

Public Participation Plan

Holly Park Cleanup Site Seattle, WA

Toxics Cleanup Program

Washington State Department of Ecology Northwest Regional Office Shoreline, Washington April 2024



Publication Information

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¹ www.ecology.wa.gov/contact

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300

Northwest Region 206-594-0000

Central Region 509-575-2490 Eastern Region 509-329-3400

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

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Northwest Regional Office
Shoreline, WA

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Public Involvement in Contamination Cleanup

The Washington State Department of Ecology (Ecology) developed this public participation plan (plan) in cooperation with Community Roots Housing (CRH) and HomeSight (HomeSight), the parties responsible for cleanup costs. The purpose of the plan is to promote community involvement during cleanup.

The plan describes ways Ecology will inform the public about contamination investigations and cleanup options throughout the cleanup process. Ecology encourages the public to learn about and get involved in decision-making opportunities. This plan identifies how and when the public can get involved during different stages of the investigation and cleanup of contamination.

Site contacts

Toxics Cleanup Program Northwest Regional Office

Augie Nuszer
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Community Roots Housing

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ousing.org

HomeSight

HomeSight 5117 Rainier Ave S Seattle, WA 98118

Uche Okezie Director of Real Estate Development (206) 760-4211 Uche@homesightwa.org

Washington's Cleanup Laws

Ecology uses the Model Toxics Control Act (MTCA) and accompanying regulations for cleanup activities. This plan is required under MTCA, a law that passed in 1989. MTCA provides guidelines for contaminated site cleanup in Washington State and sets standards to ensure the cleanup protects human health and the environment.

Model Toxics Control Act

MTCA began as a grassroots citizen's initiative in 1988 and started the process of systematically cleaning up contaminated sites in Washington. Under MTCA, a current or past property owner or operator may be held responsible for cleaning up contamination on, or coming from, their property to standards that are safe for human health and the environment.

Ecology enacts MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in Chapter 173-340 Washington
Administrative Code (WAC).
² Ecology investigates reports of property contamination, and if the contamination is seen as a significant threat to human health or the environment, the contaminated property is placed on the Confirmed and Suspected Contaminated Sites List for further assessment. The cleanup process can begin at any time after a release of a hazardous substance to the environment has been discovered.

Public participation is an important part of cleanup under the MTCA process. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting on the cleanup process.

Under the MTCA, the cleanup process generally includes multiple steps (see Figure 1 on page 8), with opportunities for the public to review and comment on cleanup documents. In addition, a partial cleanup (called an interim action) can occur at any time during the cleanup process. The public is provided an opportunity to review and comment on planned interim action work as well.

State Environmental Policy Act

MTCA cleanups also require evaluation under the State Environmental Policy Act (SEPA; Chapter 197-11 WAC³). Under SEPA, the potential for significant adverse environmental impacts from a project or action must be evaluated by state and local agencies when making decisions. This evaluation is subject to public review and comment in parallel with cleanup documents.

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² https://apps.ecology.wa.gov/publications/publications/9406.pdf

³ https://apps.leg.wa.gov/wac/default.aspx?cite=197-11

Washington's Cleanup Process

Public participation plans and comment periods are only required for cleanups under a legal agreement with Ecology. Otherwise, all cleanups follow the same steps. The steps are defined by Washington's cleanup law, the Model Toxics Control Act.





Figure 1: Steps in Washington's Cleanup Process⁴

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Site Information

Site background

The Holly Park cleanup site (Site)is located at 7315 Martin Luther King Jr. Way South, Seattle, WA (see Figures 2 and 3). This project is a partnership between Community Roots Housing (CRH) and HomeSight (HomeSight). CRH was founded in 1976 to combat redlining and disinvestment in the Capitol Hill neighborhood while providing supporting services to residents throughout Seattle neighborhoods⁵.

HomeSight is a Community
Development Corporation and
Community Development Financial
Institution that has been providing
first time homebuyer education and
mortgage products for disadvantaged
communities since 1991⁶.

CRH and HomeSight are coming together to create "The Opportunity Center at Othello Square". It will be a



Figure 2: Aerial and map view of the cleanup site

transit-oriented, mixed-use, affordable housing development providing 230 residential units and community space. Some highlights include:

- Located at the Othello Light Rail station
- Approximately 74% of the units will be affordable
- Affordable units will be priced between 40%-80% of the area median income (AMI)
- First floor space will include 22,000 square feet of community-serving, BIPOC-owned, commercial space that will provide access to economic opportunity through homebuyer education and assistance, small business incubation, youth and family support programs, financial services, and community gathering space.

