



PERIODIC REVIEW REPORT FINAL

**PENINSULA LIGHT COMPANY
4021 Harborview Drive Northwest
Gig Harbor, WA 98332**

Facility Site ID #: 88123954

Prepared by
Washington State Department of Ecology
Southwest Regional Office
Toxics Cleanup Program
Lacey, Washington

June 2013

TABLE OF CONTENTS

1.0 INTRODUCTION.....	1
2.0 SUMMARY OF SITE CONDITIONS	3
2.1 Site History	3
2.2 Cleanup Levels and Points of Compliance	3
2.2.1 Cleanup Levels	3
2.2.2 Soil Point of Compliance	4
2.2.3 Ground Water Point of Compliance	4
2.3 Site Investigations and Remedial Actions	4
2.4 Institutional Controls	6
3.0 PERIODIC REVIEW.....	8
3.1 Effectiveness of completed cleanup actions	8
3.1.1 Soil and Direct Contact	8
3.1.2 Ground Water	8
3.1.3 Institutional Controls	8
3.2 New scientific information for individual hazardous substances for mixtures present at the Site	9
3.3 New applicable state and federal laws for hazardous substances present at the Site	9
3.4 Current and projected Site use	9
3.5 Availability and practicability of higher preference technologies	9
3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels	9
4.0 CONCLUSIONS.....	10
4.1 Next Review.....	10
5.0 REFERENCES.....	11
6.0 APPENDICES.....	12
6.1 Vicinity Map	13
6.2 Site Plan	14
6.3 Figure 1: Soil Sample Locations, Results and Extent of Excavation.....	15
Figure 2: Additional Investigation Geoprobe Boring Locations.....	16
6.4 Restrictive Covenant.....	17
6.5 Photo Log.....	24

1.0 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup conditions and monitoring data at the Peninsula Light Company site (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

The purpose of this periodic review is to determine whether the cleanup remedy at the Site continues to be protective of human health and the environment.

Cleanup actions at this Site were conducted through the Voluntary Cleanup Program (VCP). The remedy involved the containment of hazardous materials. When the no further action (NFA) determination was issued for the Site in 2007, concentrations of vinyl chloride remained in groundwater at concentrations exceeding MTCA Method A cleanup levels. The MTCA Method A cleanup levels for groundwater are established under WAC 173-340-720(2). WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a site every five years under the following conditions:

- (a) Whenever the department conducts a cleanup action.
- (b) Whenever the department approves a cleanup action under an order, agreed order, or consent decree.
- (c) Or, as resources permit, whenever the department issues a NFA and one of the following conditions exists:
 - 1. Institutional controls or financial assurance are required as part of the cleanup.
 - 2. Where the cleanup level is based on a practical quantitation limit.
 - 3. Where, in the department's judgment, modifications to the default equations or assumptions using site-specific information would significantly increase the concentration of hazardous substances remaining at the site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

- (a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site.
- (b) New scientific information for individual hazardous substances of mixtures present at the Site.
- (c) New applicable state and federal laws for hazardous substances present at the Site.
- (d) Current and projected Site use.
- (e) Availability and practicability of higher preference technologies, and
- (f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site History

The former Peninsula Light Company property (also known as the Gig Harbor Peninsula Historical Society property) is approximately two acres, located at 4021 and 4121 Harborview Drive, Gig Harbor, Pierce County. The Site is located east of the intersection between Harborview Drive, Harborview Drive North, and Burnham Drive within the City of Gig Harbor City limits and is zoned Commercial District (C-1). The waters and shoreline of Gig Harbor are immediately to the east of the subject property. The terrain is relatively level and slopes downward to the east-southeast, towards Gig Harbor.

The Site is currently occupied by the Gig Harbor Historical Museum (GHHM), a storage warehouse, and a retail/office building. Attached to the north end of the GHHM is a lean-to that covers the fishing vessel ‘Shenandoah’ while it is being restored. The majority of the property is asphalt-paved, with the exception of the area to the north of the GHHM, which is covered in compacted gravel. Donkey Creek passes through the property and is confined to a culvert that empties into Gig Harbor. Eight monitoring wells are currently located within the property boundaries. A vicinity map is available as Appendix 6.1 and a Site plan is available as Appendix 6.2.

Historically, the subject property was a tideland until filled with imported material in 1910. It was used for timber storage until 1925. Peninsula Light Company occupied and developed the property from 1925 until 1986. According to a historic Site plan, a gas pump was located on the northwest corner of the warehouse building. The gas pump was, associated with two underground storage tanks (USTs) located north of the warehouse. These USTs likely contained diesel fuel and gasoline. Subsequently, the USTs and the gas pump were relocated to the northeast. From the late 1980s to present time, the property has not operated USTs and has been occupied by various retail and light commercial businesses, including a used car dealership and repair.

2.2 Cleanup Levels and Points of Compliance

2.2.1 Cleanup Levels

WAC 173-340-704 states that MTCA Method A may be used to establish cleanup levels at sites that have few hazardous substances, are undergoing a routine cleanup action, and where numerical standards are available for all indicator hazardous substances in the media for which the Method A cleanup level is being used.

MTCA Method A cleanup levels for unrestricted land use are appropriate for contaminants at this Site. The cleanup actions conducted at the Site were determined to be ‘routine’, few hazardous substances were found at the Site, and numerical standards were available in the MTCA Method A table for each hazardous substance.

