



Responsiveness Summary

17 Comments Received

Hardel Mutual Plywood

Cleanup Site ID: 3704

Facility ID: 75128579

Address: 1210 West Bay Drive NW

County: Thurston County

This report was prepared by:

Steve Teel

Site Manager

Steve.Teel@ecy.wa.gov

Carolyn Subramaniam

Public Involvement Coordinator

Carolyn.Subramaniam@ecy.wa.gov

Toxics Cleanup Program

Southwest Region Office

Lacey, Washington

July 2025

2025 Public Comment Period and Open House

Ecology held a public comment period from May 1st, 2025, at 8:00 AM to June 2nd, 2025, at 11:59 PM. We received 17 comments and have responded to them below. There were no changes to the documents based on public comment. Ecology is in the process of finalizing the documents.

Public Meeting on May 12, 2025

Ecology held an open house on May 12, 2025, at the Olympia Timberland Library Meeting Room from 3:30– 5:30 PM. At the open house, Ecology staff and supervisors were available to discuss the site and answer questions. About 24 members of the public attended the open house.

Ecology provided the opportunity to submit comments at the event; 1 written comment was submitted at the open house.

Site Background

This cleanup site in Olympia has been used for wood milling since the late 1800s. Hardel Mutual Plywood (Hardel) operated at this site from 1951 to 1996. Wood milling activities released hazardous substances into the environment.

Hardel signed a legal agreement with Ecology in 2007 and cleaned up the site in 2010. In 2012, Ecology listed the cleanup as complete.

West Bay Development Group (West Bay) bought the property from Hardel in 2021. West Bay discovered areas of contamination in soil and groundwater that were not found in the earlier cleanup work.

Therefore, this site needs more cleanup to protect human health and the environment.

Documents Available for Public Review and Comment:

- **Agreed Order DE 21726** is a legal agreement between Ecology and West Bay. It requires West Bay to:
 - Study the site to understand what kind of contamination is at the site, and where it is.
 - Use that information to compare different options for how to clean up the site.
 - Suggest a cleanup option to Ecology.
- **Public Participation Plan** is Ecology's outreach plan. It describes how we will contact the public about this site, and opportunities for public input.

Comment Themes

Several comments touched on similar ideas. We grouped related comments into the themes below. Comments in full begin after page 6.

Theme	Related Comments	Page Number
Support cleanup of the site for development	2, 8, 9, 10, 11, 12, 13, 14	3
Trust in the cleanup process	1, 3, 4, 5, 6, 7, 15	3
Shorelines and habitat restoration	5, 6, 16	4
Future public input opportunities	3, 15, 17	5
Discussion about specific cleanup plans	5, 11	5
Budd Inlet sampling	3, 17	6
Agreed Order language	15	6

Support cleanup of the site for development

Several comments expressed support for the Agreed Order to clean up the site for future housing development at the site. Some comments listed benefits of the redevelopment projects for economic, housing, and urban growth goals. A few comments expressed concern about delays to the project having a negative impact on housing inequality.

Response

Thank you for your comments. Ecology appreciates your support of the investigation and cleanup of the site and your interest in the project. Ecology is entering into this Agreed Order with West Bay Development Group (West Bay), who is the Potentially Liable Party responsible for investigation and cleanup at this site.

Under Washington's Model Toxics Control Act (MTCA), Ecology does not have the authority to direct the future land use of a site after it is cleaned up. Ecology uses the site's historical, current, and projected future uses and local zoning designations to ensure that contamination at this site does not pose a risk to human health or the environment. Ecology will be working with West Bay to ensure they meet the cleanup standards required under state law.

Trust in the Cleanup Process

Several commenters noted that contamination was left behind in 2010 cleanup work. Some comments expressed concern about whether this cleanup will be rigorous; expressing concern whether West Bay would cooperate with Ecology and hire unbiased and qualified experts. One commenter expressed concern about safety and whether the site would ever be safe for housing. One commenter included information about 2022 water quality violations at a different project by one of the parties involved in the proposed West Bay Yards development. One comment asked why the cleanup process is restarting at this site, given past cleanup work.

Response

Thank you for your comments.

As we do for all formal cleanup sites, Ecology will work with West Bay throughout the cleanup process. The Agreed Order describes a working relationship between Ecology and West Bay, where Ecology will provide oversight and regulatory approval to ensure the cleanup follows state law. We will also have public comment periods at key stages in the project. These comment periods are an opportunity for the public and interested parties to review data, analysis, and plans.

Ecology has a process for [accrediting environmental laboratories](#)¹. State law requires all engineering work to be performed under the oversight of a professional engineer. Also, reports that contain geologic and hydrogeologic information need to be stamped by a licensed professional.

It is true that some contamination was left behind in 2010 cleanup work. We are approaching this second cleanup effort with fresh eyes as we restart the cleanup process. Additional sampling will build on previous work to find out what contaminants remain in soil, groundwater, and marine sediment. Now,

¹ <https://ecology.wa.gov/regulations-permits/permits-certifications/laboratory-accreditation>

we have the benefit of additional regional data and regulatory guidance that were not available previously. We also will use new data from the Port of Olympia's ongoing Budd Inlet sampling.

From a toxics cleanup perspective, our goal is to return land to productive use determined by local governments. In this case, the City of Olympia has identified a need for mixed use development at this location. While some heavily industrial cleanup sites may be "too contaminated" for non-industrial future use, this cleanup site is not in that category. We believe that an unrestricted use level, the most stringent standard for toxics cleanup under state law, is possible and appropriate for this site cleanup.

Ecology takes the intended future use of the site into account when planning the cleanup, which in this case, means we are requiring cleanup to a standard that is safe for housing. We are not there yet, but Ecology will require sampling after cleanup work to ensure that the cleanup was successful, and the site is safe for unrestricted use (such as housing). We'll have more details about this as we continue in the cleanup process.

Information regarding permits and water quality enforcement actions can be found on the Water Quality Program [Permitting and Reporting Information System](#) (PARIS)².

Shorelines and habitat restoration

Several comments related to protecting aquatic ecosystems on the shoreline of this site. Commenters brought up concerns about potential future effects of sea level rise and other nearby water projects (such as the Capital Lake Estuary Project) on the cleanup. One comment opposed filling waterward; another requested analysis on whether the Shoreline Management Plan is still appropriate for this area. Commenters also emphasized the importance of coordination between the Toxics Cleanup Program and other programs and agencies who are involved with the shoreline component of this site.

Response

Ecology's Shorelines and Environmental Assistance Program (SEA) makes decisions on shoreline Conditional Use Permits in partnership with local governments. In this case, a shoreline Conditional Use Permit is needed for commercial development. If the City approves the Conditional Use Permit, Ecology's SEA Program can approve, approve with conditions, or deny the permit.

