



Response to Comments

Agreed Order Amendment

Maury Island Open Space Cleanup Site Vashon, WA

Toxics Cleanup Program

Washington State Department of Ecology

Northwest Regional Office

Shoreline, Washington

June 2024



Publication Information

This document is available on the Department of Ecology's website at:

<https://apps.ecology.wa.gov/cleanupsearch/site/1532>

Cover photo credit

- View from Maury Island Open Space looking southeast (2017, King County)

Related Information

- Clean-up site ID: 1532
- Facility site ID: 2901216

Contact 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
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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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June 2024



DEPARTMENT OF
ECOLOGY
State of Washington

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Public Outreach Summary

The Maury Island Open Space cleanup site (site) located on Vashon-Maury Island, WA is continuing Washington State’s [formal cleanup process](#)² as directed under the Model Toxics Control Act ([MTCA](#)³). King County 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 (February 26 – March 26, 2024) included:

- **Friends of Maury Parks (FOMP) Presentation**
 - In preparation of the upcoming comment period, Ecology and King County joined the Friends of Maury Parks (FOMP) monthly meeting on January 25, 2024 for a cleanup update [presentation](#)⁴.
- **Postcard and Fact Sheet:**
 - US mail distribution of a postcard providing information about the cleanup document and the public comment period to approximately 6,000 addresses including neighboring businesses and other interested parties.
 - Email distribution of the postcard and a fact sheet to over 120 people, including interested individuals, local/county/state/federal agencies, neighborhood associations, and interested community groups.
 - The postcard and fact sheet were available digitally through Ecology’s [cleanup site webpage](#)⁵.
- **Legal Notices:**
 - Publication of two paid display ads in *The Vashon-Maury Island Beachcomber*, dated Thursday, February 22, 2024 and *The Seattle Times*, dated Friday, February 23, 2024.
- **Site Register:**
 - Publication of 4 notices in Ecology’s Toxics Cleanup Site Register:
 - Comment Period Notice:
 - February 22, 2024
 - March 7, 2024
 - March 21, 2024
 - Response Summary Notice:
 - June 27, 2024
 - Visit [Ecology’s Site Register website](#)⁶ to download PDFs.

² <https://ecology.wa.gov/MTCA-process>

³ <https://ecology.wa.gov/mtca>

⁴ <https://apps.ecology.wa.gov/cleanupsearch/document/135526>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/site/1532>

⁶ <https://apps.ecology.wa.gov/publications/UIPages/PublicationList.aspx?IndexTypeName=Program&NameValue=Toxics+Cleanup&DocumentTypeName=Newsletter>

- **Media Notification:**
 - Ecology reached out to a *Vashon-Mary Island Beachcomber* reporter in early February and then sent a comment period media notice on Thursday, February 22, 2024, to [The Vashon-Maury Island Beachcomber](#)⁷ and the [Vashon-Maury Island community webpage](#)⁸.
- **Media Coverage:**
 - *The Vashon-Maury Island Beachcomber* ran a story [online](#)⁹ on February 14, 2024 and in print on February 15, 2024 about the Maury Island Open Space public outreach, cleanup efforts, and King County park management.
- **Social Media:**
 - Ecology’s Northwest Region [posted on X](#)¹⁰ (formerly Twitter) on Monday, February 26, 2024 connecting readers to the comment period including the cleanup site webpage and how to submit comments.
- **Websites:**
 - Ecology announced the public comment period and public meeting, posted the fact sheet and postcard, and made the review documents available on Ecology’s [Maury Island Open Space webpage](#)¹¹ and Ecology’s [Public Inputs & Events webpage](#)¹².
- **Document Repositories:**
 - Copies of the review documents and fact sheets were available for review at the Vashon Library.
 - Outreach materials also directed the public to contact Ian Fawley, Outreach Planner, for document review assistance.

