

CAP AND FENCE MAINTENANCE PLAN

Weidner Sunnyslope West Residential
Development

Prepared for: WA Sunnyslope Apartments I LLC

Project No. AS170670F • August 27, 2024 FINAL



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1 Introduction

Aspect Consulting, a Geosyntec company (Aspect), has prepared this Cap and Fence Maintenance Plan (CFMP) as part of the cleanup action performed at the Weidner Sunnyslope West Residential Development Site (Site). The Site consists of the property located at 3272 School Street in Wenatchee, Washington (Property; Figure 1). The eastern portion of the Property was historically developed as an orchard and contained concentrations of arsenic and lead in soil exceeding the Washington State Department of Ecology (Ecology) Model Toxics Control Act (MTCA) Method A cleanup levels for unrestricted land uses. The western portion of the Property, consisting of a vegetated irrigation ditch with steep slopes, was not part of the Property redevelopment or cleanup action. Portions of this area are located within the footprint of Ecology's known former orchard lands and can be found on their Dirt Alert website and may contain elevated concentrations of arsenic and lead in soil.

The eastern portion of the Property has been redeveloped into an apartment complex with buildings, carports, paved walkways, access roads, drives, and landscaped areas. The western portion of the Property has not been redeveloped and remains developed with an irrigation ditch.

The cleanup action was completed at the Site between August 2021 and June 2023 in accordance with an Ecology-approved Contaminated Soil Management Plan (Aspect, 2021) developed in accordance with the *Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington* published by Ecology in July 2021 (Ecology, 2021a). The cleanup action consisted of capping contaminated soil in the eastern portion of the Property in conjunction with redevelopment, erecting a fence around the western portion of the Property to separate it from the eastern portion, and recording an environmental covenant to provide notice of the residual contamination at the Property and to obligate the landowner to inspect and maintain the caps and fences installed as part of the cleanup action.

This CFMP sets forth the requirements for inspecting and maintaining the caps and fence installed as part of the cleanup action and reporting the results of its inspection and maintenance activities to Ecology. This CFMP also sets forth the requirements for future activities at the Property that might disturb the caps or expose contaminated soil.

2 Cap Features

Soil in the eastern portion of the Property containing concentrations of arsenic and lead exceeding the MTCA Method A cleanup levels was capped as follows:

- **Soft Caps.** The soft caps consist of a minimum of 6 inches of verified clean topsoil or gravel placed over a geotextile fabric that separates the clean material from the underlying contaminated soil. The locations of the soft caps are depicted on Figure 1.
- **Hard Caps.** The hard caps consist of a minimum of 2 inches of asphalt or concrete overlying contaminated soil. The hard caps may be associated with building slabs and foundations, walkways, driveways, parking, and other structural features (e.g., the pool). The locations of the hard caps are depicted on Figure 1.

3 Fence Features

Soil in the western portion of the Property that may contain elevated concentrations of arsenic and lead was physically isolated from the eastern portion of the Property by a 4-foot chain-link fence. The fence extends the entire Property between the eastern and western portions, preventing access to the soil. The location of the fence is depicted on Figure 1.

4 Inspection and Maintenance of Caps and Fence

The caps and fence must be inspected and maintained to ensure the cleanup action remains protective. The following sections set forth the inspection and maintenance requirements and establish the schedule for reporting the results of inspection and maintenance activities to Ecology.

4.1 Inspection Requirements

The soft and hard caps must be inspected annually. The inspection must include:

- Visual inspection of the hard caps, identifying any cracks, unsealed penetrations, or other damage.
- Visual inspection of the soft caps, identifying any loss of clean material over the underling geotextile fabric or other damage.
- Photographs of the caps.
- Identification of the location and extent of any damage to the caps that would compromise their integrity.

The fence must be inspected annually. The inspection must include:

- Visual inspection of the fence, identifying any breaks, missing sections, or other damage.
- Photographs of the fence.
- Identification of the location and extent of any damage to the fence that would compromise its integrity.

The observations of each inspection must be documented on a form substantially similar to the one attached as Appendix A, and the results of each inspection must be included in an Inspection and Maintenance Report that is submitted to Ecology on an annual basis, no later than January 31 for the preceding calendar year.

4.2 Maintenance Requirements

The caps and fence must be maintained on an as-needed basis to maintain their integrity. Any damage to the caps or fence that compromises their integrity must be repaired within thirty (30) days after discovery of the damage. All maintenance and repair activities must be documented on a form substantially similar to the one attached as Appendix B, and a description of all maintenance and repair activities must be included in an Inspection and Maintenance Report that is submitted to Ecology on an annual basis, no later than January 31 for the preceding calendar year. The report must include the following information:

- A description of the maintenance activities performed on the caps and fence.
- A description of the actions performed to repair any damage to the caps or fence.
- Photographs of the caps and fences before and after performance of the maintenance and repair activities.