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⁴ https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html

⁵ https://communityrootshousing.org/

⁶ https://www.homesightwa.org/

Contamination and site cleanup progress

Contamination at the site is likely related to former gas station and commercial fuel/ heating-oil operations, which occurred at the site from as early as 1916 until 1994. Demolition of buildings occurred between 2002-2005, and the property has been vacant since.

Petroleum-contaminated soil and groundwater were first discovered by investigations completed in 2002. The approximate depth to groundwater is 4 to 7 feet below ground surface, with groundwater flowing to the northeast toward the intersection of Othello Street and Martin Luther King Jr Way South.

Investigations found the following contaminants in soil, groundwater, and/or soil gas:

- Gasoline-, diesel-, and heavy oil-range petroleum hydrocarbons
- Benzene, ethylbenzene, and xylenes
- Arsenic (groundwater only) and lead (soil only)

These contaminants were found at levels above the state's cleanup law, the Model Toxics Control Act (MTCA⁷). MTCA requires these contaminants to be cleaned up. The site was reported to Ecology in 2003 and enrolled into Ecology's Voluntary Cleanup Program in 2006. Since then, several environmental assessments have been completed to further understand the extent of previous contaminant releases at the site. The full extent of contamination will be determined in a remedial investigation.

Why this site matters

This site cleanup is made possible in part by funding from an Affordable Housing Cleanup Grant⁸, awarded in June 2023. Washington is in dire need of affordable housing across the state. Contamination, or even the suspicion of contamination, drives up the costs of housing development. The large cost leaves little incentive for developers to build affordable housing.

In addition to the usual risks of redevelopment, cleaning up contaminated sites can be a complex



Figure 3: Undeveloped location of Holly Park Cleanup Site (October 2023)

process with considerable risk. The cost and time associated with cleaning up a site is often poorly understood; as a result, many sites are left vacant or underused for years, even decades. Supporting cleanups for affordable housing helps make sure the cleanup gets done, protecting

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⁷ www.ecology.wa.gov/mtca

⁸ https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Affordable-Housing-Cleanup-grants

the community's health and the environment. Ecology developed the Affordable Housing Cleanup Grant Program (AHCGP) to help advance environmental cleanups for affordable housing developments. These grants can cover remedial action costs, including planning, investigative, and technical work needed to clean up contaminated sites. The purpose of the AHCGP is to expedite the cleanup and redevelopment of contaminated sites into affordable housing use and lessen the impact of cleanup costs.

Cleanup plans

In 2024, Ecology is finalizing a legal agreement (Prospective Purchaser Consent Decree, (PPCD)) with CRH and HomeSight, the parties that will conduct the cleanup, in addition to this Public Participation Plan. This legal agreement requires CRH and HomeSight to:

- Investigate and characterize the site in a Remedial Investigation
- Perform a Feasibility Study to evaluate cleanup options
- Provide a detailed description of the selected cleanup action in a Cleanup Action Plan (CAP)
- Implement the selected cleanup action during site redevelopment.

All legal agreements will be issued for public review and comment. We welcome informal comments, questions, or information about the site's history anytime. To be included in the formal site record, comments about these documents or the cleanup process must be submitted online or in writing during the formal comment periods.

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Area community

Neighborhood

The Site is between the Holly Park and Brighton neighborhoods of the City of Seattle (See Figure 4). Lake Washington is less than a mile east of the Site. It is a block away from the Othello Playground and is close to multiple schools of all levels. The surrounding neighborhoods are a mixture of residential and commercial zoning.

The Site is within Washington's 9th Congressional District, 37th

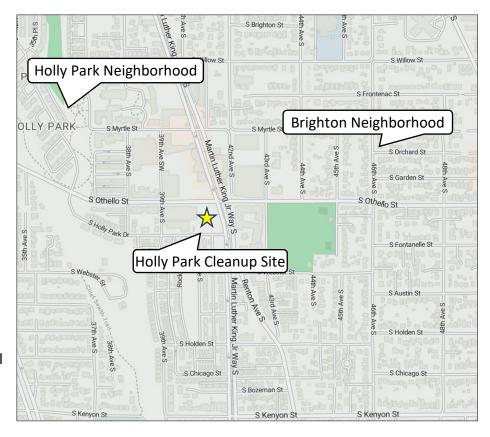


Figure 4: Map of Holly Park location and nearby neighborhoods

Legislative District, King County Council's 2nd District, and Seattle's City Council District 2.

These neighborhoods' median household income is below citywide average while the percentage of the population living below the poverty level is above the citywide average.