The Olympia Shoreline Master Program (SMP) requires restoration projects extend no farther waterward than necessary to achieve restoration goals. The City of Olympia has until 2031 to complete the next periodic update of their SMP. Ecology is currently undertaking rulemaking to incorporate sea level rise into SMP guidelines in accordance with HB 1183.

Toxics Cleanup Program (TCP) considerations have informed the SEA program's preliminary review of this project.

² <https://apps.ecology.wa.gov/paris/>. The specific water quality violation described in comment 6 can be found by searching by permit number WAR308378 and checking the box "show inactive permits".

Future Public Input Opportunities

Several commenters expressed the importance of public involvement and input throughout the cleanup process. Some comments mentioned the importance of public review of specifics of proposed cleanup or interim actions. One commenter suggested including neighborhood associations in outreach about this site.

Response

Thank you for your comments. Washington’s cleanup law, the Model Toxics Control Act, requires public input at several stages in the cleanup process, marked with a speech bubble on the figure below. We will be coming back with more information as we move forward in the process. The Agreed Order does not approve any interim action plan at this point. In the future, if West Bay would like to implement an interim action, and if Ecology agrees that this might be appropriate, we will hold a comment period to share information and hear from the public before we approve a draft interim action work plan.



Thank you for your suggestion about including neighborhood associations in future outreach. We confirmed that the NW Olympia Neighborhood Association is already on our mailing list. Any other neighborhood associations, groups, or individuals who would like to be added to our mailing list are welcome to contact us using the contact information listed on the Hardel Mutual Plywood [cleanup webpage](#)³.

Discussion about specific cleanup plans

Some comments described preferences for the cleanup. One commenter prefers removal of contaminants to the maximum extent possible as opposed to capping. Another commenter expressed concern over the thickness of a potential sediment cap. West Bay noted that they expect shoreline and habitat restoration to be an in-water component of the redevelopment project.

Response

Thank you for your comments. While we are not at the point in the cleanup process where we can compare and analyze different cleanup options, it is useful to hear these thoughts. Future public comment periods will share more information and specifics, and we look forward to those future discussions.

³ <https://apps.ecology.wa.gov/cleanupsearch/site/3704>

Budd Inlet Sampling

Two commenters mentioned the importance of sampling in Budd Inlet. Specifically, one comment mentioned testing for dioxins, the other comment requesting sampling of groundwater and soil along the shoreline.

Response

Thank you for your comments. Ecology agrees that it is important to investigate contamination from the site which may have spread into Budd Inlet. We will be looking for dioxins, furans, polycyclic aromatic hydrocarbons, and many other contaminants to gain a thorough understanding. Sampling will include Budd Inlet sediment (our term for underwater soil), upland soil, and groundwater at the site. We will be examining all potential exposure pathways including the pathway to surface water. When the cleanup plan is prepared, it will also take into consideration the effects of the removal of the 4th Avenue dam as well as climate change.

Agreed Order Language

One comment expressed concern that the language in the Agreed Order authorizes an interim action, specifically a sediment cap. The comment also requested clarification on what constitutes a minor change or a substantial change that would require public comment.

Response

Thank you for your comments. Agreed Order Section 7.4 (Interim Action) is boilerplate language for Ecology agreed orders and allows for the option of an interim action to be performed if necessary or appropriate. This section states that an interim action may be proposed by either Ecology or the Potentially Liable Party (in this case, West Bay). Section 7.4 requires public review and Ecology approval of any proposed interim action work plan before work can start. Agreed Order DE 21726 alone does not authorize any work plan, it only allows for the possibility of an interim action in the future.

West Bay has expressed to Ecology that they are interested in conducting a sediment interim action in conjunction with their proposed development. However, Ecology has been clear in conversations with West Bay that additional sediment remedial investigation data needs to be collected before a draft interim action work plan can be prepared for Ecology and public review. This additional data needs to be sufficient to adequately characterize the site for the purpose of developing and evaluating cleanup action alternatives.

Agreed Order Section 8.11, which includes the terms “minor changes”, and “substantial changes” is also standard Ecology boilerplate language that has also been reviewed and approved by the Office of the Attorney General. Ecology uses best professional judgement along with direction from management and advice from the Attorney General’s Office in determining the difference between a minor change and a substantial change to an order.

Comment 1: Lisa R

Submit Date: 5/2/2025 12:13 PM

Submit method: Email

hello Carolyn.....(DEPT OF ECOLOGY).....

Question;

Why now?

Why is Ecology taking comments now on the old Hardel site on W. Bay Dr??

I thought the Hardel site was done with the clean up?

It was a "done deal" with Ecology? (I live nearby).

Is Ecology still looking to clean up that site further?

Is the site polluted?

How deep is the pollution?

Will the dioxin pollution go back into the water there on Budd Inlet?

thanks!

lisa R

2103 Harrison

OLY., WA 98502

360-338-5237

Submit Date: 5/3/2025 9:25 AM

Submit method: Email

yes!

Thanks Carolyn;

Please put Me down for that public comment, as you suggest, below.

I work with the nearby neighborhood assoc.

We care about what happens to West Bay Dr, what happens to Budd Inlet!

We care about our neighborhoods and public health for future generations!

HAVE A GREAT DAY;

lisa r

Comment 2: Matthew Newton

Submit Date: 5/4/2025 3:09 PM

Submit method: Website

Im in full support of development on this site without any further delays. We need more housing in Olympia. No development will be perfect. Delaying development in situations like this is way there is the highest housing inequality in liberal communities.

Comment 3: Marianne McNabb

Submit Date: 5/8/2025 8:50 AM

Submit method: Email

Dear Mr. Teel-

My husband and I recently received notice from your department regarding the cleanup of the Hardel Plywood site on West Bay Drive. We are close neighbors to this site and appreciate the opportunity to make comments regarding the path forward for the development project anticipated by the West Bay Development Group.

As you know, this site has been badly degraded over the years by the wood milling done by Hardel. It was no surprise to learn that there continue to be contaminants in the soil and groundwater after the initial clean up. We are very glad that Ecology is heading up this effort. The following are points we would like to emphasize be considered as you move through this process:

1. Ensure that only qualified experts/consultants be hired by West Bay to research the site for contaminants. Ecology should vet their credentials.
2. Ensure that these qualified experts test not only **soil**, but **groundwater** and **soil along the site at Budd Bay inlet**. It is easy to imagine that these harmful chemicals have leached into the inlet over the years and this contamination must be part of the plan for clean up.
3. Require that West Bay involve the local community as it develops different options for clean up. Community notification through the local neighborhood associations would be a good place to start. They bring community members together periodically to share information of concern to local residents. They could be helpful in developing options for Ecology to consider.
4. Ecology must share with the community their choice of clean up options. We've already seen that the initial clean up was not thorough or comprehensive. The community has a vested interest in seeing that the job is done well this time.

