



# Public Participation Plan

## Sea K Fish Cleanup Site Blaine, WA

### Toxics Cleanup Program

Washington State Department of Ecology

Northwest Regional Office

Bellevue, Washington

December 2020



## Publication Information

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- Port of Bellingham, March 2019

### Related Information

- Clean-up site ID: 10583
- Facility site ID: 80387768

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**Website**<sup>1</sup>: [Washington State Department of Ecology](http://www.ecology.wa.gov)

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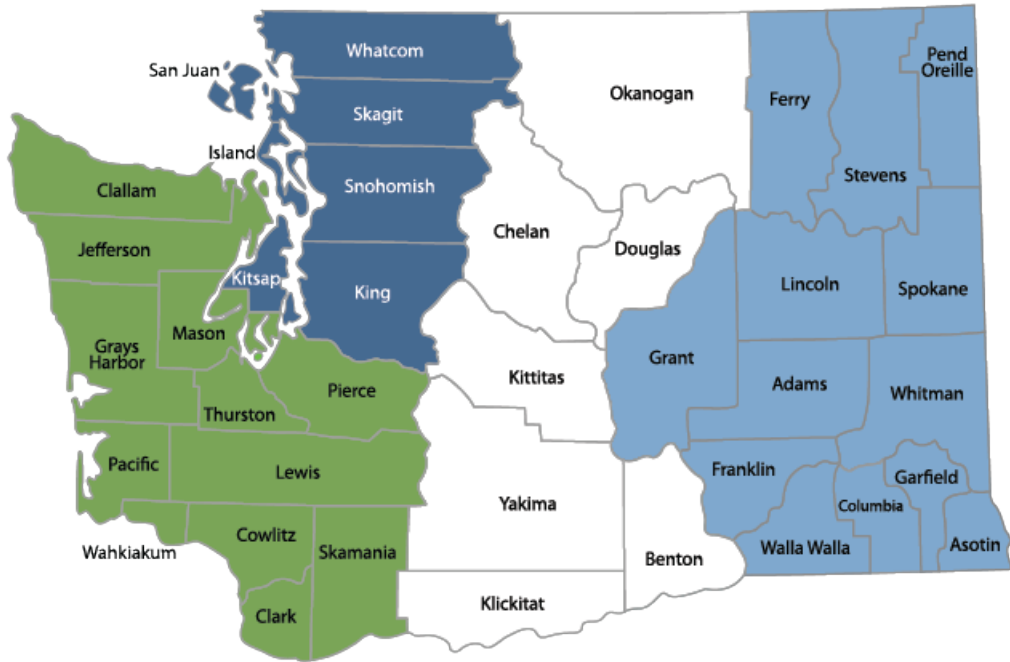
To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at [ecyadacoordinator@ecy.wa.gov](mailto:ecyadacoordinator@ecy.wa.gov). For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

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<sup>1</sup> [www.ecology.wa.gov/contact](http://www.ecology.wa.gov/contact)

# Department of Ecology's Regional Offices

## Map of Counties Served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 425-649-7000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
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Region	Counties served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	3190 160th Ave SE Bellevue, WA 98008	425-649-7000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

# Public Participation Plan

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**Sea K Fish Cleanup Site  
Blaine, WA**

Toxics Cleanup Program  
Washington State Department of Ecology  
Northwest Regional Office  
Bellevue, WA

**December 2020**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

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## Introduction

The Port of Bellingham (Port) is addressing petroleum contamination at the Sea K Fish Cleanup Site (Site) under a legal agreement with the Washington State Department of Ecology (Ecology). The contamination is the result of past petroleum storage and fish oil processing operations at the Site and is present at potentially harmful levels. In order to protect human health and the environment, the contamination must be addressed in accordance with Washington's cleanup law, the Model Toxics Control Act.

Ecology developed this public participation plan (plan) as required under the MTCA, to promote meaningful community involvement in the Site cleanup process. The plan first discusses the MTCA and the cleanup process, then provides information about the Site. Next it describes planned public involvement activities and then addresses plan updates and amendments.