- The location of the maintenance and repair activities as indicated on a map, figure, or aerial image.

5 Requirements for Activities that Will Disturb Caps or Expose Contaminated Soil

Future activities at the Property may require disturbance of the caps or exposure of contaminated soil beneath the caps. Anticipated activities include the installation, repair, or replacement of sprinkler systems or subsurface utilities or the removal or planting of vegetation. This section sets forth the requirements that apply to such activities.

5.1 Preparation of Work Plan

Before any work is performed that would disturb the caps or expose contaminated soil beneath the caps, the following actions should be performed:

- Prepare a work plan describing the actions that will disturb the caps and the locations of the anticipated disturbances. Actions that will disturb the caps include, among other things, drilling, piercing, cutting, or removing the hard caps, or grading or removing soil from the soft caps.
- Include in the work plan a description of the actions that will be performed to protect persons from unsafe exposure to contaminated soil that will be exposed or handled as part of the project.
- Include in the work plan a description of the actions, if any, that will be taken to handle, stockpile, transport, or dispose of contaminated soil removed from beneath the caps and/or to return contaminated soil back beneath the caps. The work plan should address the following, as applicable:
 - Temporary erosion and sedimentation control practices that apply to the handling of the contaminated soil.
 - Construction best management practices that should be followed to minimize generation of dust and runoff.
 - Requirements for excavating, stockpiling, or loading contaminated soil, including requirements to prevent contaminated soil in stockpiles from eroding, generating dust, or coming into contact with stormwater. Each stockpile must be underlain and covered by a polyethylene geomembrane liner with a minimum thickness of 10 mils, or an equivalent means providing equal or improved containment, when not in use.
 - Soil underlying a cap that is excavated as part of disturbance activities may be returned beneath the cap.
 - Any soil removed from under a cap will be transported off the Property for disposal must be sent to a facility licensed to receive such soil, and the soil must comply with the waste profiling requirements of the facility. The owner of the Property must be identified as the generator of the soil that is sent to the facility.
- Require all contractors and workers that perform work that disturbs the caps to comply with the work plan.

5.2 Performance of Work

All work that disturbs the caps or exposes contaminated soil beneath the caps must comply with the work plan prepared under Section 5.1 and all applicable laws and regulations.

5.3 Restoration of Caps

Following any activity that disturbs a cap, the cap must be restored to its original state or an equivalent state that contains the features described in Section 2. A soft cap may be replaced with a hard cap (and vice versa), as long as the new cap contains the features described in Section 2 that apply to the chosen type of cap.

5.4 Reporting

All work that disturbs a cap or exposes contaminated soil beneath a cap must be described in an Inspection and Maintenance Report that is submitted to Ecology on an annual basis, no later than January 31 for the preceding calendar year. The report must include the following information:

- A copy of the work plan applicable to the work.
- A description of the work performed that disturbed the cap and restored the cap.
- A description of the actions taken in response to contaminated soil removed from beneath a cap, including how the soil was handled and where it was sent for disposal or where and how it was returned beneath a cap.
- Photographs of any work performed to disturb the cap, handle contaminated soil, and/or restore the cap.
- The location of the work performed to disturb the cap, handle contaminated soil, and/or restore the cap, as indicated on a map, figure, or aerial image.

6 References

Aspect Consulting, LLC (Aspect), 2021, Sunnyslope Project West – Contaminated Soil Management Plan, Wenatchee, Washington, August 20, 2021.

Aspect Consulting, LLC (Aspect), 2023, Cleanup Action Completion Report, Weidner Sunnyslope West Residential Development, Wenatchee, Washington, Prepared for: Weidner Investment Services, Inc., September 28, 2023.

Washington State Department of Ecology (Ecology), 2021a, Model Remedies for Cleanup of Former Orchard Properties in Central and Eastern Washington, Sampling and Cleanup Arsenic- and Lead-Contaminated Soils, Toxics Cleanup Program, Ecology Publication Number 21-09-006, July 2021.