Thanks for the opportunity to provide our comments and concerns. Look forward to learning what the next steps will be. Please don't hesitate to contact us for any needed clarification.

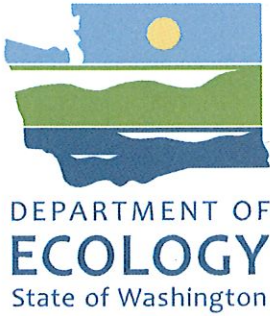
Marianne McNabb
L. Leland Blanchard
1522 Rogers St. NW
Olympia, WA 98502

Comment 4: Carla Van Cleef

Submit Date: 5/12/25 5:30 PM

Submit method: Written – Submitted at open house

[Comment begins on next page]



Hardel Mutual Plywood Public Comment Form

Cleanup Site ID: 3704
Facility Site ID: 75128579
Website: go.ecology.wa.gov/3704

Thank you for your interest in the cleanup at Hardel Mutual Plywood!

Please note that this comment form is for the purpose of submitting a comment to Ecology about Agreed Order DE 21726 and the Public Participation Plan.

We will read and respond to all comments. Contact information is optional. Any information you provide may be publicly disclosed and posted on the internet.

If you need more time to write your comment, complete this form at home and mail it to:
Steve Teel, PO Box 47775, Olympia, WA 98503.

Name Carla VanCleeef
Email cvcaz@aol.com
Address 3036 43rd Ct NW
City Olympia WA ZIP 98502

My primary concern at this point in time, is that the current investigation is being overseen adequately to insure that the developer isn't ~~controlling~~ influencing the results to meet their needs & plans.

I'm grateful for the Department of Ecology's role in this process.

Dals.

(use the back if you need more room)

Comment 5: Carol Piening

Submit Date: 5/12/25 7:30 PM

Submit method: Website

These comments are based on conversations with Ecology staff at the public meeting on 5/12/2025.

1. I support applying the "unrestricted" cleanup standard, rather than the less-stringent "industrial" clean up standard. Poster at the public meeting indicated that this is what TCP will require. Thank you.
2. Land use changes over time; climate change will drive sea level and groundwater changes; earlier cleanup effort (circa 2010) missed some important contaminants. For these reasons I support removal of contaminants, to the extent that is possible, rather than capping. I also am strongly against filling waterward of the current upland/fill, both because of the ecological impacts on water-dwelling organisms and because of the potential for masking contamination in aquatic sediments and making future cleanups even more difficult.
3. I support ongoing monitoring that recognizes that climate change may drive changes in sea level, ground water movement, and sediment movement and thus the movement of contaminants.
4. Outside of the specific scope of the cleanup, I strongly encourage Ecology to coordinate across programs, for example between TCP and SEA to analyse whether the Shoreline Management Plan that includes this area, and that was developed a couple of decades ago, is still appropriate given current data and information about sea level rise, historic contaminants, and climate-driven changes.
5. Also outside the scope of the cleanup - Hat tip to Steve Teel and the other Ecology staffers at today's information session; they were welcoming, well informed, and patient with my many questions.

Submit Date: 5/30/25 11:27 AM

Submit method: Email

Hi Steve,

Looks like the website to submit comments on the Hardel cleanup just went down (just as I finished commenting and hit the 'submit button, sigh.)

To reiterate some of my comments from earlier in the month

1. Thanks for the open house. Useful information!
2. I encourage Ecology's efforts to "cross-pollinate" among programs, for example with SEA to assess how shoreline management plans and cleanup plans mesh given new information on climate change and sea level rise that has become available since the shoreline master plan was written.
3. I support the "unrestricted" level of cleanup TCP is considering.
4. I support removal rather than cap-and-fill for a number of reasons
 - a) cap and fill left contamination onsite in 2012; we are dealing with that now - let's not make the same mistake again and complicate things further for a future site cleanup if more contamination is eventually discovered.
 - b) cap and fill below the current ordinary high water mark will damage important nearshore habitat.
 - c) sea level rise and climate change may reduce the effectiveness of a cap-and-fill approach; removal mitigates for the effects of a changing climate
 - d) please assess how removing the 4th Avenue dam and returning Capitol Lake to an estuary will affect cleanup and any cap-and-fill proposal at the Hardel site.

Thanks for the opportunity to comment; hope the website comes back up before the comment deadline.
Carol Piening

Comment 6: Kristina Gryboski

Submit Date: 5/13/25 11:00 AM

Submit method: Email

Dear Carolyn,

It was nice to speak with you at the open house yesterday. Nice to meet a fellow Marylander. I'm sharing two documents that pertain to shoreline ecosystems and the West Bay Yards cleanup process. I hope this will be helpful to addressing Salmon Habitat, and mitigation of Climate Change risks that could impact remediation plans.

Here is the link to the **2025 Climate Risk and Vulnerability Assessment Report** that the City of Olympia recently released. this includes information on anticipated shoreline and water level changes.

https://www.olympiawa.gov/Document_center/Community/Climate%20Change%20Response/CRVA-Report-050125.pdf

Salmon Recovery Plan of Washington State:

Relevant to the West Bay Yards shoreline, Washington State government's Puget Sound Partnership has created the 2024 Salmon Recovery Plan Addendum to update their 2007 Plan to address Climate Change risks and improve implementation at the local level. See the link here [Salmon Recovery Plans](#) "While Washington state has a relatively robust suite of laws that are meant to direct development and ensure habitat protections at the state and local levels, these have not proven sufficient and are often disconnected from salmon recovery planning. The Growth Management Act (GMA) and Shoreline Management Act (SMA) are tools with much potential to protect habitat, but several challenges remain. These include government silos and disconnects, unenforced development regulations, approved variances as well as unapproved (illegal) yet unenforced infractions, and other challenges that continue to lead to both the extent and quality of habitat to degrade."

I am in contact with Ashely Bagley, Salmon Policy Advisor of the PSP office in Olympia ashley.bagley@psp.wa.gov. This is urgent and relevant to the Schneider Creek Estuary critical area in the immediate area of the West Bay Yards. More detailed implementation plans will be available in September 2025 according to Ashley.

Thanks very much for your attention,

Kristina Gryboski, PhD (aka Tina Marr)
Olympia, WA

Submit Date: 5/19/25 9:37 AM

Submit method: Email

Hi Carolyn

Yes please include my communication with you in public comments.