Following discussions with Ecology in 2005, it was determined that MTCA Method B cleanup level for vinyl chloride in surface water (3.69 micrograms per liter [$\mu\text{g/L}$]) could be considered a remediation level and a conditional point of compliance would be established at the down-gradient boundary of the property. No groundwater concentration measured on the Site had exceeded the surface-water standard. As long as the groundwater meets the 0.2 $\mu\text{g/L}$ cleanup level at the conditional point of compliance (the property boundary), and institutional controls have been implemented at the Site, the cleanup action may be determined to comply with cleanup standards.

2.2.2 Soil Point of Compliance

For soil, the point of compliance is the area where the soil cleanup levels shall be attained. For soil cleanup levels based on the protection of groundwater, as they are for this Site, the point of compliance is established as soils throughout the Site.

2.2.3 Groundwater Point of Compliance

For groundwater, the point of compliance is the point or points where the groundwater cleanup levels must be attained for a site to be in compliance with the cleanup standards. The groundwater standard point of compliance is established throughout the Site from the uppermost levels of the saturated zone extending vertically to the lowest most depth that could potentially be affected by the Site.

While concentrations of vinyl chloride remain in groundwater at Site at concentrations exceeding MTCA Method A cleanup levels, a conditional point of compliance has been established for groundwater at the property boundary.

2.3 Site Investigations and Remedial Actions

In 1990 and 1991, Analytical Services, Inc. conducted soil and groundwater investigations in the vicinity of Warehouse 3 at the Site. Results showed that total petroleum hydrocarbons (TPH) and benzene, toluene, ethylbenzene, and xylenes (BTEX) concentrations exceeded in both soils and groundwater. The petroleum-impacted soils (PCS) were excavated and disposed of off Site.

In 1992, additional investigations were conducted north of Warehouse 1 and south of Warehouse 3. The results indicated that the gasoline-range total petroleum hydrocarbons (TPH-G) and BTEX concentrations were above MTCA Method A cleanup levels near south of Warehouse 3. The TPH-G and BTEX contaminated soils were excavated treated on Site by thermal desorption process and disposed of off Site. The six exploratory borings drilled were converted to groundwater monitoring wells (MW-1 through MW-6), and were monitored from 1993 to 1997 on a quarterly basis. The TPH-G and BTEX concentrations were consistently above MTCA cleanup levels in MW-1, MW-2, and MW-3.

In 2000, Saltbush Environmental Services, Inc. conducted a limited soil and groundwater investigation. The TPH-G [4700 milligrams per kilogram (mg/Kg)] and BTEX (11 mg/Kg , 42 mg/Kg , 110 mg/Kg , and 330 mg/Kg , respectively) impacted soil areas were over excavated east of and beneath the southeast corner of Warehouse 3 to remove all the contaminated soils. The excavated soils were disposed of off Site. In addition, monitoring wells MW-1 through MW-6

were monitored on quarterly basis in 2000 and 2001, until the TPH-G and BTEX concentrations were below cleanup levels for four consecutive quarters. A figure showing the soil sampling locations, results, and extent of excavations are included as Appendix 6.3.

As a part of a property transaction in 2004, Kleinfelder performed a Phase I and a Limited Phase II Environmental Site Assessment (ESA) at the Site. The limited Phase II ESA included drilling and groundwater sampling. Groundwater samples were obtained from five direct-push borings advanced throughout the Site and from six existing monitoring wells. Groundwater samples collected from three borings and two monitoring wells had vinyl chloride concentrations above the MTCA Method A cleanup level of 0.2 µg/L. Subsequently, the Site was entered into the VCP (application date of January 12, 2005) in Ecology's Southwest Region.

On May 6, 2005, Ecology provided an opinion letter that recommended the vertical and horizontal extent of vinyl chloride in soil and groundwater be delineated and the predominant groundwater flow direction at the Site be determined. Ecology also suggested that at least two additional down-gradient groundwater monitoring wells be installed at the Site if the groundwater flow direction was determined to be other than towards Gig Harbor. Furthermore, Ecology recommended a feasibility study be performed to develop and evaluate cleanup action alternatives and to enable a cleanup action to be selected for the Site if contaminant concentrations exceed applicable cleanup levels at points of compliance. In addition, Ecology required soil sampling for arsenic and lead because the subject Site is located within the Tacoma Smelter Plume (TSP).

On April 28, 2006, a tidal survey was conducted to assess the predominant groundwater flow direction at the Site and to help establish the conditional points of compliance. Ten rounds of groundwater elevation measurements were obtained (approximately every hour through high and low tidal episodes). Very little tidal response was noted in the groundwater monitoring wells.

On May 10, 2006, a total of five direct-push borings (GP-6 through GP-10, Appendix 6.3, Figure 2) were advanced at the property to further characterize the vertical and horizontal extent of vinyl chloride in soil and groundwater at the Site. The following results were observed:

1. No vinyl chloride was found in soil or groundwater samples. Therefore, it was determined that the Site does not contain the source of vinyl chloride. It may be coming from an off Site source.
2. Ethylbenzene and xylene were detected in soil and groundwater underneath the Site in concentrations below MTCA Method A cleanup levels.
3. Based on the shallow soil samples analytical results, arsenic and lead concentrations at the Site are either below the laboratory method detection limits or below MTCA Method A cleanup levels.

A groundwater monitoring plan was submitted to Ecology in March 2007. Four quarters of groundwater monitoring were conducted through spring of 2008. Vinyl chloride was detected in several quarters at concentrations up to 2 µg/L in monitoring well MW-4 and MW-5. These concentrations exceed MTCA Method A cleanup level for vinyl chloride of 0.2 µg/L, but are

below MTCA Method B surface water cleanup level of 3.69 µg/L. Groundwater monitoring was terminated following the fourth sampling event. However, following a meeting with Ecology on February 5, 2013, the GHHM is in the process of hiring an environmental consultant to restart the groundwater monitoring since the vinyl chloride concentrations exceed MTCA Method A cleanup levels in MW-4 and MW-5.