⁷ <https://www.vashonbeachcomber.com/>

⁸ <https://vashon-maury.com/>

⁹ <https://www.vashonbeachcomber.com/news/ecology-seeks-public-comment-on-amendments-to-maury-island-open-space-cleanup-plan/>

¹⁰ <https://twitter.com/ecyseattle/status/1762161013665976768>

¹¹ <https://apps.ecology.wa.gov/cleanupsearch/site/1532>

¹² <https://ecology.wa.gov/Events/Search/Listing>

Comment Summary

From February 26 – March 26, 2024, Ecology solicited public comments on an amendment to the legal agreement (Agreed Order) with King County that addresses contamination at the Maury Island Open Space cleanup site (site). As of December 2023, King County has already completed the first two cleanup phases of the Cleanup Action Plan.

The procedural amendments to the legal agreement included:

- The final 2019 Cleanup Action Plan and an updated schedule of deliverables to complete the remaining phases.
- An Environmental Covenant to restrict land uses on the site such as maintaining the capped roads and trails and not disturbing contaminated soil without Ecology permission.
- Updated legal language to comply with updated applicable laws.

Ecology received comments from five commenters during the 30-day comment period.

Table 1: List of Commenters

	First Name	Last Name	Agency/Organization/Business	Submitted By
1	Thomas	Amorose		Individual
2	K G			Individual
3	Todd	Currie		Individual
4	Nancy	Sackman	Duwamish Tribe	Tribe
5	Adam	Atwell		Individual

Next Steps

Ecology has reviewed and considered the public comments received on the legal agreement amendment. Based on Ecology’s evaluation of the comments, no changes to the document were necessary, and it is being finalized.

King County will continue completing Ecology’s Cleanup Action Plan through 2029:

- Revegetate several areas within the site.
- Cap maintenance roads and majority of trails with a minimum of 3 to 4 inches of compacted gravel and a 3-inch-thick layer of mineral soil or additional gravel.
- Decommission some trails and redundant trail spurs.
- Complete limited wetland remediation near gravel parking lot.

See graphic below and visit Ecology’s [cleanup process webpage](#)¹³ to learn more about Washington’s formal cleanup process.

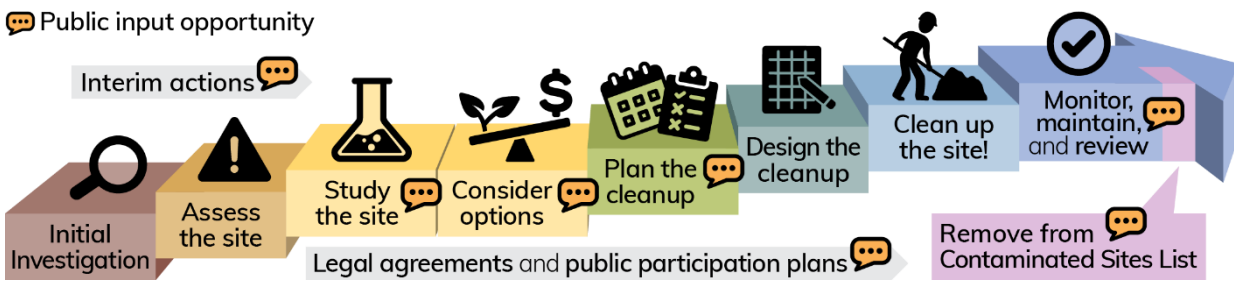


Figure 1: Washington's formal cleanup process

Comments and Responses

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

Comment from: Thomas Amorose

I support these amendments. It's important that this site not be developed further, even for recreational purposes, beyond the trails that already exist (with removal of spurious social trails, as noted in presentations on the amendment). There's just too much risk of spread of contaminated soils. King County faces intense pressure from county residents to expand out amenities (picnic shelters, play areas, etc.), and so it is hoped this amendment will discourage these developments at such a compromised site, for the health of Island residents and the County generally. Thank you.