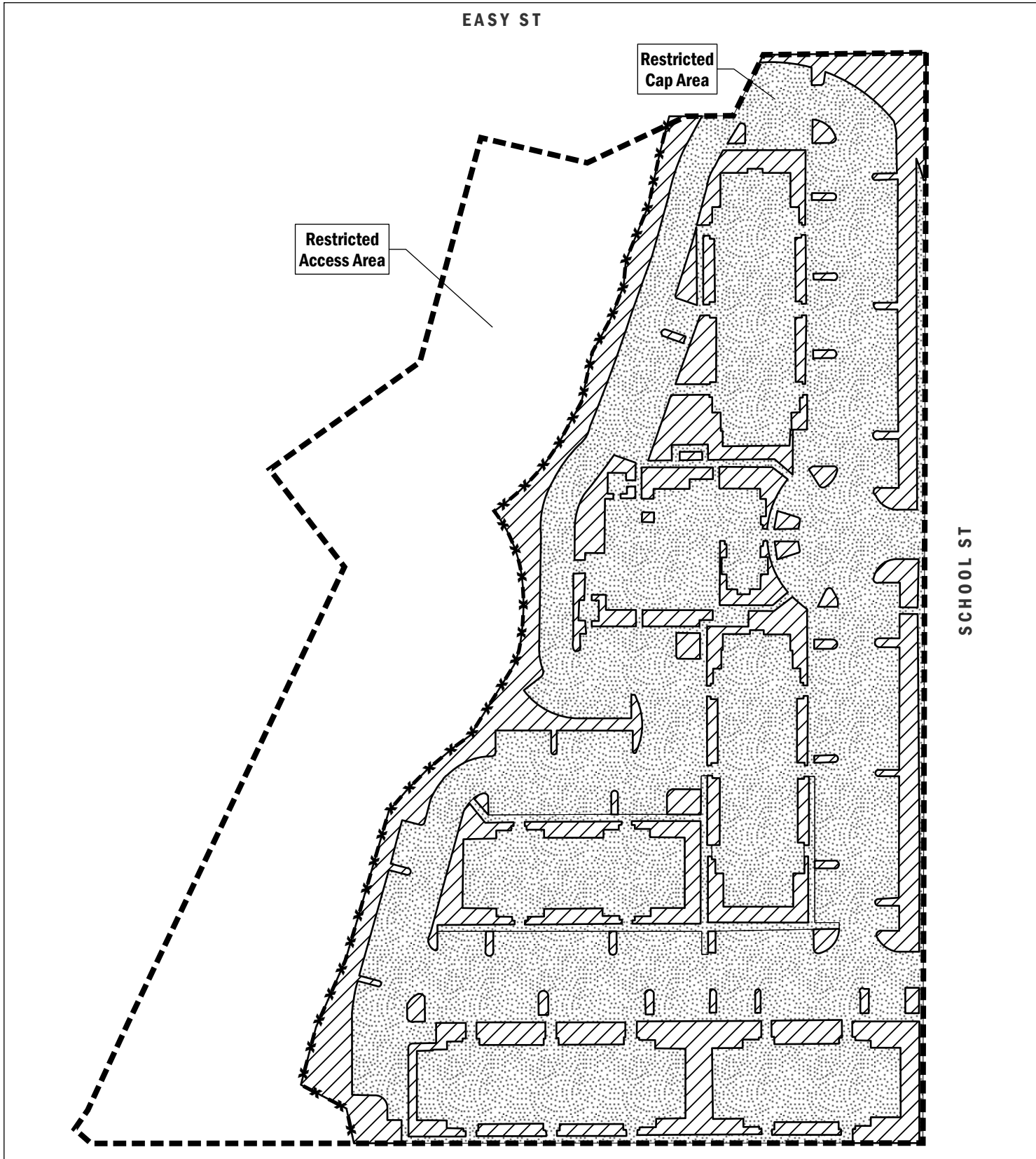
Washington State Department of Ecology (Ecology), 2021b, Opinion on Proposed Cleanup Action for the Weidner Sunnyslope West Residential Development, August 30, 2021.


7 Limitations

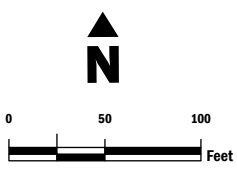
Work for this project was performed for WA Sunnyslope Apartments I, LLC (Client), and this plan was prepared in accordance with generally accepted professional practices for the nature and conditions of work completed in the same or similar localities, at the time the work was performed. This plan does not represent a legal opinion. No other warranty, expressed or implied, is made.

Please refer to Appendix C titled “Limitations and Guidelines for Use” for additional information governing the use of this plan.