## Washington's Cleanup Law

Ecology derives its authority to require cleanup of contamination from the state Model Toxics Control Act (MTCA; [Chapter 70.105D Revised Code of Washington \(RCW\)](#)<sup>2</sup>). The MTCA provides requirements for contaminated site cleanup in Washington State and sets standards to ensure the cleanup protects human health and the environment. Standards for sediment cleanup are established in the state Sediment Management Standards, [Chapter 173-204 Washington Administrative Code \(WAC\)](#)<sup>3</sup>.

The MTCA began as a grassroots citizen's initiative in 1988, and started the process of systematically cleaning up contaminated sites in Washington. Under the MTCA, anyone with a current or past relationship with a contaminated site may be held responsible for cleaning it up to standards established to protect human health and the environment.

Ecology enacts the MTCA and oversees cleanups in the state and issues regulations and guidance governing those cleanups. The regulations are found in [Chapter 173-340 WAC](#)<sup>4</sup>. Ecology investigates reports of contamination, and if it poses a significant threat to human health or the environment, the site is placed on the Confirmed and Suspected Contaminated Sites List for further assessment. The cleanup process can begin at any time after a release of a hazardous substance to the environment has been discovered.

Public participation is an important part of cleanup under the MTCA. Participation needs are assessed at each cleanup site according to the level of public interest and the degree of risk posed by the contamination. Individuals who live near the site, community groups, businesses, government, other organizations, and interested parties have the opportunity to get involved by commenting during the cleanup process.

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<sup>2</sup> <https://fortress.wa.gov/ecy/publications/publications/9406.pdf>

<sup>3</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-204>

<sup>4</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

Under the MTCA, the cleanup process generally includes multiple steps (see Figure 1 on page 8), with opportunities for the public to review and comment on cleanup documents. In addition, a partial cleanup (called an interim action) can occur at any time during the cleanup process. The public is provided an opportunity to review and comment on planned interim action work as well.

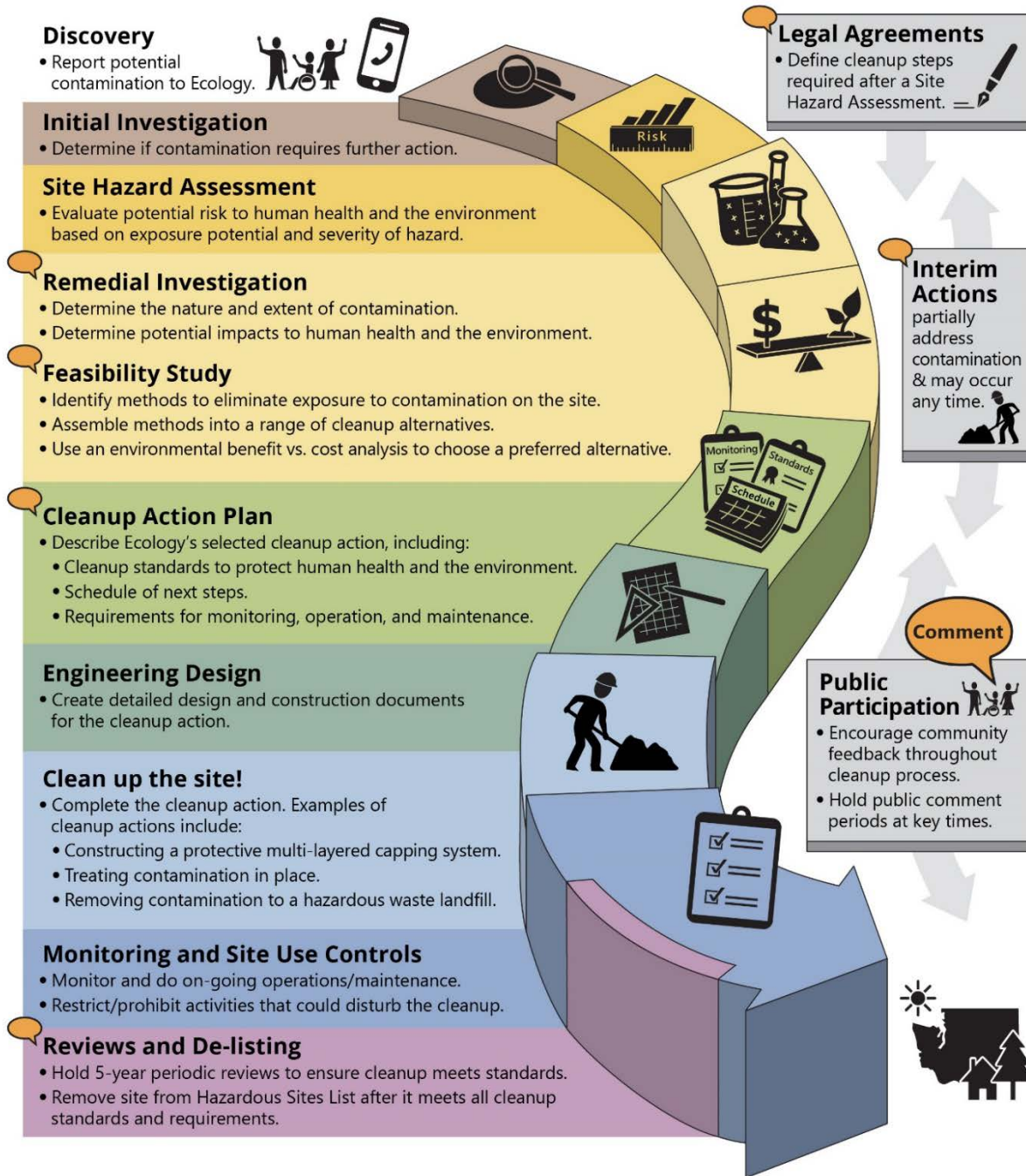
MTCA cleanups also require evaluation under the State Environmental Policy Act (SEPA; [Chapter 197-11 WAC](#)<sup>5</sup>). Under SEPA, the potential for significant adverse environmental impacts from a project or action must be evaluated by state and local agencies when making decisions. This evaluation is subject to public review and comment in parallel with cleanup documents.