In anticipation of the West Bay Yards remediation assessment and implementation design that will occur at the next phase, the Salmon Recovery Addendum's strategies for Climate Change Adaptation and Resilience, Estuaries and Water Quality are of particular relevance. In particular note the following from the Addendum link I sent you:

- Restore and protect natural hydrologic processes to increase summer low flows and decrease winter peak flows (e.g., remove or limit shoreline armoring, reconnect and restore floodplains, increase riparian habitat extent, set back levees, increase wetland areas).
- Identify, protect, and restore cold-water refugia (e.g., riparian areas, riffles, pools; remove fish passage barriers to expand access to spawning habitat).

Experience

I would also like to highlight these recommendations from The City of Olympia's 2025 Climate Risk and Vulnerability Assessment Report:

Aquatic Ecosystems

The aquatic ecosystems asset includes streams, lakes, creeks, wetlands, shorelines, and estuaries. The Climate Policy Team recommends the City take action to address risk to aquatic ecosystems posed by drought, extreme heat, and extreme precipitation. Many of these ecosystems are already under stress from development, pollution, and habitat loss. Olympia's water bodies support salmon populations across the species' life cycle.

GOAL: The waters and natural processes of Budd Inlet and other marine waters are protected from degrading impacts and significantly improved through upland, riparian and shoreline preservation and restoration.

GOAL: Prioritized land is preserved and sustainably managed.

POLICY: Preserve land and acquire new parcels when there are opportunities to reduce habitat fragmentation, expand and connect habitat, and protect the most environmentally sensitive or socially important landscapes. Conserve and restore wildlife and aquatic habitat in both existing habitat corridors and other ecologically important sites. Consider salmon, amphibians, migratory birds, and other similarly protected or prioritized species

GOAL: Healthy aquatic habitat is protected and restored.

POLICY: Increase aquatic habitat resilience to low summer flows by increasing water residence time, storing water on the landscape, conserving water, protecting groundwater, keeping waters cool, and protecting water quality.

More extreme precipitation events strain stormwater management capacity, leading to combined sewer overflows, reduced water quality, and increased costs for infrastructure maintenance. More extreme precipitation events cause erosion, disrupt stream morphology, impact fish habitat, and contribute to harmful algal blooms. Drainage basins, lowland areas, flashy streams, and water bodies with combined sewer outfalls are expected to be most exposed to polluted stormwater. These impacts can reduce aquatic species abundance and diversity. Specific cultural, tribal, and economically important species, including salmon, are highly sensitive.

Marine Ecosystems Olympia's marine ecosystems include oceans, coasts, and tidal marshes. These ecosystems and the important services they provide are threatened by ocean acidification and sea level rise. Harm to marine ecosystems has many indirect impacts that are challenging to capture in this Report, including impacts on the local economy, sense of identity, and cultural systems and foodways.

I have attended a public meeting about the City of Olympia's West Bay Park expansion design, and have noted their plan includes restoring Salmon Habitat by daylighting 2 creeks that flow into Budd Inlet. Their report (link below) also has relevant information about anticipated Climate Change variables. The West Bay clean up should also plan for Salmon Habitat restoration as there are existing additional creeks that could be daylighted in the shoreline estuary. Each of the other West Bay ecosystem clean-up and analysis efforts should be coordinated with the City and Regional plans and actions. The Salmon Recovery Addendum notes that stovepiped and compartmentalized analysis and planning undermines the clean-up and restoration efforts of the Puget Sound ecosystem. This West Bay shoreline should be assessed in the context of all of Budd Inlet, including Port of Olympia and the Capitol Lake/Deschutes Estuary Resortation Project.



See City of Olympia's 2025 West Bay Restoration and Park Master Plan report at this link.

chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.olympiawa.gov/Document_center/Services/Parks%20&%20Recreation/Parks%20&%20Trails/West%20Bay%20Restoration-Park%20Master%20Plan_Report_2025_FINAL.pdf

The West Bay clean-up planning process should coordinate with all the shoreline efforts and take steps to avoid the problems identified by the Salmon Recovery Addendum such as "government silos and disconnects, unenforced development regulations, approved variances as well as unapproved (illegal) yet unenforced infractions, and other challenges that continue to lead to both the extent and quality of habitat to degrade." As a further relevant point regarding the urgency and importance of environmental protection enforcement noted in the Addendum, please see this article from the Olympian regarding past environmental violations by one of the parties involved with the currently proposed development of West Bay Yards. These past violations should be publically available information to support transparency in civic engagement, accountability and trust in government.

The Olympian Wednesday, January 26, 2022

A Lacey development that initially drew the ire of neighbors has now crossed the line with the state.

The state Department of Ecology announced Tuesday that it has fined Milestone Companies \$72,000 for multiple water quality violations during a year of construction at the Woodbrook Townhomes project in Lacey.

The 124-unit project is on 37th Avenue Southeast, west of College Street Southeast.

Brandon Smith, a managing member of the east Pierce County-based Milestone, declined to comment Tuesday. Milestone has 30 days to appeal the fine to the state Pollution Control Hearings Board, according to Ecology.

State officials say that on at least 12 occasions between September 2020 and October 2021 polluted stormwater was discharged from the development site, despite warnings and technical assistance provided by Ecology and the City of Lacey.

In addition, the company failed to report the violations, or follow best management practices required under its construction stormwater permit, according to the state.

The polluted stormwater included some that was mixed with paint and concrete. Other violations included failing to notify Ecology of high sediment discharges, unprotected inlets, unmaintained silt fences, destabilized soils and discharge of unpermitted septic waste to groundwater.

Comment 7: Elizabeth Natalie

Submit Date: 5/19/25 7:54 AM

Submit method: Website

It is baffling to me that WBDG continues to go forward with this process knowing that the site contains toxic and harmful constituents (see 5.7 in Agreed Order No. DE 21726) that may never be fully remediated given the history of the site. If the first remediation in the early 2000s was not enough, and clearly it isn't, who is to say that toxic and harmful constituents will not resurface again after WBDG remediates now? The process should be stopped now and WBDG should cut their losses and hand the land over for "rewilding" via the Department of Ecology and the City of Olympia. If WBDG and DE continue with the Agreed Order, then it seems that the two organizations should work together more effectively rather than hoping WBDG will come through, but if not, the onus of responsibility shifts to DE (section 7.5). Will WBDG be biased in its plan? Seems there is a real possibility for that in spite of DE specifying the right to access and sample the site. What happens once construction begins, especially knowing that underground parking is in the design plan? Will toxic constituent levels again be found to be beyond tolerable health levels? Will construction disturb land and water to the point of continual harmful effects to residents of the new dwellings? The half life of these toxins could be more than we know given the long term effects of the fires. I realize I am not a scientist, but if someone (WBDG) buys land knowing it has contamination, then I do not think that is a responsible position. That site is seriously contaminated. Period. Remediation a second time is a bad sign compounded by the overall fragility of the property and its interaction with the tides of Budd Bay. Instead of following through on this Agreed Order, for the health of construction workers and future residents, WBDG should give it up. Find a graceful way out of this situation. And, it's even more surprising that DE let the situation get as far as Agreed Order 21726 knowing the level of potential harm to people and wildlife if this remediation attempt is not successful.

Comment 8: Ryan Pantier

Submit Date: 5/30/25 10:05 AM

Submit method: Website

I, Ryan Pantier, provide these comments in support of the Washington State Department of Ecology (Ecology) Agreed Order that furthers cleanup of the Hardel Mutual Plywood Site (Site). Specifically, I am in support of the future redevelopment of this Site and the benefits that the City of Olympia and its residents can expect from the West Bay Yards project.

The West Bay Yards revitalization project will provide environmental, economic, and public benefits consistent with Olympia's Urban Waterfront District. This special zoning designation is intended to create vibrant mixed-use areas along the waterfront, blending commercial, residential, and recreational activities. The West Bay Yards project encompasses these land use goals.

Specifically, the proposed project:

- Includes shoreline restoration consistent with the recommendations identified in the City of Olympia West Bay Environmental Restoration Assessment Final Report that will lead to a net ecological benefit for the property.
- Includes raising the current ground elevation to be prepared for sea level rise, which is consistent with the Olympia Sea Level Rise Response Plan.
- Aligns with planning goals of the Growth Management Act (RCW 36.70A.020), including encouraging development in urban areas and reducing sprawl.
- Will create nearly 740 jobs, generate approximately \$90 million in total labor income, and contribute more than \$276 million in economic output (based on a preliminary analysis recently conducted by Thurston County Economic Development Council [TCEDC]).
- Includes approximately 500 new housing units near downtown Olympia, which will satisfy nearly 10 percent of the total additional housing units called for in the City of Olympia's comprehensive plan for downtown.
- Provides unprecedented public access to the waterfront through a dedicated esplanade.
- Adds approximately 20,500 square feet of retail, restaurants, and recreation, and restores shoreline and riparian habitats.

Overall, I see this project as having a positive impact on our local economy and as a step in the right direction for achieving the environmental, housing, and shoreline goals the City has established.

Comment 9: Elizabeth Bretschneider

Submit Date: 5/30/25 2:10 PM

Submit method: Website

Steve:

I have watched this project. They keep coming to the table with a proposal that meets all the current requirements. They then experience a delay, and more is required of them. I suggest that we allow West Bay Yards to do the clean up as currently found. The development will add so much life to that area. Especially in the way they have designed the public space along the waterfront.

Please approve the Agreed Order that aims to clean up the site and future redevelopment of the site. Let them get going.

Sincerely,
Elizabeth

Comment 10: Dan Penrose

Submit Date: 6/2/25 8:45 AM

Submit method: Website

As a resident of Tumwater who frequently enjoys the Olympia waterfront, I am writing in support of the Washington State Department of Ecology's Agreed Order to advance the cleanup and revitalization of the Hardel Mutual Plywood Site. The proposed West Bay Yards project will bring community vibrancy and improved access to the shoreline, benefiting both the environment and the broader South Sound community.

Our region is well known for its natural beauty and thoughtful attention to environmental restoration. It is encouraging then to see all the work that West Bay Yards has planned to restore riparian habitats while preparing the area for climate resilience and alignment with the Olympia Sea Level Rise Response Plan.

Equally important is what the West Bay Yards project will provide in the form of expanded housing choices in downtown Olympia. With roughly 500 new units proposed, more people will have the opportunity to live close to the amenities of the waterfront and will be within walking distance of downtown, further reducing vehicle emissions.

I support the Agreed Order and the vision it enables for West Bay Yards. This development is a model for how environmental restoration and new housing can be accomplished, ultimately benefiting the greater good of our region.

Comment 11: Brandon Smith on behalf of West Bay Development Group

Submit Date: 6/2/25 8:55 AM

Submit method: Website

June 2, 2025

Steve Teel
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504

Dear Mr. Teel,

These comments are provided by West Bay Development Group in support of the Washington State Department of Ecology (Ecology) Agreed Order that furthers cleanup of the Hardel Mutual Plywood Site (Site). The primary purpose of the AO is to conduct additional environmental investigation and select a final cleanup alternative for the Site that meets cleanup standards in support of future redevelopment. West Bay takes this opportunity to describe how additional cleanup of the Site—a vital component of the West Bay Yards development project—furthers the beneficial reuse of vacant industrial property along the shoreline of Budd Inlet. Provided below is a short remediation history of the Site, and a summary of benefits that the City of Olympia and its residents can expect from the West Bay Yards project.

Remediation History of the Hardel Site (2007 – current):

Hardel, the previous owner/operator of the Hardel Plywood Mill, prepared a Remedial Investigation (RI) and Feasibility Study (FS) Report between 2007 and 2009 that Ecology approved. In 2010, Hardel conducted extensive remediation under a previous Agreed Order with Ecology. That effort included:

- Removal of more than 23,000 tons of contaminated soil and debris;
- Treatment of over 1.2 million gallons of groundwater pumped from soil removal areas;
- Removal of petroleum product from groundwater; and
- Removal of concrete building foundations.

While this cleanup effort was extensive and deemed sufficient by Ecology at the time, the property was left vacant and dilapidated for decades. In 2021, West Bay Development Group purchased the Site, recognizing a unique opportunity to redevelop a derelict industrial property consistent with Urban Waterfront zoning. Since acquiring the Site, West Bay Group has worked closely with the Ecology to identify additional contamination and advance cleanup activities. Upcoming work—specifically supplemental remedial investigation sampling—will focus on addressing data gaps identified by Ecology and characterizing sediment along the adjacent waterfront. These sediment investigation efforts are designed to ensure the sediments are thoroughly characterized and the extent of contamination is well-defined. This work will be coordinated with and complementary to the sediment sampling conducted by the Port of Olympia as part of the Budd Inlet Sediment Investigation. Sediment characterization is expected to result in shoreline and habitat restoration as an in-water component of the redevelopment project.

Benefits of the West Bay Yards Project:

The West Bay Yards revitalization project will provide environmental, economic and public benefits consistent with Olympia's Urban Waterfront District. This special zoning designation is intended to create vibrant mixed-use areas along the waterfront, blending commercial, residential and recreational activities. The West Bay Yards project encompasses these land use goals.

The West Bay Yards redevelopment will help stimulate the local economy, support community priorities such as housing, protect human and environmental health, and provide opportunities for shoreline and habitat restoration. The proposed project aligns with planning goals of the Growth Management Act (RCW 36.70A.020), including encouraging development in urban areas and reducing sprawl. According to a preliminary analysis recently conducted by Thurston County Economic Development Council (TCEDC), the project is expected to create nearly 740 jobs, generate approximately \$90 million in total labor income, and contribute more than \$276 million in economic output. The redevelopment will include approximately 500 new housing units near downtown Olympia, provide unprecedented public access to the waterfront through a dedicated esplanade, add approximately 20,500 square feet of retail, restaurants, and recreation, and restore shoreline and riparian habitats. The West Bay Group's developer, Brandon Smith (who moved to Thurston County at age 4 and currently lives in Thurston County), considers the city's most pressing challenges and prioritizes the values of the Thurston County community throughout the planning process. The vision of West Bay Yards is to live, work, and play. We think this redevelopment is a new, exciting opportunity for our community. A link is provided to a short video for additional information and insight about the West Bay Yards project.

<https://vimeo.com/765149400/34c14f74ca>.

Comment 12: Thurston Economic Development Council

Submit Date: 6/2/25 10:53 AM

Submit method: Email

Mr. Teel,

Thank you for the opportunity to provide comment on the above referenced topic. Please find attached our comment letter regarding the clean up of the Hardel Mutual Plywood Site.

Please do not hesitate to contact me if you have any questions and or concerns.

Michael

Michael Cade

Executive Director | 360.464.6085 | mcade@thurstonedc.com



Thurston Economic Development Council | Center for Business & Innovation
4220 6th Avenue Southeast, Lacey, WA 98503
360.754.6320 | Fax: 360.407.3980 | www.thurstonedc.com

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Ex Officio Member
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FASTSIGNS of Olympia - Lacey

June 2, 2025

Steve Teel
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504

SENT VIA EMAIL: steve.teel@ecy.wa.gov

Dear Mr. Teel,

On behalf of the Thurston Economic Development Council (EDC), thank you for the opportunity to comment on the proposed Agreed Order between the Washington State Department of Ecology (Ecology) and project proponents regarding the continued cleanup of the Hardel Mutual Plywood Site.

We strongly support the Agreed Order and the forward momentum it provides toward the environmental cleanup and future redevelopment of this critical waterfront property. The West Bay Yards revitalization project represents a transformative opportunity for our region—blending environmental stewardship with economic vitality and community benefit.

The project is closely aligned with the City of Olympia's Urban Waterfront District vision and advances key priorities that Thurston EDC champions across our work in infrastructure development, housing, and sustainable economic investment.

We specifically support the West Bay Yards project because it:

- **Restores shoreline and riparian habitat**, consistent with the City of Olympia's *West Bay Environmental Restoration Assessment Final Report*, generating a net ecological benefit for the area.
- **Prepares for sea level rise** by raising ground elevation in alignment with the Olympia Sea Level Rise Response Plan—ensuring long-term resiliency.
- **Promotes smart growth**, consistent with the Growth Management Act (RCW 36.70A.020), encouraging infill and reducing sprawl.
- **Stimulates regional economic growth**—creating an estimated 740 jobs, generating \$90 million in labor income, and contributing \$276 million in total economic output, per recent analysis by the Thurston EDC.
- **Addresses housing demand** by delivering approximately 500 new housing units near downtown Olympia—meeting nearly 10% of the City's planned housing growth in the downtown area.

Thurston
Economic
Development
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- **Expands public access to the waterfront**, offering an esplanade that connects residents and visitors with the shoreline in meaningful ways.
- **Creates vibrant commercial spaces**, with approximately 20,500 square feet of retail, restaurant, and recreational uses to support economic activity and quality of life.

The Thurston EDC views this project as a model for place-based economic development—where environmental cleanup and community vision work in tandem to strengthen our region. We commend the Department of Ecology and project partners for advancing this next phase and look forward to continued collaboration to ensure successful outcomes for Olympia and the broader Thurston County economy.

Sincerely,

Michael Cade
Executive Director

Comment 13: Olympia Master Builders

Submit Date: 6/2/25 11:19 AM

Submit method: Email

Hello Mr. Teel,

Attached you will find comments from the Olympia Master Builders. Our association represents 500 members across five counties in Southwest Washington, and we thought our input on the project could be helpful. Thank you for your time and the opportunity to comment.

Best Regards,

Jessie W Simmons

Government Affairs Director

P: 360.754.0912 ext. 102

C: 360.525.4142



77% of Thurston County residents cannot afford the median priced home.

68% of Mason County residents cannot afford the median priced home.

68% of Lewis County residents cannot afford the median priced home.

71% of Grays Harbor County residents cannot afford the median priced home.

70% of Pacific County residents cannot afford the median priced home.

Find more information at the [Washington Center for Housing Studies](#).



Office:
1211 State Avenue NE
Olympia, WA 98506

Phone: 360.754.0912
Toll Free: 800.456.6473
Fax: 360.754.7448

Serving:
Thurston, Lewis, Grays Harbor,
Pacific, and Mason Counties

June 2, 2025

Steve Teel
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504

SENT VIA EMAIL
steve.teel@ecy.wa.gov

Dear Mr. Teel,

On behalf of Olympia Master Builders (OMB) and our 500 member companies throughout Thurston, Lewis, Mason, Grays Harbor, and Pacific counties, we write to express our strong support for the Washington State Department of Ecology’s Agreed Order that advances the cleanup of the Hardel Mutual Plywood Site.

We are particularly encouraged by the opportunity this cleanup presents for the future redevelopment of the Site as part of the West Bay Yards project—an initiative that stands to deliver significant environmental, economic, and community benefits consistent with the City of Olympia’s Urban Waterfront District vision. This project represents a thoughtful balance of remediation, planning, and growth, aligning well with our region’s needs.

Key benefits of the proposed redevelopment include:

- **Shoreline Restoration:** The project includes meaningful shoreline restoration aligned with recommendations from the City of Olympia West Bay Environmental Restoration Assessment Final Report, offering a net ecological benefit to the property and surrounding environment.
- **Climate Resilience:** Plans to raise the site’s elevation in anticipation of sea level rise are in direct support of the Olympia Sea Level Rise Response Plan, demonstrating forward-thinking environmental planning.
- **Smart Growth Alignment:** The project furthers goals outlined in the Growth Management Act (RCW 36.70A.020) by encouraging infill development within urban areas and reducing development pressure on rural lands.