¹³ <https://ecology.wa.gov/MTCA-process>

Response:

Thank you for your comment. King County Parks prepared a draft Site Management Plan for this park in 2013 but it could not be finalized until the details of the cleanup were known. Now that the cleanup details are known, King County Parks will reinitiate finalization of the Site Management Plan. That plan will address future plans for the park. You can find the 2013 Draft Site Management Plan on the [Maury Island Natural Area webpage](#)¹⁴.

In addition, the 2022 update to the [King County Open Space Plan](#)¹⁵ further discusses the types of improvements that are typical for a Natural Area. Maury Island Natural Area is classified as a rural Natural Area in the [2022 Open Space Plan](#)¹⁶. Natural Areas are managed to conserve and enhance ecological value and to also accommodate passive recreation. Passive recreation is allowed in natural areas and appropriate levels of use vary from site to site. Any development on the site to support passive recreation will follow the construction methods outlined in the approved Cleanup Action Plan.

Comment from: K G

I hope to see more care and purpose in the "clearing and replanting" aspect of the next phases. The capping of the trails went well with minimal destruction of existing trees. When the parking area was put in, it was totally cleared rather than purposefully leaving a few of the old madronas in place and navigating the parking area pleasingly around the trees. Leaving some trees would have helped make the area harder for teenagers to do donuts, as we know was an issue. When proceeding with the next two phases of clearing and replanting, please leave as many native trees in place as possible.

It is important to remember the original intent of this land acquisition was minimal development with low impact users. I see another city park style bench going in. This type of development needs to stop. Maury Island Natural Area is not an urban park. Any benches such as these plastic and concrete ones are not only eyesores but also do not comply with minimal impact and development.

It is important to enforce no off leash dogs. In addition to being a nuisance, off leash dogs disturb the contaminated soils off trail, chase birds and disturb the natural area. In addition, dog poop is left on and off the trails introducing another type of contaminant.

Please remember to keep Maury Island Natural Area as undeveloped and undisturbed as possible while fulfilling the necessary remediation actions.

¹⁴ <https://www.kingcounty.gov/parks/mauryislandnaturalarea>

¹⁵ https://kingcounty.gov/~media/services/parks-recreation/parks/openspace/2022_KC_OpenSpacePlan_Update_Final.ashx?la=en&hash=98D52B0EC7873364A18CB052E1B97B12

¹⁶ <https://kingcounty.gov/en/dept/dnrp/nature-recreation/parks-recreation/king-county-parks/parks/open-space-plan>

Response:

Thank you for your comment. During the construction phase for the parking area, the King County Parks arborist assessed the trees to determine which trees were safe to retain. We retained a few trees around the perimeter of the lot that were within the cut/fill boundary, but that our arborist felt we could try to retain as long as they were monitored on an ongoing basis to ensure they remained healthy. Unfortunately, it was determined we could not retain any within the boundary of the parking lot due to the depth of fill required to create the lot. It is a high priority for King County to retain trees whenever it is safe and feasible to do so.

King County Parks prepared a draft Site Management Plan for this park in 2013 but it could not be finalized until the details of the cleanup were known. Now that the cleanup details are known, King County Parks will reinitiate finalization of the Site Management Plan. That plan will address future plans for the park. You will find the 2013 Draft Site Management Plan on the [Maury Island Natural Area webpage](#)¹⁷.

In addition, the 2022 update to the [King County Open Space Plan](#)¹⁸ further discusses the types of improvements that are typical for a Natural Area. Maury Island Natural Area is classified as a rural Natural Area in the [2022 Open Space Plan](#)¹⁹. Natural Areas are managed to conserve and enhance ecological value and to also accommodate passive recreation. Passive recreation is allowed in natural areas and appropriate levels of use vary from site to site. Any development on the site to support passive recreation, such as adding benches, will follow the construction methods outlined in the approved Cleanup Action Plan.

Comment from: Todd Currie

Thank you for this clean-up and preservation of a fantastic natural resource!