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<sup>5</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=197-11>



# Washington's Formal Cleanup Process



 **Washington's Cleanup Law**  
Model Toxics Control Act (MTCA)

MTCA defines the cleanup process. This public-initiated environmental law directs upland cleanups (on land or in groundwater) and sediment cleanups (in freshwater or marine environments). Ecology enacts MTCA and regulates the cleanup process.

September 2019  
Ecology Publication 19-09-166

Figure 1: Steps in Washington's Cleanup Process<sup>6</sup>

<sup>6</sup> <https://fortress.wa.gov/ecy/publications/documents/1909166.pdf>

# Site Information

## Location, history, and ownership

The Sea K Fish property is located at 225 and 205 Sigurdson Avenue in the Blaine Harbor industrial area in Blaine, WA. Portions of the property were contaminated by past petroleum storage and fish oil processing operations.

Blaine Harbor was originally created in the late 1930s by dredging the tideflats and using the dredged materials to create uplands. The harbor's upland areas were expanded in the 1940s, 1950s, and again in 2001.

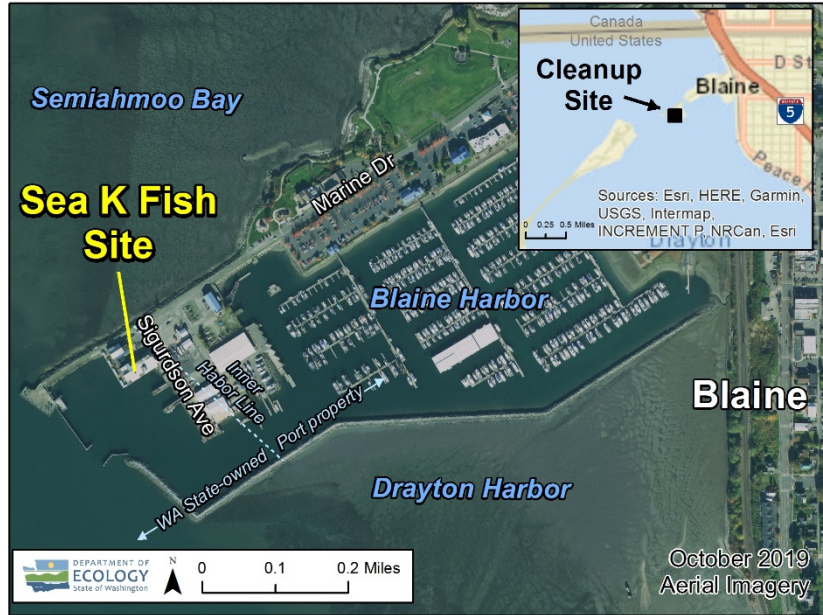


Figure 2: Sea K Fish cleanup site location

The State of Washington is the owner of the property located between the inner harbor line and outer harbor line in Blaine Harbor. The Port manages this property according to the terms of a Port Management Agreement with the Washington State Department of Natural Resources.



Figure 3: Aerial photo of Blaine Harbor, 1956, including Sea K Fish site (before present-day development)

## Contamination

In 2019, the Port conducted an environmental investigation which showed petroleum contamination in soil and groundwater that exceeded cleanup levels allowed under the Model Toxics Control Act (MTCA):

- Light non-aqueous phase liquid (NAPL)
- Gasoline, diesel, and oil-range hydrocarbons
- Benzene, toluene, ethylbenzene, and xylene compounds (BTEX)

## Status of cleanup

The Site is in the beginning of the formal cleanup process shown in Figure 1 on Page 8.



Figure 4: Oil sheen observed near Sea K Fish site

In 2020, Ecology issued an Agreed order (legal agreement) for public review. This legal agreement between Ecology and the Port requires the Port to characterize the Site (Remedial Investigation), evaluate cleanup options (Feasibility Study), and create a draft Cleanup Action Plan (CAP).

Design and performance of the cleanup work described in the CAP will occur in the future under a separate legal agreement. All future legal agreements will be issued for public review and comment.

## Area land use

The Site is located in the Blaine Harbor area of Blaine’s Central Business District.<sup>7</sup> (see Figure 5). The Blaine Harbor and adjacent waterfront area is regulated by the [Wharf District Master Plan \(2007\)](#)<sup>8</sup> (see Figures 6 and 7).

Blaine Harbor is bordered by Semiahmoo Bay to the north, Central Blaine to the east, Drayton Harbor to the south and Semiahmoo to the west. The Port has leased the property to different companies for commercial purposes. Site is located in the “Dakota Commons” area of the Wharf District Master Plan<sup>8</sup>. (See Figure 7)

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<sup>7</sup> <https://www.ci.blaine.wa.us/DocumentCenter/View/13431/Land-Use-Map-Set2?bidId=>

<sup>8</sup> [https://www.ci.blaine.wa.us/DocumentCenter/View/13724/Wharf-District-Mstr-Pln-BlaineCompPlanAppendix\\_C?bidId=](https://www.ci.blaine.wa.us/DocumentCenter/View/13724/Wharf-District-Mstr-Pln-BlaineCompPlanAppendix_C?bidId=)