- **Economic Impact:** Preliminary analysis by the Thurston County Economic Development Council estimates the project will create nearly 740 jobs, generate approximately \$90 million in labor income, and contribute over \$276 million in total economic output.
- **Housing Supply:** With approximately 500 new housing units planned near downtown Olympia, this project will help meet nearly 10% of the additional housing units called for in the City's comprehensive plan.
- **Public Access and Amenities:** The project includes a dedicated esplanade for waterfront access, approximately 20,500 square feet of new retail, restaurant, and recreational space, and important restoration of shoreline and riparian habitats.

Olympia Master Builders believes that the successful cleanup and redevelopment of this site is a model for how environmental stewardship, economic vitality, and smart growth can come together to benefit our community. We support the **Agreed Order DE 21726** and **Participation Plan** and appreciate the Department of Ecology's leadership in moving this important work forward.

For more information, please contact Jessie Simmons, Government Affairs Director, at ga@omb.org or (360) 754-0912 ext. 102.

Thank you,

A handwritten signature in black ink, appearing to read 'Jessie Simmons', written in a cursive style.

Jessie Simmons
Government Affairs Director
Olympia Master Builders
(360)525-4142

Comment 14: Doug Mah on behalf of Thurston County Chamber of Commerce

Submit Date: 6/2/25 11:26 AM

Submit method: Website

I'm writing on behalf of the Thurston County Chamber of Commerce to express our support for the Washington State Department of Ecology (Ecology) Agreed Order that furthers cleanup of the Hardel Mutual Plywood Site (Site). Specifically, the Chamber strongly supports the future redevelopment of the Site and the benefits that the envisioned West Bay Yards project will provide the City of Olympia, its residents, and the surrounding areas.

We believe the West Bay Yards revitalization project will provide environmental, economic, and public benefits consistent with Olympia's Urban Waterfront District. This special zoning designation intends to create vibrant mixed-use areas along Budd Inlet and blend commercial, residential, and recreational activities. The West Bay Yards project encompasses these land use, community goals, and offers community benefits such as:

- Shoreline restoration resulting in a net ecological benefit for the property - consistent with recommendations in the City's West Bay Environmental Restoration Assessment Final Report.
- Raising the ground elevation to mitigate sea level rise - consistent with the City's Sea Level Rise Response Plan.
- Alignment with planning goals of the Growth Management Act (RCW 36.70A.020) that includes encouraging development in urban areas and reducing sprawl.
- Building approximately 500 new housing units near downtown Olympia, consistent with the City's comprehensive plan for downtown.
- Creating 740 jobs, generating about \$90 million in total labor income, and contribute more than \$276 million in economic output (preliminary analysis by Thurston County Economic Development Council)
- Providing public access to the waterfront through a dedicated esplanade and adding about 20,500 square feet of retail, restaurants, and recreation

Overall, we see that this project will have a positive impact on our local economy and as a step in the right direction for achieving the environmental, housing, and shoreline goals established by the State and City.

The Thurston County Chamber of Commerce supports the Washington State Department of Ecology Agreed Order that furthers cleanup of the Hardel Mutual Plywood Site so that future redevelopment of the site can proceed. Please contact us by emailing DSchaffert@thurstonchamber.com or calling (360) 357-3362 if you have any questions regarding our support for the Agreed Order. Thank you.

Submit Date: 6/2/25 11:28 AM

Submit method: Email

Hi Steve –

Please find comments that express support for the Agreed Order for the Hardel Mutual Plywood Site from the Thurston Chamber of Commerce. These comments were also submitted on-line.

The Chamber strongly supports the future redevelopment of the Site and the benefits that the envisioned West Bay Yards project will provide the City of Olympia, its residents, and the surrounding areas. The Thurston County Chamber of Commerce supports the Agreed Order to further Site cleanup so that future redevelopment can proceed.

Thank you for considering our comments. Please let me know if you have question regarding the Chamber's support for the Agreed Order.

-Doug



June 2, 2025

Steve Teel
Toxics Cleanup Program
PO Box 47775
Olympia, WA 98504

Dear Mr. Teel,

I'm writing on behalf of the Thurston County Chamber of Commerce to express our support for the Washington State Department of Ecology (Ecology) Agreed Order that furthers cleanup of the Hardel Mutual Plywood Site (Site). Specifically, the Chamber strongly supports the future redevelopment of the Site and the benefits that the envisioned West Bay Yards project will provide the City of Olympia, its residents, and the surrounding areas.

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- Shoreline restoration resulting in a net ecological benefit for the property - consistent with recommendations in the City's West Bay Environmental Restoration Assessment Final Report.
- Raising the ground elevation to mitigate sea level rise - consistent with the City's Sea Level Rise Response Plan.
- Alignment with planning goals of the Growth Management Act (RCW 36.70A.020) that includes encouraging development in urban areas and reducing sprawl.
- Building approximately 500 new housing units near downtown Olympia, consistent with the City's comprehensive plan for downtown.
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- Providing public access to the waterfront through a dedicated esplanade and adding about 20,500 square feet of retail, restaurants, and recreation

Overall, we see that this project will have a positive impact on our local economy and as a step in the right direction for achieving the environmental, housing, and shoreline goals established by the State and City.

The Thurston County Chamber of Commerce supports the Washington State Department of Ecology Agreed Order that furthers cleanup of the Hardel Mutual Plywood Site so that future redevelopment of the site can proceed. Please contact us by emailing DSchaffert@thurstonchamber.com or calling (360) 357-3362 if you have any questions regarding our support for the Agreed Order. Thank you.

Sincerely,

Doug Mah, Director, Public Policy Division

Cc: David Schaffert, President and CEO
Thurston Chamber Board of Trustees

Comment 15: Michael Rea on behalf of OlyEcosystems

Submit Date: 6/2/25 11:34 AM

Submit method: Email

Good afternoon,

Attached please find a comment letter from Michael Rea regarding Proposed Agreed Order – DE 21726 – West Bay Yards – Hardel Mutual Plywood.

Please do not hesitate to contact our office with any questions.

Thank you,



Kay Shaffer

Legal Assistant

Bricklin & Newman, LLP

123 NW 36th Street, Suite 205, Seattle, WA 98107

206.264.8600 | shaffer@bnd-law.com | www.bricklinnewman.com



BRICKLIN & NEWMAN LLP
lawyers working for the environment

Reply to: Seattle Office

June 2, 2025

VIA EMAIL TO: steve.teel@ecy.wa.gov;
carolyn.subramaniam@ecy.wa.gov.