Most of the trails have been capped with gravel but, as I was told, funding ran out before the layer of mineral soil was applied. Please, please cover all the gravel topped trails with soil! The crunch, crunch while walking takes away from the natural experience, significantly. (The forest animals must find it annoying, too...)

The report mentioned no use of the ground water. In fact, this forest, I believe, is a watershed supplying water that Dockton Water distributes to 400 homes. Awareness of and protection of this area as a watershed is very important, especially during remedial work.

Response:

Thank you for your comment. Leaving half of the trails capped with gravel-only was a design decision that was made due to performance concerns with the mineral soil during the rainy

¹⁷ <https://www.kingcounty.gov/parks/mauryislandnaturalarea>

¹⁸ https://kingcounty.gov/~media/services/parks-recreation/parks/openspace/2022_KC_OpenSpacePlan_Update_Final.ashx?la=en&hash=98D52B0EC7873364A18CB052E1B97B12

¹⁹ <https://kingcounty.gov/en/dept/dnrp/nature-recreation/parks-recreation/king-county-parks/parks/open-space-plan>

season. The mineral soil cap was a custom engineered material that was developed specifically to address the types of concerns you point out related to the gravel and this was the first time using it for this application. Unfortunately, the King County project team saw high levels of erosion with the mineral soil cap during the first few heavy rainfalls. The project team was concerned that the mineral soil cap would not hold up. King County Parks did not want to continue to apply a surfacing that would be washed away within the first year. It was a difficult decision to switch to the gravel-only cap. Now that more is known about how the mineral soil cap performs (it held up better than expected) King County Parks would consider using it again for future capping needs.

Regarding the watershed, you are correct that it is a very important resource. All of Vashon and Maury Island is classified as a Sole Source Aquifer and Critical Aquifer Recharge Area. We share your desire to make sure the resource is protected now and into the future.

Comment from: Duwamish Tribe (Nancy Sackman)

[In the attachment referenced, sensitive cultural resources information has been redacted.]

Hi Ian,

Attached are the Duwamish Tribe's comments regarding the cleanup site on Maury Island. Feel free to use this email address for future calls for commenting and communication.

Just curious, was there an archaeological survey done for this site a few years ago?

Thank you and have a great day!

-Nancy

Nancy Sackman

Cultural Preservation Officer

03/20/2024 Attachment:

Department of Ecology State of Washington (Ecology)

Maury Island Open Space Site

Dear Ian Fawley,

Thank you for the opportunity to review and comment on the Maury Island Open Space Site toxic clean up program located on the southeast side of Maury Island at the site of the former CalPortland gravel mine. For the Duwamish Tribe's purpose of commenting, the nearest address is 25998 79th Ave SW, Vashon, WA 98070. We understand that the cleanup site is approximately 266 acres and falls within the plume fallout of the former ASARCO Tacoma Smelter. The Tribe also notes that Ecology has chosen Alternative 5 from the feasibility study

(FS) performed by Parametrix and that Phase 2 of the cleanup out of 5 phases has been completed.

Based on the information provided and our understanding of the project and its APE, the Duwamish Tribe would request that an inadvertent discovery plan (IDP) or unanticipated discovery protocol (UDP) be put in place for encountering cultural resources. Maury and Vashon Island were home to the Homamish people. These locations were also the usual and accustomed places of the Suquamish, Duwamish, Puyallup and other tribes for engaging in traditional life pathways. [Sensitive cultural resources information has been redacted] The DAHP WISAARD predictive model indicates that an archaeological survey ranges from highly advised to contingent upon project parameters with a very high risk to moderately low risk of encountering cultural resources. If any archaeological work or monitoring is performed, we would like notification. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The Tribe would also like the opportunity to be present if or when an archaeologist is on site.