Tribal Engagement

Ecology invites the federally recognized Muckleshoot Tribe, Snoqualmie Tribe, Tulalip Tribe, Stillaguamish Tribe, and Suquamish Tribe to engage with the cleanup process for this site, and Ecology will ensure these Tribes have ample opportunity to be involved throughout the process on a government-to-government basis. We will also engage with the Duwamish Tribe.

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Environmental justice

Washington Environmental Health Disparity Map

The <u>Washington Environmental Health Disparity Map</u>⁹ evaluates environmental health risk factors in communities.

Ecology does not interpret rankings as absolute values, and we do not use them to diagnose a community health issue or to label a community. Environmental health disparity is ranked on a scale of 1-10 (low to high) and is relative to other locations in the state. The census tract for the Site ranks 10 for environmental health risk. (See Figure 5).

The Washington State Department of Health mapping tool model was "specifically adapted from CalEnviroScreen – a cumulative environmental impacts assessment mapping tool developed by CalEPA and used in California. – It estimates a cumulative environmental health impact score for each census tract reflecting pollutant exposures and factors that affect people's vulnerability to environmental pollution.

The model is based on a conceptual formula of Risk = Threat * Vulnerability, where threat and vulnerability are based on several indicators.

The threat is represented by indicators that account for pollution burden, which is a combination of environmental effects and environmental exposures in communities. Environmental effects include indicators that account for adverse environmental quality generally, even when population contact with an environmental hazard is unknown or uncertain. Environmental exposures include the levels of certain pollutants that populations encounter.

Vulnerability is represented by indicators of socioeconomic factors and sensitive populations for which there is clear evidence that they may affect susceptibility or vulnerability to an increased pollution burden. Indicators in socioeconomic factors measure population characteristics that modify the pollution burden itself. Sensitive populations refer to those who are at greater risk due to intrinsic biological vulnerability to environmental stressors. In the model, threat is multiplied by vulnerability in order to reflect the scientific literature that indicates population characteristics often modify and amplify the impact of pollution exposures on certain vulnerable populations. The rankings help to compare health and social factors that may contribute to disparities in a community."

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⁹ https://fortress.wa.gov/doh/wtnibl/WTNIBL/

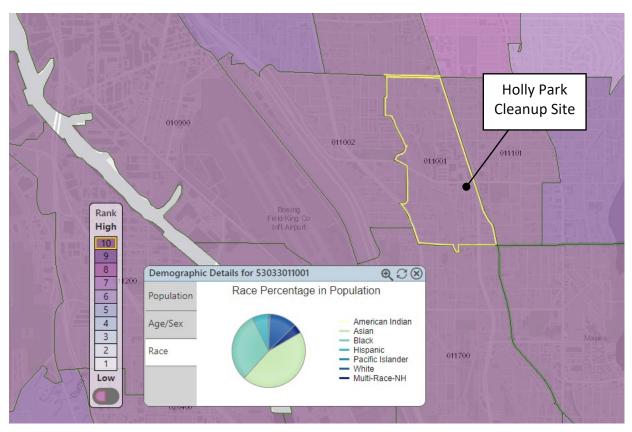


Figure 5: Washington Environmental Health Disparities Map for the Holly Park Cleanup Site

Environmental Justice

The data below (see Figure 6)was generated for a 0.25-mile area around the site using the Environmental Protection Agency's <u>Environmental Justice Screening and Mapping Tool</u> (EJScreen)¹⁰. The data reveals a diverse, economically challenged, and linguistically isolated population. Reaching underserved populations within the project area is a priority.

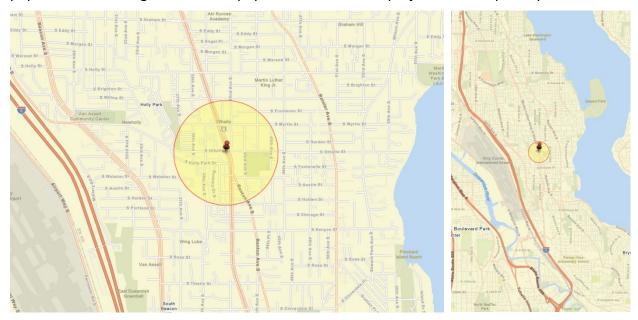


Figure 6: EPA EJScreen generated maps of the outreach impact area for this project

Ecology will reach out to cultural and community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance. ¹¹ The non-English language(s) most widely spoken in the area are Vietnamese (11%), Chinese (10%), and Spanish (18%). When appropriate, Ecology will provide outreach in these languages. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

Public Participation Activities

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups must be submitted during formal comment periods. In

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¹⁰ https://ejscreen.epa.gov/mapper/index.html

¹¹ Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

addition, the public is invited to review site documents before they become final. This is the most direct and influential way to learn more about the site and be involved in the cleanup's decision-making.