Below is a table containing groundwater monitoring data from October 2007:

**Analytical Results Summary for Groundwater Samples
 Collected from Monitoring Wells MW-1 through MW-8
 October 26, 2007
 Gig Harbor Historical Society Site,
 Gig Harbor, Washington Analysis**

Analysis	MTCA Method A Ground Water	MTCA Method B Surface Water	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6	MW-7	MW-8
Compounds (µg/L)										
Vinyl Chloride	0.20	3.70	*	*	*	0.28	2.00	*	*	*
Carbon Disulfide	--	--	*	0.43	*	0.28	*	*	*	*
Chloromethane	--	3.40	*	*	0.44	*	*	*	0.70	*
tert-Butylbenzene	--	--	*	*	*	0.25	*	*	*	*
Ethylbenzene	700	--	*	*	0.61	*	*	*	*	*
Isopropylbenzene	--	--	*	*	0.34	*	*	*	*	*
n-Propylbenzene	--	--	*	*	0.43	*	*	*	*	*
1,2,4-Trimethylbenzene	--	--	*	*	*	0.20	*	*	*	*
Benzene	5.00	23.0	*	*	*	1.10	0.76	*	*	*
m,p-Xylene	--	--	*	*	*	0.57	*	*	*	*
1,1-Dichloroethane	--	--	*	*	*	*	0.27	*	*	*
(cis) 1,2-Dichloroethene	--	--	*	*	*	*	*	*	0.21	*

2.4 Institutional Controls

As a result of the detection of vinyl chloride in groundwater at the Site in 2004, it was determined that the Site would be eligible for a NFA if institutional controls were implemented at the Site. A MTCA Method B surface water cleanup level for vinyl chloride was used in conjunction with a conditional point of compliance at the property boundary.

Institutional controls were implemented in the form of a Restrictive Covenant (RC), which was recorded for the Site in 2007. The RC contains the following restrictions:

1. No groundwater may be taken for any use from the Property.
2. Any activity on the Property that may interfere with the continued protection of human health and the environment by resulting in the release or exposure to the environment of the vinyl chloride that may remain on the Property is prohibited.

-
3. Any activity on the Property that may result in the release or exposure to the environment of the vinyl chloride that may remain on the Property or create a new exposure pathway for the vinyl chloride that may remain on the Property is prohibited without prior written approval from Ecology.
 4. The Owner of the property must give 30 days advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property will be consummated by the Owner without adequate and complete provision for continued environmental protection.
 5. The Owner must restrict leases to uses and activities consistent with the RC and notify all lessees of the restrictions on the use of the Property.
 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this RC. Ecology may approve any inconsistent use only after public notice and comment.
 7. The Owner will allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of inspecting environmental conditions at the Property and inspecting records that are related to environmental conditions.
 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this RC will no longer limit use of the Property or be of any further force or effect. Such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

If groundwater monitoring demonstrates that vinyl chloride concentrations are reduced below the Method A cleanup level throughout the property at the standard point of compliance following four consecutive quarters of monitoring, the RC can be removed.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

3.1.1 Soil and Direct Contact

Based upon the Site visit conducted on February 5, 2013, the surface cover appear in excellent condition in the paved portions of the Site. The north end of the Site remains covered in compacted gravel.

During the Site visit, there was no evidence of new routes of exposure to contaminated groundwater at the Site. All groundwater monitoring wells appeared secured and no repair, maintenance, or contingency actions have been required. A photo log is available as Appendix 6.5..

3.1.2 Ground Water

Per the Ecology NFA letter dated May 15, 2007, compliance monitoring is part of the institutional controls that is required because of the conditional point of compliance and will be required until residual hazardous substance concentrations no longer exceed Site cleanup levels [WAC 173-340-410]. If concentrations of hazardous substances do not exceed the cleanup level at a standard point of compliance; no further action is necessary" [WAC 173-340-350(8)].

As of the final groundwater monitoring event in 2008, vinyl chloride was still present in groundwater at the Site at concentrations exceeding the MTCA Method A cleanup level. As a result, the conditional point of compliance remains in use and continued compliance groundwater monitoring is required.

3.1.3 Institutional Controls

Institutional controls have been implemented at the Site in the form of a RC. This RC prohibits groundwater use at the Site, restricts activities that will result in the release of contaminants contained as part of the cleanup without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This RC serves to assure the long-term property use and integrity of the remedial action and effectively prevents human exposure to any vinyl chloride that may remain in groundwater at the Site.

If the vinyl chloride concentrations are reduced below the Method A cleanup level throughout the property at the standard point of compliance following four consecutive quarters of monitoring, the RC can be removed.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

Cleanup levels at the Site were based on regulatory standards rather than calculated risk for chemicals and/or media. These standards were sufficient to be protective of Site-specific conditions.

3.3 New applicable state and federal laws for hazardous substances present at the Site

There are no new relevant state or federal standards applicable to the Site.