The Duwamish Tribe supports the removal of the noxious weeds and invasive plant species. We also support the planting of only native plants for the cleanup to encourage a habitat which supports native fish and wildlife as well as native pollinators and avian species. In addition, the Tribe strongly recommends that blackberry bushes not be used as a deterrent for human encroachment. Rather, we recommend Nootka Rose or Tall Oregon Grape.

The Duwamish Tribe sincerely hopes that the cleanup is a success and supports your efforts.

Thank you,

Nancy A Sackman
Duwamish Tribe
Cultural Preservation Officer

Response:

[See Appendix B: Ecology's Cultural Resources Memo regarding the Duwamish Tribe's comment]

DATE: March 25, 2024

TO: Ryan Gardiner
Department of Ecology, Toxics Cleanup Program, NWRO

FROM: Jonathon Klem
Department of Ecology, Toxics Cleanup Program, NWRO

SUBJECT: Maury Island Open Space Cleanup
Cultural Resources Review Activities, MTCA
DAHP Project No. 2017-08-05826

Project Location and Description

Under WAC 173-340 (MTCA), the Washington State Department of Ecology (Ecology) reviewed the Maury Island Open Space cleanup project, located at 8215 SW 260th St, Maury, King County.

Determinations, Consultation, and Mitigation

A review of Ecology's records indicate that the project was previously consulted on by King County under King County's Cultural Resources Procedures (Executive Policy LUD 16-1(AEP)). As part of this review, King County required a Cultural Resources Assessment be conducted for the project in 2017. The recommendations from the CRA, for the project to proceed as planned with an IDP in place, were delivered to and concurred with by DAHP in April 2018 under DAHP Project No. 2017-08-05826.

Based on these results, Ecology has determined that no further review of the project is necessary under MTCA, and the following mitigation measures should continued to be implemented, as outlined in the DAHP concurrence letter:

- The developed project-specific inadvertent discovery plan should continue to be implemented to mitigate the risk of impacting unknown cultural materials, human remains, or historic properties. In the event of an inadvertent discovery, work will be stopped in the area of the find, and DAHP and the affected Tribes will be consulted.

An Inadvertent Discovery Plan was attached to the 2017 CRA, and has been retained for the project's continued remediation activities.

Comment from: Adam Atwell

1. I wanted to note that the Friends of Maury Parks group has previously suggested that King County Parks construct a new trail from the new parking lot on 260th, to the north to connect to the existing capped trail which starts and ends on 260th and forms a broad arc. The parking lot was intentionally located on the site of the former skeet range as a sort of "2-Fer" - It capped the lead from the old range and provides parking. However, the lot is not ideally located to any of the most used access points - eg Bluffs TH, Mountain Bike Trails, or the old main entrance to the pit. Adding a short connector to the existing trails north of 260th would facilitate aesthetically pleasing loops which avoid walking on the road, and hopefully incentivise more use of this lot (and get cars off the shoulders).

2. I would like to add a note to encourage keeping the conveyor apparatus in place. Similar to Gas Works Park in Seattle it provides a striking history lesson at a glance, with opportunity to expand via interpretive signage.

3. The Dept of Ecology's mandate applies to a portion of a larger Parks complex including The Maury Island Natural Area, Dockton Forest, Dockton Park, Maury Island Marine Park. Actions and decisions related to the "Maury Island Open Space" should consider the broader complex. Together these parks form a significant regional asset with over two miles of shoreline, many hundreds of acres, more than a dozen miles of interconnected trails, and irreplaceable madrona forests, which may be the largest in the state. As an example - it is perplexing to have intimidating signs on the million\$ capped trails warning to stay out of the toxic forest, only a few hundred feet from high school kids digging new BMX trails in the dirt. (The bike trails are fantastic, my intent is to point out what seem to be glaring inconsistencies in actions based on which side of an imaginary line)

Response:

Thank you for your comment. King County Parks prepared a draft Site Management Plan for this park in 2013 but it could not be finalized until the details of the cleanup were known. Now that the cleanup details are known, King County Parks will reinitiate finalization of the Site Management Plan. You will find the 2013 Draft Site Management Plan on the [Maury Island Natural Area webpage](#)²⁰.