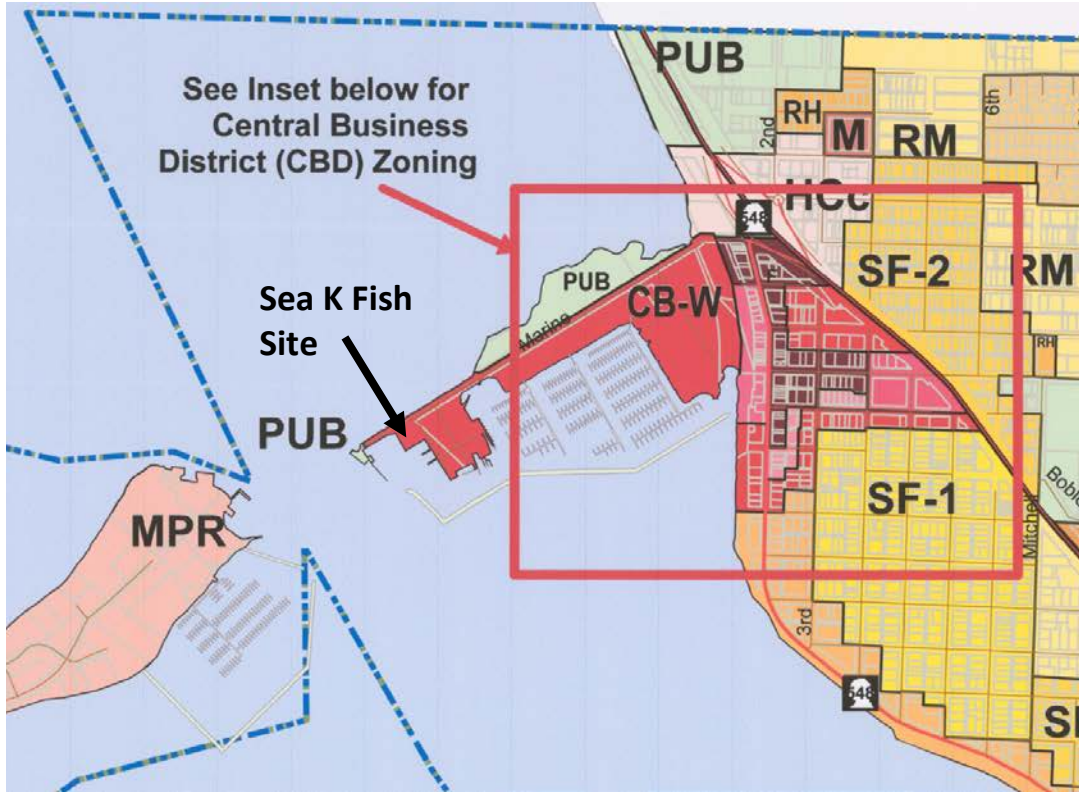


Figure 5: Cleanup site location in Blaine's Central Business District

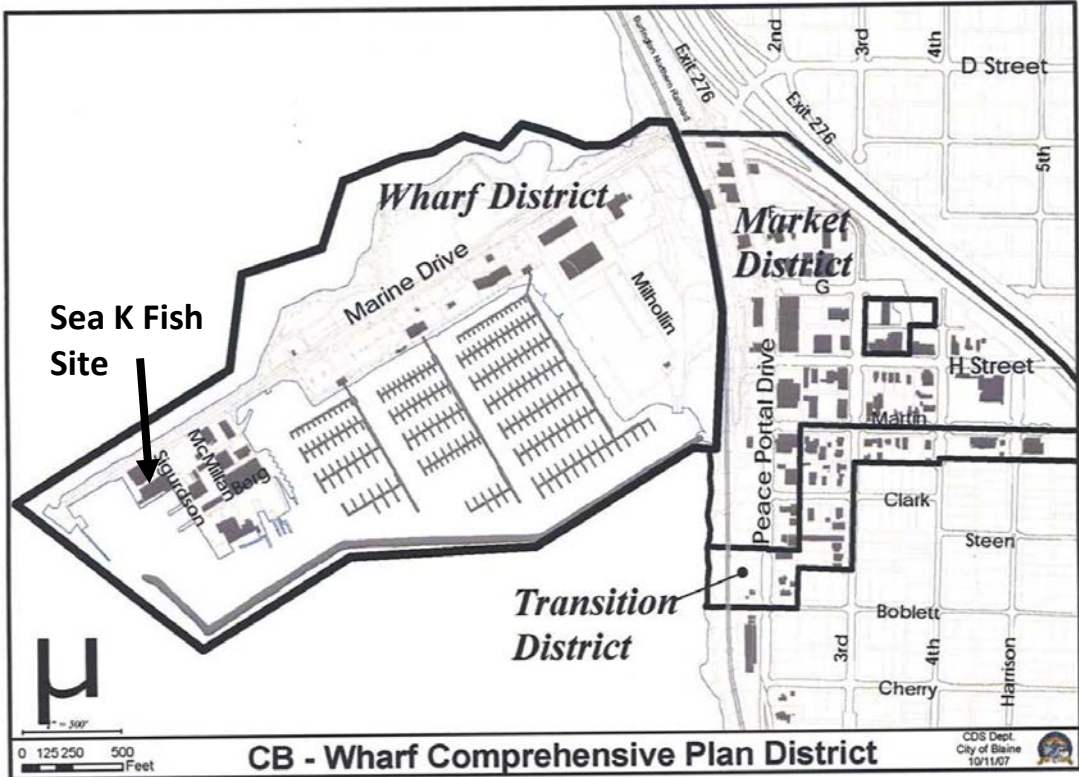


Figure 6: City of Blaine Central Business Wharf Comprehensive Plan District Map

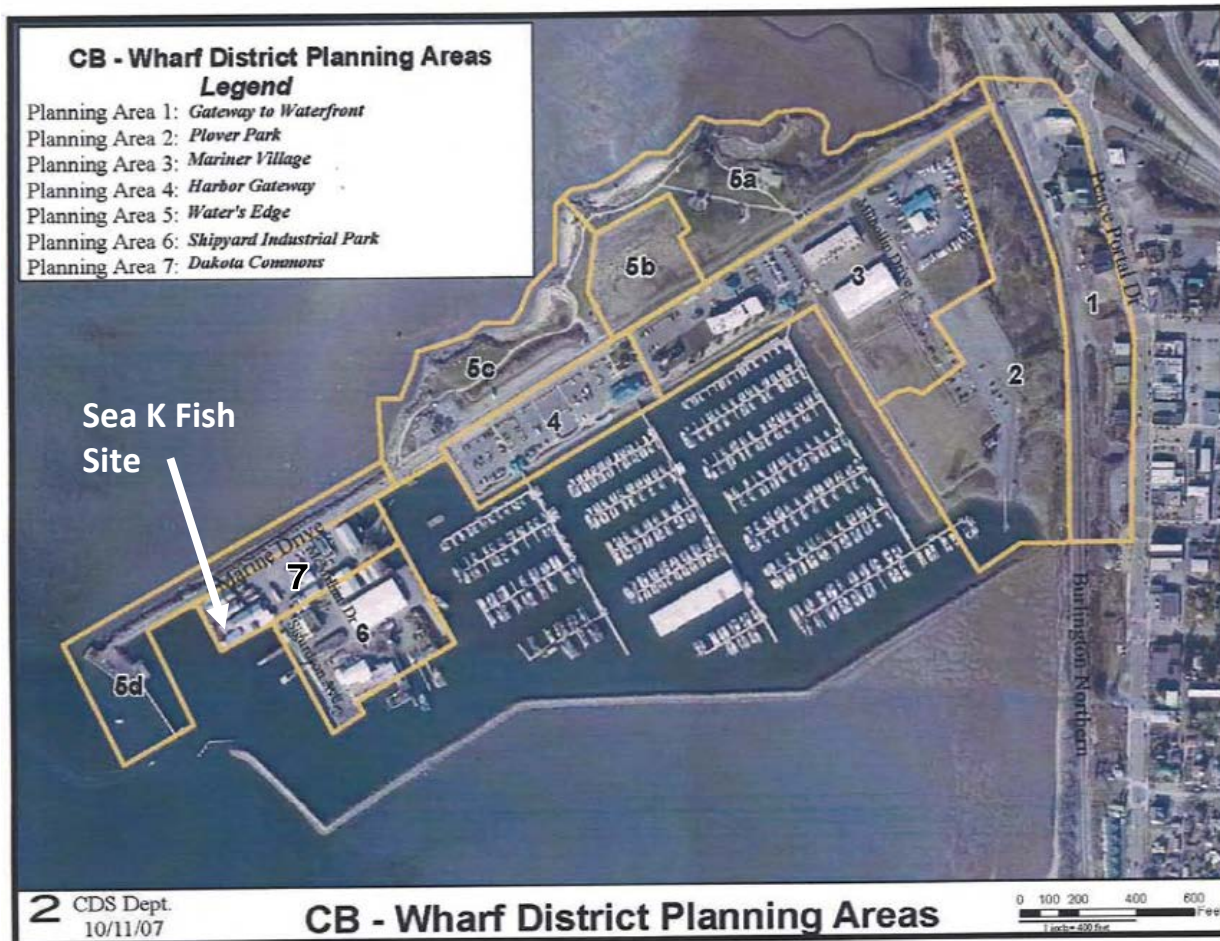


Figure 7: Central Business Wharf District Planning Areas

## Area community

Demographic data below is from:

- United States Census Bureau’s [Explore Census Data](https://data.census.gov/cedsci/)<sup>9</sup>
- Environmental Protection Agency’s [Environmental Justice Screening and Mapping Tool \(EJSCREEN\)](https://ejscreen.epa.gov/mapper/index.html)<sup>10</sup>
- Washington State Department of Health’s [Washington Tracking Network A Source for Environmental Public Health Data](https://fortress.wa.gov/doh/wtnibl/WTNIBL/)<sup>11</sup>