3.4 Current and projected Site use

The Gig Harbor Historical Society is not planning to demolish the existing on-Site buildings or redevelop the property. Structures at the Site are used as a museum and associated storage. The office/retail building at the southeast corner of the property will continue to be used for office and retail space. New construction in the future may include the addition of a boat shed to house the 65-foot fishing vessel "Shenandoah" and exposing Donkey Creek.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial actions were capable of detection below Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

- The cleanup actions completed at the Site appear to be protective of human health and the environment. Concentrations of vinyl chloride remain in groundwater at the Site at concentrations exceeding MTCA Method A cleanup levels.
- Ongoing groundwater monitoring was required at the Site as a condition of the NFA determination. Groundwater monitoring was not being conducted as per the requirements of NFA determination. However, the GHHM is currently in the process of hiring an environmental consultant for conducting the needed long-term groundwater monitoring to ensure the Site remains protective.
- The institutional controls implemented in the RC are in place and will be effective in protecting public health from exposure to hazardous substances and protecting the integrity of the cleanup action at the Site.

Based on this periodic review, Ecology has determined that remedial actions conducted at the Site continue to be protective of human health or the environment. To meet the requirements of NFA determination, the GHHM is restarting the groundwater monitoring and no additional remedial actions are required at this time. It is the property owner's responsibility to monitor groundwater on a 24 month frequency and continue to inspect the Site to assure that the integrity of the surface cover is maintained and no groundwater exposure pathways are created.

4.1 Next Review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

Kleinfelder. *Phase I and Limited Phase II Environmental Site Assessment*. December 14, 2004.

Kleinfelder. *Supplemental Environmental Investigation*. July 14, 2006.

Ecology. *Partial Sufficiency and Further Action Determination*. August 16, 2006.

Kleinfelder. *Supplemental Environmental Investigation*. March 7, 2007.

Gig Harbor Peninsula Historical Society. *Restrictive Covenant*. April 20, 2007.

Kleinfelder. *Second Quarter 2007 Groundwater Monitoring*. May 2, 2007.

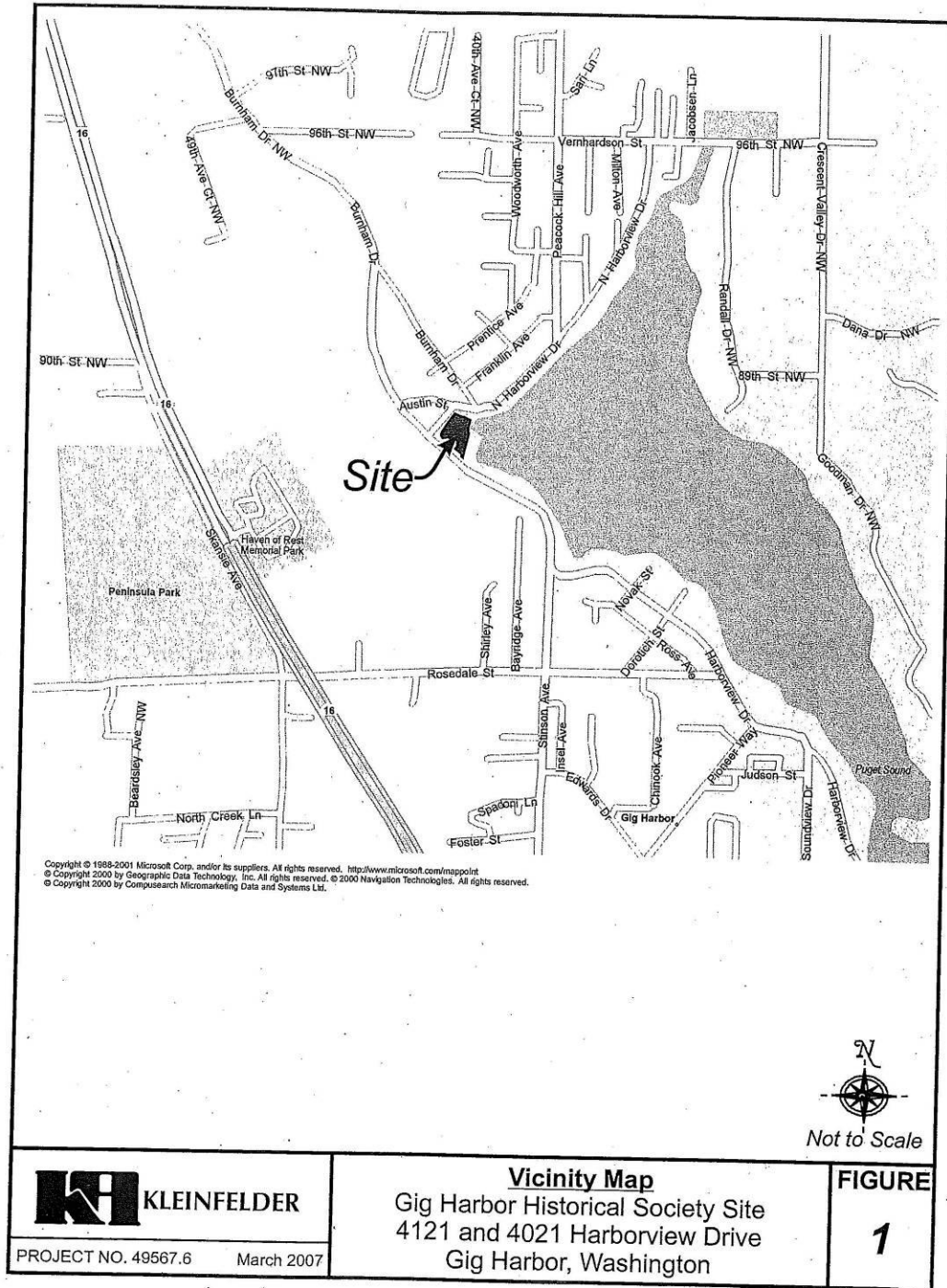
Ecology. *No Further Action Determination Letter*. May 15, 2007.