Continuing to maintain and add trail connections is consistent with the Site Management Plan recommendations.

The 2013 draft plan describes reclamation activities that may occur at formerly mined areas of the site and does indicate potential removal of the conveyer apparatus, but only if that is consistent with other recommendations. At this time, given the community's interest in the structure and the high cost of removal, King County Parks does not have plans to remove the conveyer apparatus. King County Parks does periodically check the structure to confirm its structural integrity and recently added "No Trespassing, No Climbing" signs.

The history of the cleanup for Maury Island Open Space included funding by an appropriation from Ecology at the time of the property acquisition. The funding addresses remediation of the property and is sourced from the settlement with Asarco and the State Toxics Control Fund. The work that is being performed is a condition of the grant funding for the Cleanup Unit. The adjacent properties were purchased with different funding and are not subject to the same conditions.

There are a variety of resources available for residents and developers on [Ecology's website for the Tacoma Smelter Plume](#)²¹. These resources include Ecology's Tacoma Smelter Plume Model Remedies Guidance that addresses a streamlined process for independent cleanups. Property owners can consider joining the [Voluntary Cleanup Program](#)²² (VCP). Ecology's web site has specific information about soil testing for property owners on Vashon-Maury Island. Local

²⁰ <https://www.kingcounty.gov/parks/mauryislandnaturalarea>

²¹ <https://ecology.wa.gov/spills-cleanup/contamination-cleanup/cleanup-sites/tacoma-smelter>

²² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

governments are often eligible for State grant funding. King County Parks does not currently have funding for a similar cleanup on adjacent properties.

Appendices

Appendix A. Public comments in original format

Appendix B. Ecology's Cultural Resources Memo regarding the Duwamish Tribe's comment

Appendix A

Public comments in original format

Thomas Amorose

I support these amendments. It's important that this site not be developed further, even for recreational purposes, beyond the trails that already exist (with removal of spurious social trails, as noted in presentations on the amendment). There's just too much risk of spread of contaminated soils. King County faces intense pressure from county residents to expand out amenities (picnic shelters, play areas, etc.), and so it is hoped this amendment will discourage these developments at such a compromised site, for the health of Island residents and the County generally. Thank you.

K G

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Please remember to keep Maury Island Natural Area as undeveloped and undisturbed as possible while fulfilling the necessary remediation actions.

Todd Currie

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Most of the trails have been capped with gravel but, as I was told, funding ran out before the layer of mineral soil was applied. Please, please cover all the gravel topped trails with soil! The crunch, crunch while walking takes away from the natural experience, significantly. (The forest animals must find it annoying, too...)

The report mentioned no use of the ground water. In fact, this forest, I believe, is a watershed supplying water that Dockton Water distributes to 400 homes. Awareness of and protection of this area as a watershed is very important, especially during remedial work.

From: [Preservation Department](#)
To: [Fawley, Ian \(ECY\)](#)
Subject: Ecology - Maury Island Open Space - Duwamish Tribe Comments
Date: Wednesday, March 20, 2024 12:08:31 PM
Attachments: [image003.png](#)
[image006.png](#)
[image004.png](#)
[image013.emz](#)
[image015.emz](#)
[image019.emz](#)
[image008.png](#)
[image009.png](#)
[image011.png](#)
[image012.png](#)
[20240320 Washington State Ecology Maury Island Duwamish Tribe Comments.pdf](#)

External Email

Hi Ian,

Attached are the Duwamish Tribe's comments regarding the cleanup site on Maury Island. Feel free to use this email address for future calls for commenting and communication.

Just curious, was there an archaeological survey done for this site a few years ago?

Thank you and have a great day!

-Nancy

Nancy Sackman
Cultural Preservation Officer
206-856-2564 Mobile
206-431-1582 ext 104 Longhouse



From: Welcome Desk Attendant <welcomedesk@duwamishtribe.org>
Sent: Thursday, February 22, 2024 1:55 PM
To: Nancy Sackman <nancys@duwamishtribe.org>
Subject: FW: Ecology Notice: Maury Island Open Space Comment Period

Front Desk Receptionist

P: 206.431.1582

4705 W Marginal Way SW Seattle, WA 98106

[Stand with the Duwamish!](#)



From: Fawley, Ian (ECY) <IFAW461@ECY.WA.GOV>
Sent: Thursday, February 22, 2024 8:25 AM
To: Fawley, Ian (ECY) <IFAW461@ECY.WA.GOV>
Cc: Gardiner, Ryan (ECY) <RYGA461@ECY.WA.GOV>
Subject: Ecology Notice: Maury Island Open Space Comment Period





View from Maury Island Open Space looking southeast, 2017

Legal agreement amendment ready for public review

Public comment period

Maury Island Open Space Site

Información en Español incluida

Ecology invites you to review an [amendment to the legal agreement](#) (Agreed Order) with King County that addresses contamination at the [Maury Island Open Space cleanup site](#). The site is now referred to as the “Maury Island Natural Area” by King County. As of December 2023, King County has already completed the first two cleanup phases of the Cleanup Action Plan.

The procedural amendments to the legal agreement include:

- The final [2019 Cleanup Action Plan](#) and an updated schedule of deliverables to complete the remaining phases.
- An Environmental Covenant to restrict land uses on the site such as maintaining the capped roads and trails and not disturbing contaminated soil without Ecology permission.
- Updated legal language to comply with updated applicable laws.

Review starts: February 26, 2024

Review ends: March 26, 2024

En español

Si le gustaría recibir este documento en español, por favor llame a 425-324-5901 y espere a que un intérprete se una a la llamada o envíe un correo electrónico a preguntas@ecy.wa.gov. Traducciones de avisos públicos para Maury Island Open Space se preparan bajo solicitud.

Site Contact: Ryan Gardiner, Site Manager
425-681-5543; Ryan.Gardiner@ecy.wa.gov

Ian Fawley

Outreach Planner



ian.fawley@ecy.wa.gov



425-324-5901

***Email and Mail Note*:** If you wish to be removed from this email list, simply reply with “Remove” and Ecology will update our email list. If you have a change of mailing address, please respond with a current mailing address. Thank you.



DUWAMISH TRIBE

dx^wdəwʔabš

03/20/2024

Department of Ecology State of Washington (Ecology)
Maury Island Open Space Site

Dear Ian Fawley,

Thank you for the opportunity to review and comment on the Maury Island Open Space Site toxic clean up program located on the southeast side of Maury Island at the site of the former CalPortland gravel mine. For the Duwamish Tribe's purpose of commenting, the nearest address is 25998 79th Ave SW, Vashon, WA 98070. We understand that the cleanup site is approximately 266 acres and falls within the plume fallout of the former ASARCO Tacoma Smelter. The Tribe also notes that Ecology has chosen Alternative 5 from the feasibility study (FS) performed by Parametrix and that Phase 2 of the cleanup out of 5 phases has been completed.

Based on the information provided and our understanding of the project and its APE, the Duwamish Tribe would request that an inadvertent discovery plan (IDP) or unanticipated discovery protocol (UDP) be put in place for encountering cultural resources. Maury and Vashon Island were home to the Homamish people. These locations were also the usual and accustomed places of the Suquamish, Duwamish, Puyallup and other tribes for engaging in traditional life pathways. [REDACTED]

[REDACTED] The DAHP WISAARD predictive model indicates that an archaeological survey ranges from highly advised to contingent upon project parameters with a very high risk to moderately low risk of encountering cultural resources. If any archaeological work or monitoring is performed, we would like notification. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The Tribe would also like the opportunity to be present if or when an archaeologist is on site.

The Duwamish Tribe supports the removal of the noxious weeds and invasive plant species. We also support the planting of only native plants for the cleanup to encourage a habitat which supports native fish and wildlife as well as native pollinators and avian species. In addition, the Tribe strongly recommends that blackberry bushes not be used as a deterrent for human encroachment. Rather, we recommend Nootka Rose or Tall Oregon Grape.



DUWAMISH TRIBE

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The Duwamish Tribe sincerely hopes that the cleanup is a success and supports your efforts.

Thank you,

Nancy A Sackman
Duwamish Tribe
Cultural Preservation Officer
Mobile – 206-856-2564
Email – preservationdept@duwamishtribe.org



Adam Atwell

1. I wanted to note that the Friends of Maury Parks group has previously suggested that King County Parks construct a new trail from the new parking lot on 260th, to the north to connect to the existing capped trail which starts and ends on 260th and forms a broad arc. The parking lot was intentionally located on the site of the former skeet range as a sort of "2-Fer" - It capped the lead from the old range and provides parking. However, the lot is not ideally located to any of the most used access points - eg Bluffs TH, Mountain Bike Trails, or the old main entrance to the pit. Adding a short connector to the existing trails north of 260th would facilitate aesthetically pleasing loops which avoid walking on the road, and hopefully incentivise more use of this lot (and get cars off the shoulders).
2. I would like to add a note to encourage keeping the conveyor apparatus in place. Similar to Gas Works Park in Seattle it provides a striking history lesson at a glance, with opportunity to expand via interpretive signage.
3. The Dept of Ecology's mandate applies to a portion of a larger Parks complex including The Maury Island Natural Area, Dockton Forest, Dockton Park, Maury Island Marine Park. Actions and decisions related to the "Maury Island Open Space" should consider the broader complex. Together these parks form a significant regional asset with over two miles of shoreline, many hundreds of acres, more than a dozen miles of interconnected trails, and irreplaceable madrona forests, which may be the largest in the state. As an example - it is perplexing to have intimidating signs on the million\$ capped trails warning to stay out of the toxic forest, only a few hundred feet from high school kids digging new BMX trails in the dirt. (The bike trails are fantastic, my intent is to point out what seem to be glaring inconsistencies in actions based on which side of an imaginary line)

Appendix B

Ecology's Cultural Resources Memo
regarding the Duwamish Tribe's comment



DATE: March 25, 2024

TO: Ryan Gardiner
Department of Ecology, Toxics Cleanup Program, NWRO

FROM: Jonathon Klem
Department of Ecology, Toxics Cleanup Program, NWRO

SUBJECT: Maury Island Open Space Cleanup
Cultural Resources Review Activities, MTCA
DAHP Project No. 2017-08-05826

Project Location and Description

Under WAC 173-340 (MTCA), the Washington State Department of Ecology (Ecology) reviewed the Maury Island Open Space cleanup project, located at 8215 SW 260th St, Maury, King County.

Determinations, Consultation, and Mitigation

A review of Ecology's records indicate that the project was previously consulted on by King County under King County's Cultural Resources Procedures (Executive Policy LUD 16-1(AEP)). As part of this review, King County required a Cultural Resources Assessment be conducted for the project in 2017. The recommendations from the CRA, for the project to proceed as planned with an IDP in place, were delivered to and concurred with by DAHP in April 2018 under DAHP Project No. 2017-08-05826.

Based on these results, Ecology has determined that no further review of the project is necessary under MTCA, and the following mitigation measures should continued to be implemented, as outlined in the DAHP concurrence letter:

- The developed project-specific inadvertent discovery plan should continue to be implemented to mitigate the risk of impacting unknown cultural materials, human remains, or historic properties. In the event of an inadvertent discovery, work will be stopped in the area of the find, and DAHP and the affected Tribes will be consulted.

An Inadvertent Discovery Plan was attached to the 2017 CRA, and has been retained for the project's continued remediation activities.