FIGURE




-  Hard Cap
-  Soft Cap
-  Fence
-  Property



Depiction of Property, Restricted Cap Area, and Restricted Access Area

Cap and Fence Maintenance Plan
Weidner Sunnyslope West Residential Development Sunnyslope, Washington

	JUL-2024	BY: EPM / NLK	FIGURE NO. 1
	PROJECT NO. AS170670	REVISED BY: --- / ---	

APPENDICES

APPENDIX A

Inspection Form

Date: _____

Property Address: _____ Inspector's Name: _____

Tax Parcel ID: _____ Inspector's Signature: _____

Weather Conditions: _____ Inspector's Title/Affiliation: _____

Routine Inspection ☐ Non-Routine Inspection ☐

Provide the reason if conducting a non-routine inspection:

FORM 1 - CAP/FENCE INSPECTION RECORD		Cap and Fence Maintenance Plan, Sunnyslope West Property, Wenatchee, Washington	
INSPECTION ITEM ¹	None	Repair Needed	COMMENTS/NOTES
1. Soil Cap Areas			
a. Potholes, ponding?			
b. Erosion?			
c. Exposed geotextile notification layer?			
d. Damage, unusual disturbance?			
2. Hard Cap Areas (e.g., Pavement, Building Slabs)			
a. Absence of pavement, open cracks and/or ruts?			
b. Surface settlement or ponding?			
c. Exposed subsurface adjacent to building foundation?			
3. Fencing			
a. Damage, openings, or unusual disturbance?			
Deficient <u>Action Items</u> & Other Comments:			

Notes

1) Inspect entire capped area and fence line and identify areas that represent potential for direct-contact exposure to or erosion of capped material. Attach a marked-up property sketch or aerial photograph, indicating areas inspected, locations of problem areas (examples above), and inaccessible areas. Include photos of problem areas, if observed.

APPENDIX B

Maintenance and Repair Form

Property Address: _____
Tax Parcel ID: _____

FORM 2 - CAP/FENCE MAINTENANCE RECORD

Cap and Fence Maintenance Plan, Sunnyslope West Property, Wenatchee, Washington

SECTION 1

Problem Description:

Date Deficiency Observed: _____

Deficiency Reported By: _____

SECTION 2

Maintenance Performed:

Firm Performing Maintenance: _____

Maintenance Start Date: _____

Maintenance Completion Date: _____

Approved By Property Owner

Printed Name: _____

Signature: _____

Title/Affiliation: _____

Date: _____

APPENDIX C

Limitations and Guidelines for Use

LIMITATIONS AND GUIDELINES FOR USE

Reliance Conditions for Third Parties

This plan was prepared for the exclusive use of our Client and future owners of the subject property. No other party may rely on this plan or the product of our services without the express written consent of Aspect Consulting (Aspect). This limitation is to provide Aspect with reasonable protection against liability claims by third parties with whom there would otherwise be no contractual conditions or limitations and guidelines governing their use of this plan. Within the limitations of scope, schedule and budget, our services have been executed in accordance with the agreement with our Client and recognized standards of professionals in the same locality and involving similar conditions.

Services for Specific Purposes, Persons, and Projects

Aspect has performed the services in general accordance with the scope and limitations of the agreement with our Client. This plan has been prepared for the exclusive use of the Client and future owners of the subject property. This plan is not intended for use by others, and the information contained herein is not applicable to other properties.

This plan is not, and should not, be construed as a warranty or guarantee regarding the presence or absence of hazardous substances that may affect the subject property. This plan is not intended to make any representation concerning title or ownership of the subject property. If real property records were reviewed, they were reviewed for the sole purpose of determining the subject property's historical uses. All findings, conclusions, and recommendations stated in this plan are based on the data and information provided to Aspect, current use of the subject property, and observations and conditions that existed on the date and time this plan was issued.

Aspect structures its services to meet the specific needs of our clients. Because each environmental study is unique, each environmental plan and report is unique, prepared solely for the specific client and subject property. This plan should not be used for any purpose or project except as described in this plan.

This Report Is Project-Specific

Aspect considered a number of unique, project-specific factors when establishing the scope of work for this plan. You should not rely on this plan if it was:

- Not prepared for you.
- Not prepared for the subject property.
- Completed before important changes occurred concerning the subject property, project, or governmental regulatory actions.

If changes are made to the subject property after the date of this plan, Aspect should be retained to assess the impact of the changes with respect to the conclusions contained in this plan.

Property Conditions Change Over Time

This plan is based on conditions that existed at the time the plan was issued. The findings and conclusions of this plan may be affected by events such as a change in subject property use or occupancy, or by natural events, such as floods, earthquakes, slope failure or groundwater fluctuations. If any of the described events occur following the issuance of this plan, you should contact Aspect so that we may evaluate whether changed conditions affect the continued reliability or applicability of this plan.