Ecology. *Letter Regarding Conveyance of Property*. May 23, 2011.

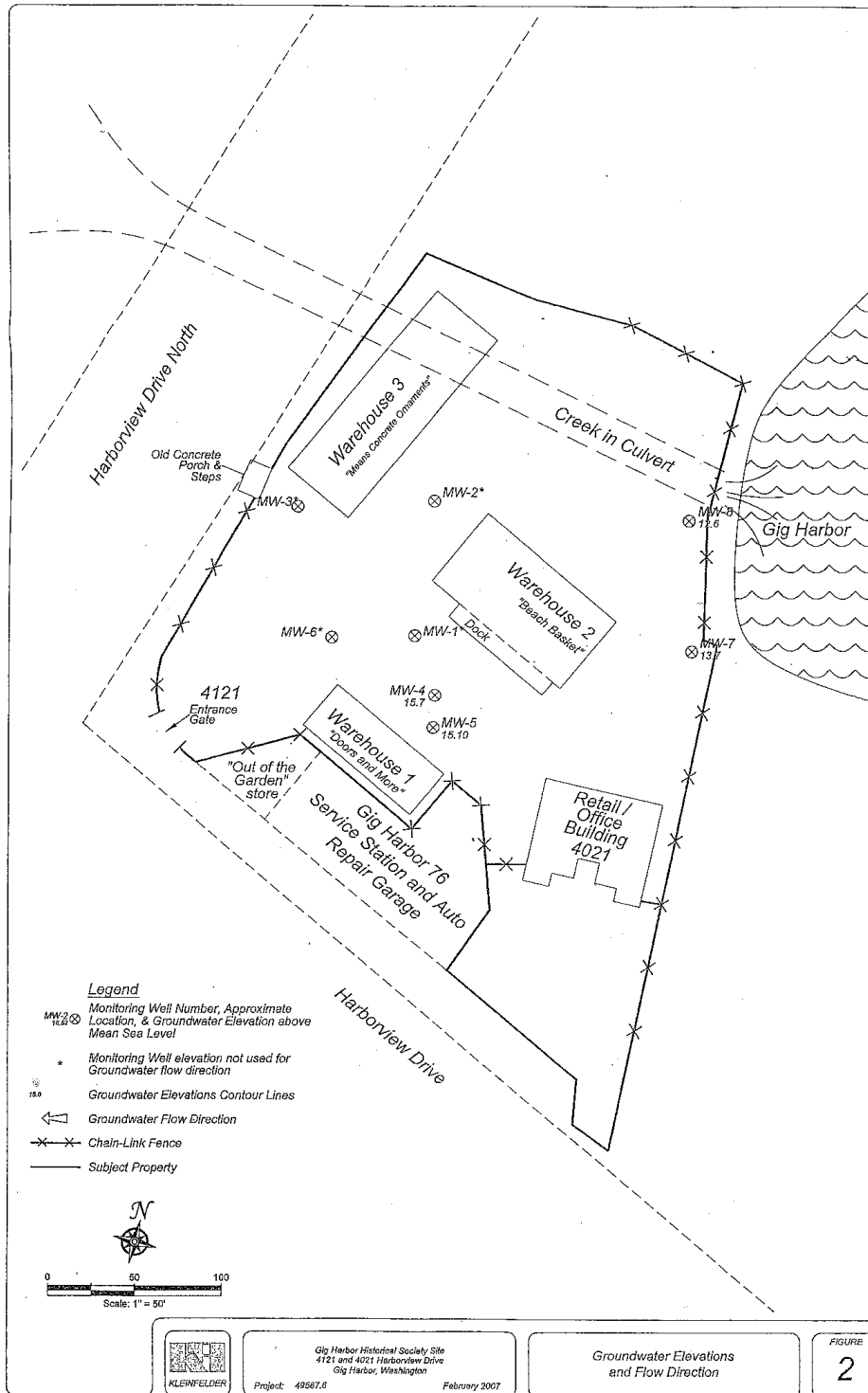
Ecology. *Site Visit*. February 5, 2013.

6.0 APPENDICES

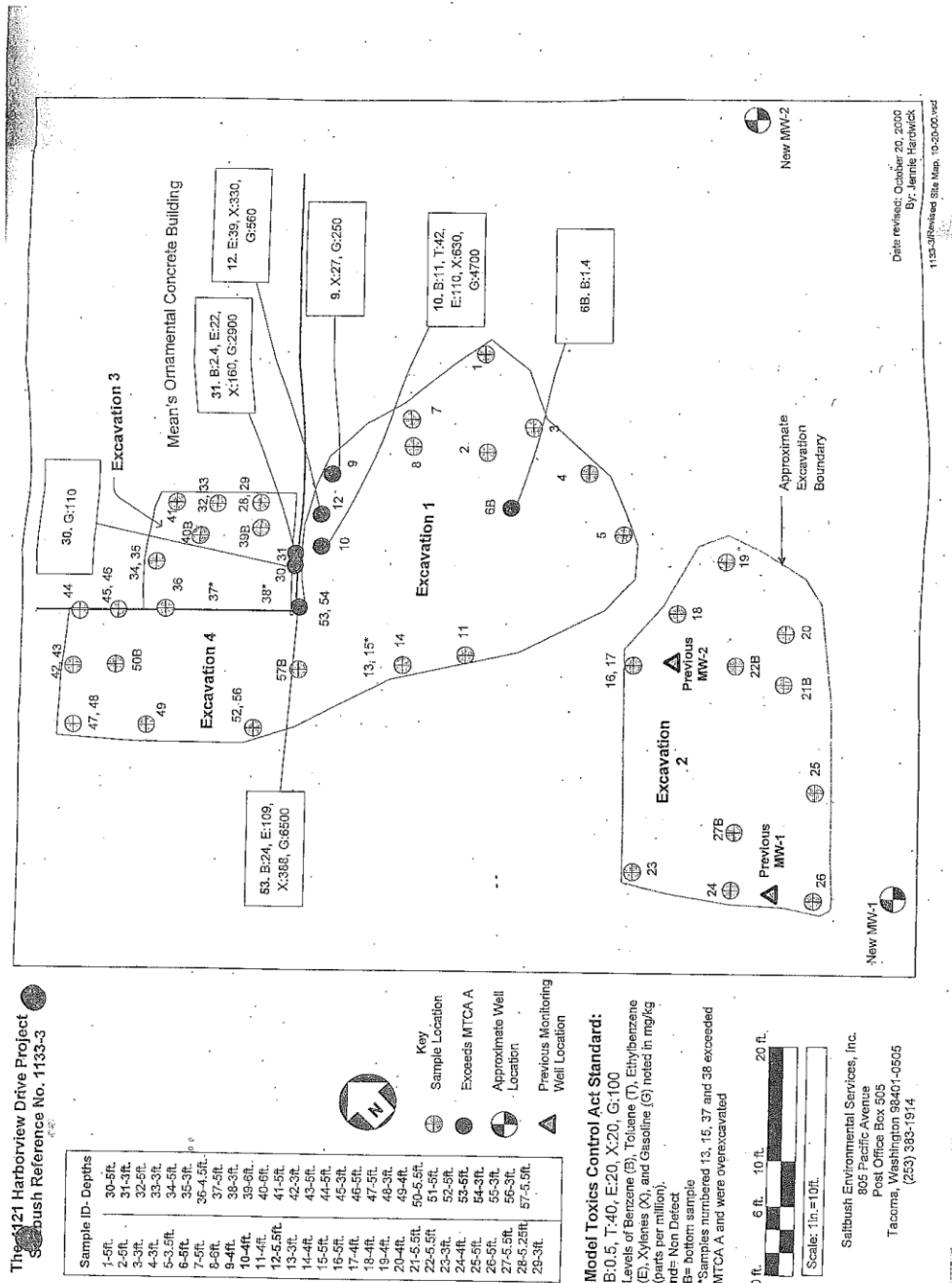
6.1 Vicinity Map



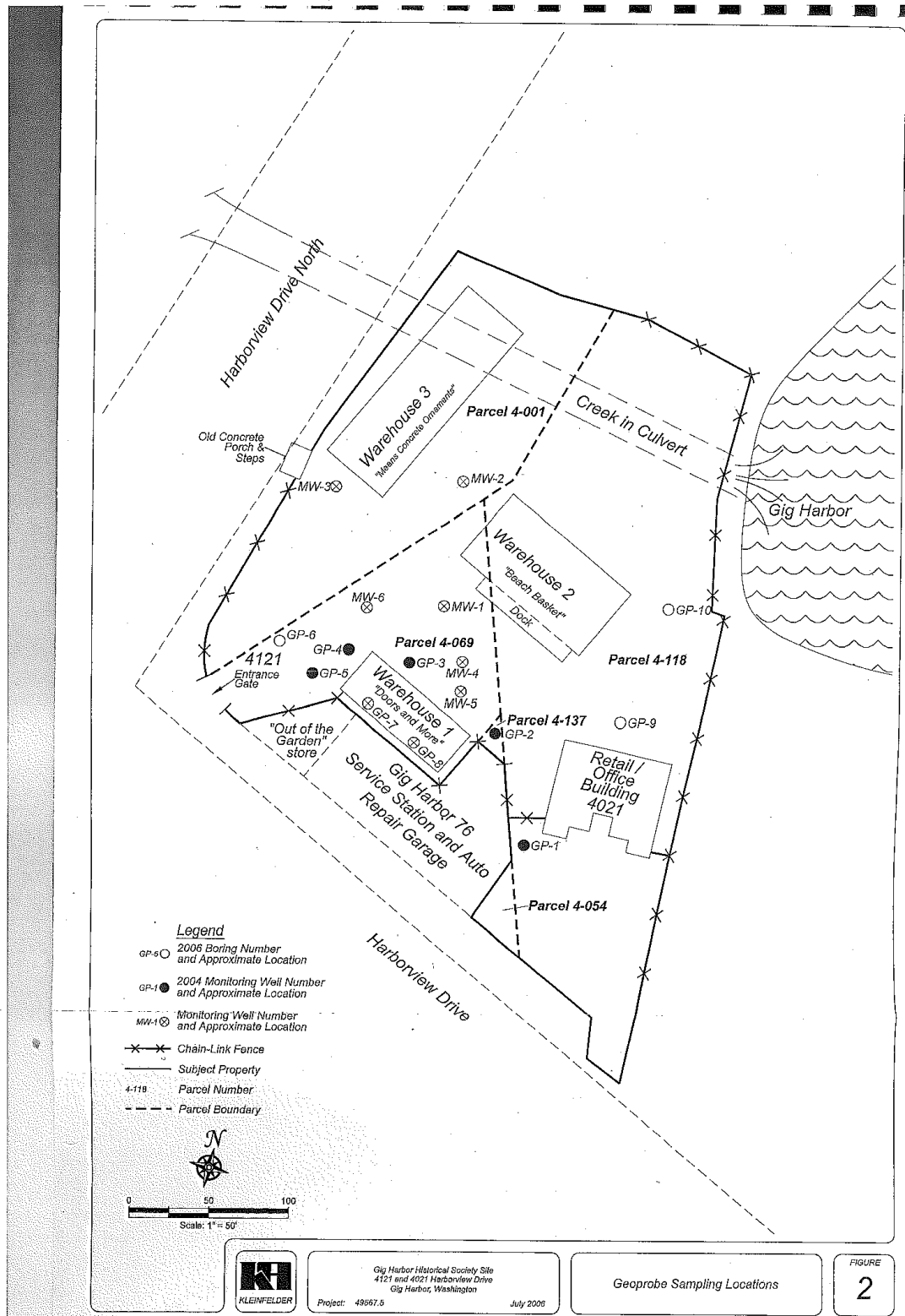
6.2 Site Plan



6.3 Figure 1: Soil Sample Locations, Results and Extent of Excavation



6.3 Figure 2: Additional Investigation Geoprobe Boring Locations



6.4 Restrictive Covenant

ENCLOSURE B



AFTER RECORDING RETURN TO:

Dianne K. Conway
Gordon, Thomas, Honeywell, Malanca,
Peterson & Daheim LLP
1201 Pacific Avenue, Suite 2100
Post Office Box 1157
Tacoma, WA 98401-1157

DECLARATION OF RESTRICTIVE COVENANT

4021 and 4121 Harborview Drive, Gig Harbor, Washington

This Declaration of Restrictive Covenant is made pursuant to RCW 70.105D.030(1)(f) and (g) and WAC 173-340-440 by the Gig Harbor Peninsula Historical Society (the Society), its successors and assigns. The Society is the fee owner of the real property (hereafter "Property") in the County of Pierce, State of Washington, that is subject to this Restrictive Covenant. The property is legally described in Exhibit A. This Declaration is for the benefit of the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology"), and it is binding upon the Property.

An independent remedial action consisting of a Limited Phase II Environmental Site Assessment (ESA) and follow-up investigations occurred at the property that is the subject of this Restrictive Covenant. The environmental investigations conducted at the property are described in the following documents: *Phase I and Limited Phase II Environmental Site Assessment – Proposed Gig Harbor Historical Society Site, 4021 and 4121 Harborview Drive, Gig Harbor, Washington*, prepared by Kleinfelder, Inc. Project No. 49567, December 2004; *Supplemental Environmental Investigation at the Gig Harbor Peninsula Historical Society Site*

- 1 -

[finalized draft Restrictive Covenant.doc]

38-

4021 and 4121 Harborview Drive, Gig Harbor, Washington, prepared by Kleinfelder, Inc. Project No. 49567, June 14, 2006; and *Supplemental Environmental Investigation at the Gig Harbor Peninsula Historical Society site 4021 and 4121 Harborview Drive, Gig Harbor, Washington*, prepared by Kleinfelder, Inc. Project No. 49567, March 7, 2007. These documents are on file at Ecology's Southwest Regional Office.

This Restrictive Covenant is required because the 2004 Limited Phase II ESA identified concentrations of vinyl chloride in groundwater at the property that exceed the Model Toxics Control Act Method A for Groundwater established under WAC 173-340-720. Although the supplemental environmental investigations found no vinyl chloride, required groundwater monitoring is ongoing.

Declaration

The Society makes the following declarations regarding limitations, restrictions, and uses to which the Property may be put and specifies that these declarations constitute covenants to run with the land, as provided by law. These covenants are binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1. No groundwater may be taken for any use from the Property.

Section 2. Any activity on the Property that may interfere with the continued protection of human health and the environment by resulting in the release or exposure to the environment of the vinyl chloride that may remain on the Property is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of the vinyl chloride that may remain on the Property or create a new exposure

pathway for the vinyl chloride that may remain on the Property is prohibited without prior written approval from Ecology.

Section 4. The Owner of the property must give 30 days advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease, or other interest in the Property will be consummated by the Owner without adequate and complete provision for continued environmental protection.

Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner will allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of inspecting environmental conditions at the Property and inspecting records that are related to environmental conditions.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant will no longer limit use of the Property or be of any further force or effect. Such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

DATE SIGNED: 4/27/07

THE GIG HARBOR PENINSULA
HISTORICAL SOCIETY

By:
Its:

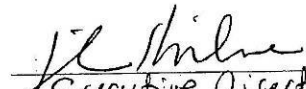

Executive Director

EXHIBIT 'A'

LEGAL DESCRIPTION:

Parcel A:

All that portion of the following described tract, lying Easterly of the Eruaham-Hunt County Road, to-wit:

Commencing at the Northwest corner of Lot 2, Section 6, Township 21 North, Range 2 East, W.M., in Pierce County, Washington;
Thence South 250 feet more or less to the center of a small creek;
Thence Northeasterly along center of said creek to a point that is 417 feet East of the West line of said Lot 2;
Thence North 130 feet more or less to the North line of said Lot 2;
Thence West along North line of said Lot, 417 feet to the place of beginning, in Pierce County, Washington.

Together with that portion of vacated Harborview Avenue North (Burnham Street) adjoining, which upon vacation, attached to said property by operation of law.