Department of Ecology
Toxics Cleanup Program
ATTN: Steve Teel
PO Box 47775
Olympia, WA 98504

Re: Proposed Agreed Order – DE 21726 – West Bay Yards – Hardel Mutual Plywood

Dear Mr. Teel,

I write on behalf of Olympia Ecosystems to provide comments on the above referenced proposed Agreed Order. We request that the Department include language in the Agreed Order clarifying that no specific interim action¹ has been proposed or approved. The Agreed Order does not approve an interim action component; instead, the Agreed Order acknowledges that the developer will be obligated to follow all applicable rules and regulations should it pursue an interim action in the future. Clarity on this point is appropriate to ensure the public understands the limited scope of the approvals that would be provided by the proposed order.

Our concern is based in part on the language in section 7, “Work to be Performed.” There, the draft Agreed Order includes the subsection, “Interim Action” (subsection 7.4). The location of “Interim Action” under the heading of “Work to be Performed” suggests that an interim action is included within the scope of work approved under this order. Furthermore, subsection 7.4 includes a specific example of a “sediment [cap] interim action,” which suggests that both the developer and the Department are already contemplating a specific *type* of interim action – a sediment cap. This comports with all the developer’s application materials submitted thus far to the city and to various agencies. The developer has been clear that its desired cleanup action is a sediment cap.

Our concern is that the developer seeks a sediment cap that is thicker than necessary for cleanup purposes. The thicker cap would create uplands that the developer would use for retail shops and apartment units. We do not want to see the cleanup process used as a pretense to increase buildable land at the cost of aquatic habitat.

¹ See WAC 173-340-430.

Department of Ecology
ATTN: Steve Teel
June 2, 2025
Page 2

While we appreciate that a sediment cap of some thickness may be necessary either as part of an interim action or as a final cleanup action, it is premature to speculate at this early stage that one will be included. The Department should be on the alert regarding the developer's self-serving assessment about the lateral extent and thickness of any potential sediment cap. This Agreed Order should be specific that no interim action has been reviewed or approved. If the Agreed Order notes that a sediment cap may be selected as an interim action, the order should be explicit that neither the lateral nor vertical extent of the cap has yet been assessed or approved.

Our concern about avoiding excess fill is echoed in the city's Shoreline Master Program. Olympia's Master Program prohibits the creation of uplands as part of a MTCA cleanup: "Restoration and enhancement projects shall not . . . result in the creation of additional upland area." OMC 18.20.855(I).² The Agreed Order needs unequivocal language that no interim action has been reviewed or approved, and that the order itself in no way validates the appropriateness of any interim action for this project.

On a separate issue, the Department should also consider defining the terms "minor changes" and "substantial changes" as those terms are used in section 8.11 (Amendment of Order). Minor changes do not appear to require public notice/comment and formal amendment of the order, as opposed to substantial changes, which do. The notice should assure that the public has a clear understanding of the types of changes the Department intends to consider as "minor."

Thank you for your consideration of these comments. Please contact me with any questions.

Very truly yours,

BRICKLIN & NEWMAN, LLP

s/Michael Rea
Michael Rea
David A. Bricklin

cc: Client

² The Agreed Order states, "[the Department] will provide public notice and opportunity to comment on the Interim Action Work Plan in accordance with WAC 173-340-600(16)." The notice would benefit from more direct language that makes clear that in reviewing and approving an interim cap, should one be proposed, the Department will assure the cap is the minimum necessary and does not create uplands in conflict with Olympia's Master Program.

Comment 16: Joe Digranes

Submit Date: 6/2/25 1:43 PM

Submit method: Email

Elected and staff members of the City of Olympia are taking a very short term approach regarding the future of West Bay Yards: opting for additional concrete and asphalt along our shoreline.

Increased traffic, air, water, noise, and light pollution aside, if the decision makers in Olympia proceed with granting any type of brick and mortar construction, it will be [as usual] the local taxpayers that will [unwillingly] pay for mitigation resulting from the rising sea level.

The narrow area along West Bay, and any area in Thurston County along our shore, should be managed as a vegetative buffer to flooding and other "natural" impacts.

Joe Digranes

Olympia

Comment 17: Dave Peeler, Keith Dublanica on behalf of the Deschutes Estuary Restoration Team (DERT)

Submit Date: 6/2/25 11:46 PM

Submit method: Email

Mr. Steve Teel:

On behalf of the Deschutes Estuary Restoration Team (DERT), we would like to thank you for the opportunity to comment on the proposed cleanup and public involvement plan for the Mutual Plywood cleanup site on Budd Inlet along West Bay Drive.

As noted in the information Ecology provided at the May 1, 2025 open house, this site has been known to be contaminated at least since the 1996 fire which destroyed the plywood mill and adjacent structures. We note that the earlier cleanup actions undertaken in 2010, while certainly needed, apparently were not sufficient to completely eliminate the threat of contamination of the water and sediments and negative effects on the health of fish and wildlife and public health, even though Ecology listed the original cleanup as complete in August 2012.

The later sampling by the new owner, West Bay Development Group, discovered additional contamination at this site in 2021, including metals, hydrocarbons, volatile organic compounds and semi-volatile organic compounds. This history is evidence of the importance of a comprehensive and complete remedial site investigation to ensure that all contaminants are found and targeted for further cleanup to ensure that both water quality standards and sediment standards are met after the next cleanup is completed. The long history of industrial use of the site and patchy records of those uses means that the site needs a more thorough investigation and documentation than was previously conducted.

Other areas of industrial contamination of Budd Inlet have occurred and some investigation and cleanup at those sites has also been conducted by the Port of Olympia and others. Sampling of nearshore sediments at those sites has shown that contaminants introduced at the historic industrial upland sites can migrate off site onto adjacent submerged marine lands. The proposed cleanup plan for the Hardel site should include sampling of marine sediments in the adjacent offsite waters and sediments of Budd Inlet. If contaminants are found offsite that can be attributed to onsite industries at this site, the cleanup plan should also evaluate options for cleaning those offsite areas while not allowing further encroachment into public waters and publicly owned marine bedlands adjacent to the Hardel Site.

We have also reviewed the public participation plan for this work. The history of the industrial contamination of this site and the earlier incomplete site investigation demands that each step of the current process to develop a remedial action plan be subject to concurrent public disclosure, involvement and comment opportunities in order to ensure that all aspects of the site investigation and cleanup plan are thoroughly disclosed and discussed in a transparent manner.

We look forward to further discussions as the remedial action plan is drafted.

Sincerely,

David Peeler, DERT Board member

Keith Dublanica, DERT Board member