4. The RI/FS must clearly define the vertical and horizontal boundaries of soil and groundwater contaminants.
5. The geology and hydrogeology of the contaminant site must be characterized and placed in context with the geology and hydrogeology of the shallow and intermediate aquifers utilized by the District. This characterization must include assessing the risks of Non-Aqueous Phase Liquids (NAPL), Dense Non-Aqueous Phase Liquids (DNAPL), Vapor and dissolved phase contaminant migration through unsaturated and saturated formations.
6. As a key stakeholder, the District requests to be provided the opportunity to provide technical review of the RI/FS work plan and resulting studies in order to ensure that its resources are appropriately protected.

If you have any questions, I can be reached at 206-772-7343 or [cynthial@skywayws.org](mailto:cynthial@skywayws.org).

Sincerely,

A handwritten signature in blue ink that reads "Cynthia Lamothe".

Cynthia Lamothe  
General Manager