Parcel B:

Beginning at Northwest corner of Lot 2, Section 6, Township 21 North, Range 2 East of Willamette Meridian, in Pierce County, Washington, thence running North 89° 08' East on North line of said Lot, 417 feet; thence South parallel to West line of said Lot, 405.15 feet to Northeasterly line of State Highway No. 14; thence North 46° 41' 20" West of said Northeasterly line 68.70 feet; thence North parallel to West line of said Lot and on West line of land of C. O. Austin, 144.45 feet to true point of beginning; thence South 45° 10' West 55.09 feet; thence North 46° 41' 20" West 83.97 feet; thence South 80° 18' 40" West 36 feet, more or less, to County Road; thence on a curve to the right radius 208.75 feet Northerly along Easterly line of said Road 43 feet, more or less, to center line of small creek; thence Easterly on said center line 145 feet, more or less, to a point North of true place of beginning; thence South parallel to West line of said Lot 97.92 feet, more or less, to true place of beginning.

Together with that portion of vacated Harborview Avenue North (Burnham Street) adjoining, which upon vacation, attached to said property by operation of law.

Parcel C:

Commencing at the Northwest corner of Government Lot 2, Sec. 6, Twp. 21 North, Range 2 East of W.M.; thence North 87° 08' 12" East along the North line of said lot 417 feet to the true point

of beginning of this description; thence continuing North 87°08'12" East along the North line of said lot 138.59 feet; thence South 0°38' East 20.13 feet to an angle point in the government meander line; thence South 15°05'25" West 475 feet, more or less, along the government meander line and along the segment of said meander line extended to the Northerly right of way line of state Highway No. 14; thence Northwesterly following said right of way line to a point North 87°08'12" East 367 feet from the west line of said lot; thence North parallel to said West line of lot 225 feet, more or less, to center of creek, being the creek referred to in contract between J. M. Galbraith Company and Ervin S. Craig and wife, recorded November 25, 1959 under Recording No. 1878550, records of said County; thence North 74°30' East (approximate course) 51.88 feet along center of creek to a point North 87°06'12" East 417 feet from the West line of said lot; thence North parallel to said West line of lot 130 feet to the point of beginning. And including any second class tidelands lying within the boundaries: above described.

Except therefrom that portion conveyed to Howard Austin and Ruth Austin, husband wife, by Deed recorded March 7, 1968 under Recording No. 2229592, described as follows:

Beginning at the Northwest corner of Government lot 2, Section 6, Township 21 North, Range 2 East of the W.M., in Pierce County, Washington (said N.W. corner being Town of Gig Harbor unrecorded Monument #112 - stamped #112 and 1/16); thence along said lot line, North 87°08'12" East 470.0 feet to the true point of beginning; thence continuing along said lot line, North 87°08'12" East 84.79 feet; thence South 0°06'55" West 19.88 feet to Angle Point of Balanced Meridian Line; thence along said Meander Line South 15°05'43" West 6.85 feet; thence South 86°22'39" West 39.25 feet; thence North 65°49'05" West 27.85 feet; thence Northwesterly to the true point of beginning.

Parcel D:

Beginning at the Northwest corner of lot 2, Section 6, Township 21 North, Rang 2 East of the W.M., in Pierce County, Washington; thence running North 89°08' East on the North line of said lot, 417 feet; thence South parallel to West line of said lot 405.15 feet to the Northeasterly line of former State Highway No. 14, now Harborview Avenue West; thence North 46°41'20" West on said Northeasterly line 68.70 feet to the true point of beginning; thence North 54.84 feet; thence South 46°01' West 39.89 feet, more or less, to the Northeasterly line of said Harborview Avenue West; thence South 46°41'20" East 39.50 feet to the true point of beginning.

Parcel E:

All that portion of property described in deed recorded under Record n9 No. 1670316, in Pierce County, Washington, lying Northeasterly of the following described property partition line:

Beginning at the Northwest corner of Government lot 2, Section 6, Township 21 North, Range 2 East of the W.M., in Pierce County, Washington; thence along West line of said Lot 2, South 0°20'26" East 504.42 feet; thence parallel to the North line of said Lot 2, North 87°08'12" East 417.00 feet thence North 47°24'30" West 68.29 feet to a point on the center line of Harborview Avenue West (a monumented street in the Town of Gig Harbor, Wash.); thence North 0°20'26"

West 68.29 feet to the Northeasterly line of said Harborview Avenue West; thence continuing North 0°20'26" West 115.60 feet to the true point of beginning of above said property partition line; thence along property partition line North 46°59'56" West to Northwesterly line of said property described in said deed recorded under Recording No. 1670316.

Parcel F:

Beginning at the Northwest corner of Government Lot 2, Section 6, Township 2 North, Range 2 East of the W.M., in Pierce County, Washington (said Northwest corner being Town of Gig Harbor, unrecorded Monument #112-stamped #112 and 1/16); thence North 87°08'12" East along the North line of lot 2, 309.23 feet to true point of beginning on Southerly right of way line of Harborview Avenue North; thence, on lot line, North 87°08'12" East 161.57 feet; thence North 69°37'35" West 30.48 feet; thence North 75°08'18" West 27.96 feet; thence North 64°35' West 68.71 feet to the Southerly right of way line of Harborview Avenue North; thence on said right of way line Southwesterly to true point of beginning, the above being portion of Lot 7, Block 1, Extension of the City of Gig Harbor, Pierce County, Washington, according to Plat recorded in Volume 6 of Plat 5 at Page 74, In Pierce County! Washington.

Except that portion conveyed to the Town of Gig Harbor by Instrument recorded under Recording No. 1520257.

6.5 Photo log

Photo 1: New Museum Building and Storage Warehouse – from the west



Photo 2: North Gravel Parking Lot and Boat Storage Area – from the north



Photo 3: Gig Harbor Waterfront Southeast of Site – from the South



Photo 4: Conditional Point of Compliance Wells along Waterfront – from the west