How we share information with the community

During specific stages of the cleanup, Ecology will mail notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it's located, but the list will at least include addresses within a 0.25-mile radius of the site and other interested organizations and individuals. These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site's status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the associated cost and resources.

Comment period notices and other site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

Postal mailing list

Ecology maintains a mailing list that includes addresses within a one-mile radius of this site to help reach the bulk of local residents and relevant local, state, and federal government contacts. These people receive public comment notices when draft documents are available.

We will add additional individuals, organizations, and other interested parties to the mailing list as requested. If you would like to be added to the mailing list for this site, please contact Augie Nuszer, Outreach Specialist, at (425) 533-5537 or email Augie.Nuszer@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's <u>Site</u> <u>Register</u>. ¹² To receive the <u>Site Register</u> by email, please <u>subscribe online</u>, ¹³ or contact Sarah Kellington at <u>sarah.kellington@ecy.wa.gov</u> or 360-407-7466.

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in *The Seattle Times*. For this site we may publish in these additional publications: *The Seattle Medium, The*

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¹² ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹³ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118

South Seattle Emerald, and The Facts. We will also publish notice on our <u>Public Input & Events</u> <u>Listing</u>. ¹⁴

Email lists

Ecology maintains an email list to update interested persons about this site. If you would like to be added to the email list for this site, please contact Augie Nuszer, Public Outreach Specialist, at (425) 533-5537 or email Augie.Nuszer@ecy.wa.gov.

Ecology's website and social media platforms

We maintain a website for the <u>Holly Park site</u>. ¹⁵ The website provides site information, and you may download cleanup documents.

We may also share information about cleanup sites through <u>news releases</u>, <u>our ECOconnect</u> blog, and social media.¹⁶

Document repositories

During public comment periods when review locations are accessible, you can find print documents at the following locations:

NewHolly Branch-Seattle Public Library 7058 32nd Ave S Ste 104 Seattle, WA 98118 (206) 386-1905

Washington Department of Ecology Northwest Regional Office 15700 Dayton Ave N., Shoreline, WA 98133 Phone: (206) 594-0000

To schedule an appointment, please contact the Northwest Region Office Central Records staff at (206) 594-0016 or nwro_public_request@ecy.wa.gov.

When locations listed above are not accessible, please contact Ecology for document review assistance: Augie Nuszer (425) 533-5537 or Augie.Nuszer@ecy.wa.gov.

Signs around the cleanup site

We may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

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¹⁴ ecology.wa.gov/Events/Search/Listing

¹⁵ https://apps.ecology.wa.gov/cleanupsearch/site/15139

¹⁶ ecology.wa.gov/About-us/Get-to-know-us/News

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods for SEPA documents. SEPA documents are often made available for public review with other cleanup documents. In that case, we combine the comment periods, and they last at least 30 days. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us about this site, please contact Augie Nuszer, Public Outreach Specialist, at (425) 533-5537 or email Augie.Nuszer@ecy.wa.gov.

Public comment periods

Formal 30-day comment periods allow interested members of the public to comment on draft documents, legal agreements, and proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods for at least two weeks and may extend to 30 days or more when other cleanup documents are concurrently available for review.

Following a comment period, we publish all the input we received and respond to significant comments and questions, as appropriate. If the comments result in significant changes to the cleanup documents, then the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

Public events

We hold in-person and online public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period, so the meeting occurs during it.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups interested in the site. For contaminated sites, these funds can be used to:

- Hire an expert to help interpret technical information¹⁷
- Conduct activities that enhance the public's understanding of the cleanup process

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¹⁷ Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

For information about public participation grants, contact Jill Krumlauf at (360) 790-5771 and <u>jill.krumlauf@ecy.wa.gov</u> or Laura Busby at (360) 280-5088 and <u>laura.busby@ecy.wa.gov</u>. You may also visit the <u>Public Participation Grant website</u>. 18

Americans with Disabilities Act

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact the Ecology ADA Coordinator at 360-407-6831 or ecvadacoordinator@ecv.wa.gov, or visit https://ecology.wa.gov/accessibility. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Augie Nuszer, Public Outreach Specialist, at (425) 533-5537 or email Augie.Nuszer@ecy.wa.gov.

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.

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¹⁸ ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants