



## Lovrics Sea Craft Inc Site Response to Comments

Today's Date: July 15, 2024

Cleanup Site ID: 14900  
Facility ID: 21847524  
Address: 3022 Oakes Ave, Anacortes  
County: Skagit  
More information: [Lovrics Sea Craft Inc webpage<sup>1</sup>](#)  
Public Comment Period: May 16 to June 14, 2024

### Documents for review and comment

- Agreed Order DE 22368
- Public Participation Plan

### Background

Industrial use began on the Lovrics Sea Craft Site in the late 1890s and consisted of a fish glue factory and eventually a fish cannery and processing facility. These operations continued through the mid-1960s. The Site was purchased in 1965 and converted into a shipyard where it was utilized for boat and barge repair and eventually included a small boat marina.

Numerous structures are located throughout the Site which are used for boat repair and maintenance activities, including two warehouse buildings, two marine railways, a paint shed, and multiple small storage or vacant structures. Hazardous substances used and stored on the property include new and used motor oil, oil filters, antifreeze, paints, thinner, lacquers, solvents, spent sandblasting grit and boat bottom scrapings, and spent zinc anodes, as well as multiple above ground diesel tanks and above ground containers and drums or totes used to store oily bilge water and wash water collected from activities around the marine railways.

The Site property is the source area of contamination and needs to be addressed under the state's cleanup law, the Model Toxics Control Act (MTCA, see Figure 1). The Agreed Order (AO) requires Guemes Channel Holdings, LLC (the current property owner and potentially liable person) to conduct a Remedial Investigation, a Feasibility Study, conduct interim actions (if required or agreed to), and prepare a preliminary Draft Cleanup Action Plan.

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<sup>1</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/14900>

## Comment period and next steps

During the comment period, May 16 to June 15, 2024, we received six comments. We considered the comments and made no changes to the documents after the comment period. We will sign the AO and work with Guemes Channel Holdings, LLC on the investigation.

The comments submitted and our responses are listed below.

You can follow the progress of cleanup at the [Lovrics Sea Craft Inc webpage](#).<sup>2</sup>

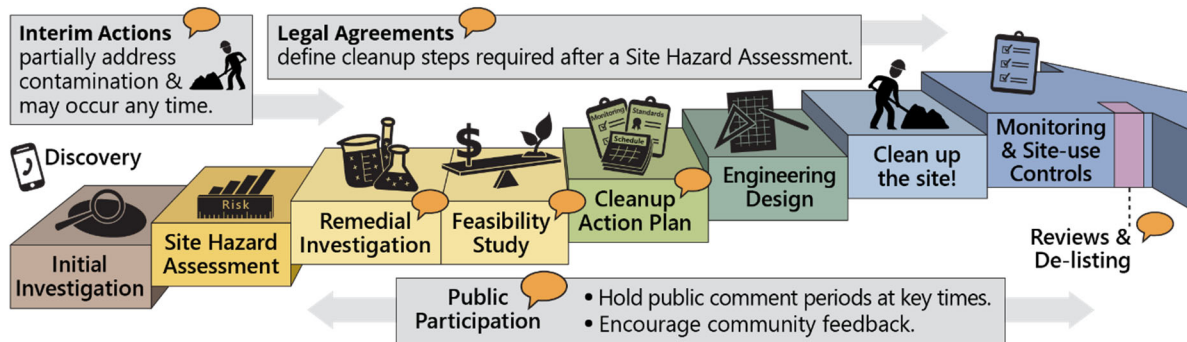


Figure 1. The Model Toxics Control Act (MTCA) is Washington’s cleanup law. There are several steps in the MTCA cleanup process. The comment bubbles indicate major milestones in the process when there is an opportunity for public comment.

## Prepared by

David Horne  
Site Manager and Baywide Coordinator  
David.Horne@ecy.wa.gov

<sup>2</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/14900>

## **Comment from Martha Hall**

I'll first note that I used a newspaper article for my source of info on this project. I could not find copies of the Order and other details using the links that were provided. I may submit additional comments if and when I locate this information.

I have lived within a few blocks of the old Lovric's Marina/shipyard since 2001. I am well aware of the on-going problems with contaminated soils that have not been adequately monitored or cleaned up during this time. This is a huge failure on the part of the DOE. When I look at the very short and limited requirements in this Order, I am very disappointed. It lacks a time-line and fails to have the necessary details about what is expected in this Order and when these will be completed. Thus, this fails to provide what is necessary to bring any meaningful change to what has been DOE's very poor history of addressing this contamination. It sounds like more of the same in the future. Meanwhile, we have endangered southern resident orcas and many species of ESA listed salmon using this and/or nearby habitats. It is likely that these pollutants are still entering these food chains and harming these species.

I have spent a lot of time watching fish and wildlife just west of the old Lovric's site since moving here. This area includes two sections of the fairly new Guemes Channel Trail which further degraded this shoreline by adding rip-rap along the entire length of this shoreline to build and maintain a DOT nonmotorized transportation route to where? The where on either end is still unknown. The DOT's ferry terminal also has had a huge negative impact on this shoreline. Meanwhile, two unique and valuable habitats are located west of the old Lovric's site, Ship Harbor wetlands and beach and eelgrass beds and Shannon Point's wetland and forested area and shoreline. Beyond this is the extensive natural area in WA Park.

These extensive areas that are at least somewhat protected, Ship Harbor, Shannon Point and WA Park provide wonderful habitat and/or food for many species including the southern resident orcas, a number of species of salmon, great blue herons, harbor porpoise, osprey, sea ducks who use it during the winter, harbor seals, marbled murrelets, and etc. The citizens of Anacortes and Skagit County are fortunate to live so close to fantastic places to see so many species. Not addressing a major source of pollution for so long in this area is discouraging and disappointing.

Having this major source of pollution next to all of these valuable fish and wildlife habitats is totally unacceptable. The DOT and DOE and WDFW have all failed to care about and protect this shoreline. Yet people wonder why our southern resident orcas and our listed species of salmon are not recovering. Unless our state and DOE, DOT, and WDFW, become serious about addressing the cumulative negative impacts caused by countless problems like this contamination at one site, how much recovery of these species can we expect? Our state has and still is not serious enough about addressing these threats. An Order like this one that fails to require what is needed and to have a time-line for when this will be done is another failure on the part of our state and DOE.

I hope DOE will write an order that is specific as to what is required and includes a time-line for when this will be completed.

### **Response from Ecology**

Thank you for your comment about the timeline and deliverables for this site.

Exhibit B in the [Lovrics Sea Craft Agreed Order June 2024](#)<sup>3</sup> outlines the scope of work and schedule of deliverables. The Agreed Order (AO) requires Guemes Channel Holdings, LLC (the current property owner and potentially liable person) to conduct a Remedial Investigation, a Feasibility Study, conduct interim actions (if required or agreed to), and prepare a preliminary Draft Cleanup Action Plan. The Agreed Order also lays out a timeline for each of these deliverables. The Agreed Order encompasses the contamination investigation effort and concludes with a draft Cleanup Action Plan. While the AO doesn't prevent future pollution from occurring, it does hold the party responsible for cleaning up contamination identified during the investigation.p

### **Comment from Jay Roberts**

Why is Guemmes Chanel Holdings company, I.E. Stabbert Marine the liable party for the clean up. Yes they are the new owners of said property. But... not the guilty party in the environmental damage.

Where does Lovrics Sea craft, the city of Anacortes, EPA, and DOC fit into this formula. They are the guilty parties for letting pollution go on for decades???

### **Response from Ecology**

Thank you for your question about the liable parties. Guemes Channel Holdings purchased the property from Lovrics Sea Craft. Purchase of the property resulted in purchase of liabilities associated with the property. The City of Anacortes is responsible for zoning and related city-permitting. The Environmental Protection Agency (EPA) is generally not involved beyond allowance of the State of Washington to issue an National Pollution Discharge Elimination System (NPDES) permit. We are unsure what DOC is referring to in your question.

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<sup>3</sup> <https://apps.ecology.wa.gov/cleanupsearch/site/14900#site-documents>

## **Comment from Martin Meador**

I have an oyster farm on my beach and am concerned that the hazardous materials currently onshore could be released into Guemes Channel during the cleanup process. Are there procedures established to prevent this from happening? I am aware of at least one other oyster farm near my home. Thank you.

### **Response from Ecology**

Thank you for your question about procedures we will put in place during the cleanup process. Sampling will be conducted during the remedial investigation phase with the intent of better understanding the nature and extent of the contamination in the uplands and sediments. The results of this investigation will inform a set of cleanup alternatives which will be evaluated for several factors, including impact to nearby sensitive biological resources. This investigation will also provide a better understanding of the current pathways by which contamination is being transported from the uplands to the marine portion of the site.

Depending upon the remedy selected for the marine portion of the site, re-suspension of contaminated sediments during cleanup is also a possibility. The suitability of potential protective measures (i.e. water quality monitoring or implementing silt curtains) will be considered during selection of the remedy. Before future cleanup activities commence, there will be an additional public comment period.

## **Comment from Ron Lindsay**

The cleanup effort should extend to the offshore sediments within and adjacent to the ship maintenance facility and adjacent to the liable party's land holdings. There is potential contamination of these sediments from past ship repair activities. Clearly the owners of the ship yard should be held liable for this contamination.

### **Response from Ecology**

Thank you for your comment on the offshore sediments. Investigation of sediments and in the uplands will occur on the Guemes Channel Holdings property and if data shows contamination extending off property, discussions with Guemes Channel Holdings and other property owners will occur.

## **Comment from Paul Vance**

1. Consider requiring stormwater discharge sampling to be done concurrently with a first flush and at the conclusion of a rain event of 9mm (approx.) accumulation to ensure potential contaminants are quantified from stormwater sources.

2. Consider requiring sediment sample locations to include samples at various penetration depths to determine depth at which toxic concentrations decline sufficiently to achieve a reduced concentration of the limiting contaminate to regulatory concentration limits.

## **Response from Ecology**

Thank you for your comments about stormwater and sediment sampling. Stormwater discharge sampling is governed by the related NPDES discharge permit. Sediment sampling strategies will be outlined in future investigation documents.

**Comment from Samuel Hill**

David Horne  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504

RECEIVED

June 6, 2024

JUN 19 2024

Washington State Department of Ecology  
Toxics Cleanup Program

Dear Mr. Horne

We own the property adjacent and east of the Lovrics site here in Anacortes, and wholeheartedly support any and all efforts for cleanup of any contaminated areas on that property.

Perhaps as part of this effort, your agency should be made aware of the issues we as adjacent homeowners are experiencing regarding the new owners of the property, Stabberts Marine. The work that they are conducting on a daily basis, as best we can observe, creates a constant noise level far in excess of state allowed db ratings, many times exceeding 75-80db on a constant basis. Readings in excess of 100db have been noted. There have been numerous violations that have caused a number of homeowners to call and complain to the Public Works department of the city of Anacortes.

They have also brought in and sunk a barge into the seabed on the eastern side of their property that they use as a platform for a huge crane, the dimensions appear to be in the 50' x 150' size. Our understanding is that violates daylight availability to the underlying seabed. We are aware that many of the marinas in Anacortes are being required to daylight roofs on covered marinas, this seems to be contradictory to that requirement being placed on private facilities. Our review of WA DNR policy also indicates no permanent structures can be placed into the seabed, this is also being violated by Stabberts. They also work all hours of the day, many times through the night with noise violations and extremely bright lights. We have been told by the city that work is not to occur after 10pm. This is routinely violated.

We certainly support the long term goal of the site being environmentally cleaned, but please understand that the direction that we believe Stabberts marine is going is also an environmental concern. There is a group of concerned residents that have formed an organization called "Citizens for a Beautiful Guemes Channel". Our group's efforts are to insure that we, as neighbors to Stabberts, can expect a similar respect from them regarding the issues stated above.

Thanks



Samuel Hill

[Redacted]  
Anacortes, WA  
[Redacted]

**Response from Ecology**

Your comment is noted. Thank you for your comment.