<sup>9</sup> <https://data.census.gov/cedsci/>

<sup>10</sup> <https://ejscreen.epa.gov/mapper/index.html>

<sup>11</sup> <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>

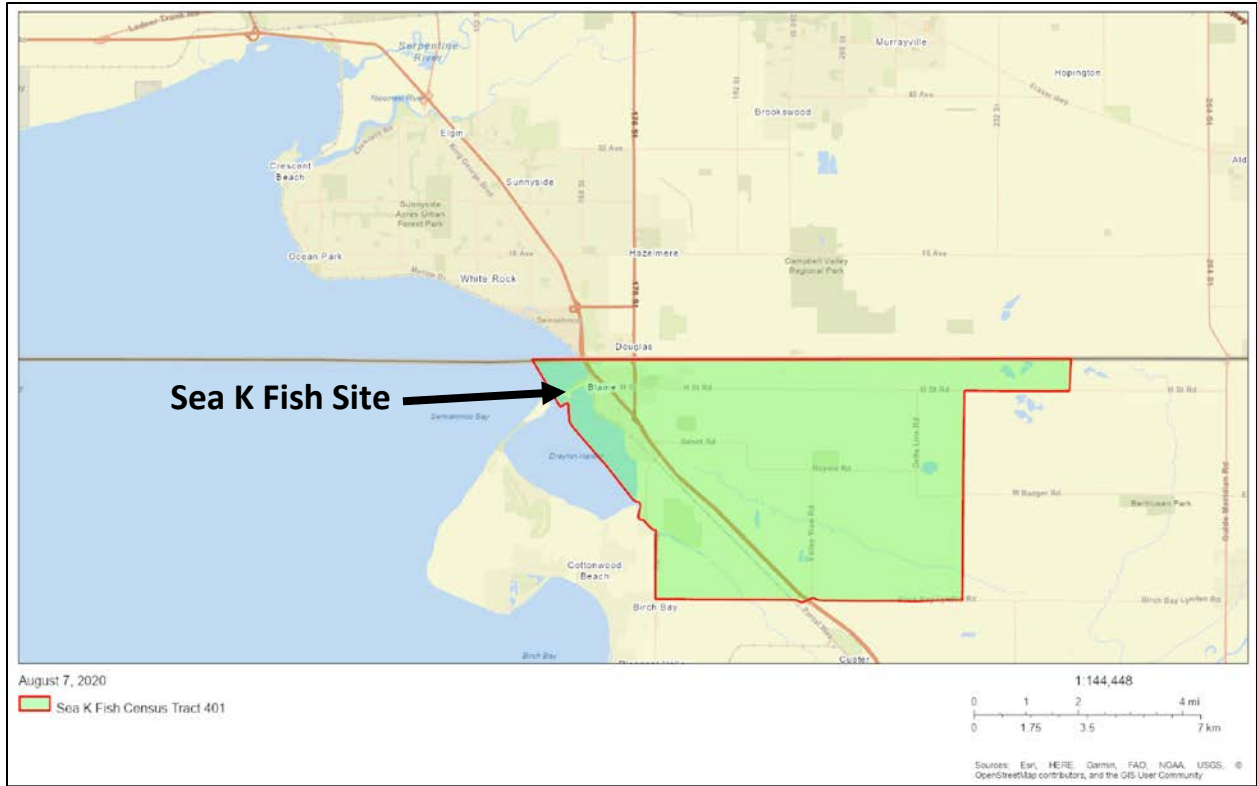


Figure 8: Location of Census Tract 53073010401 (EPA EJSCREEN Report, Version 2019)

The percent of the population in Census Tract 53073010401 (Figure 8) that identifies with each racial group is as follows:

- White: 84%
- Hispanic: 6%
- Asian: 4%
- Two or more races: 3%
- American Indian: 1%
- Black: 1%
- Pacific Islander: 1%

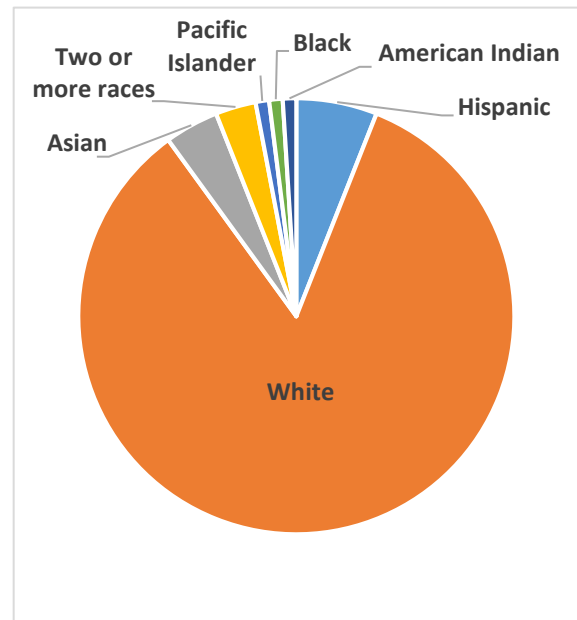


Figure 9: Census Tract 53073010401 population percentages



Figure 10: Location of Census Tract 53073010403 (EPA EJSCREEN Report, Version 2019)

The percent of the population in Census Tract 53073010403 (Figure 10) that identifies with each racial group is as follows<sup>12</sup>:

- White: 87%
- Hispanic: 6%
- Asian: 3%
- Two or more races: 3%
- American Indian: 1%
- Black: 1%

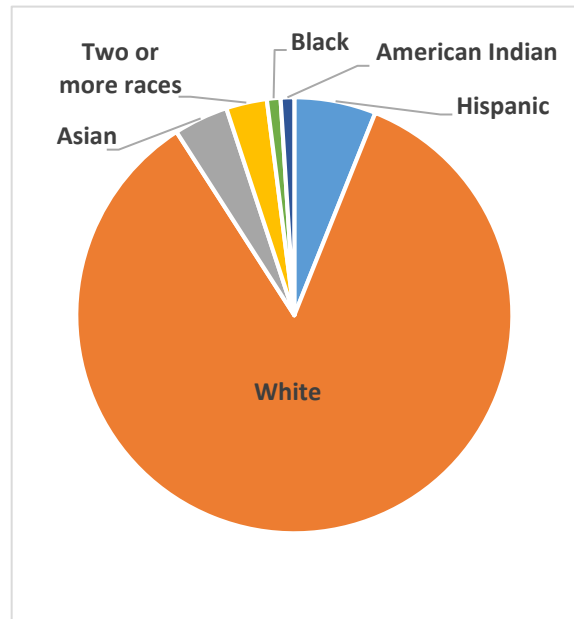


Figure 11: Census Tract 53073010403 population percentages

<sup>12</sup> Note: Percentages are rounded to nearest whole percentage. Overall totals may result in more than 100 percent.

The EJSCREEN reports a significant “population over 64 years of age” in Census Tract 53073010403. Ecology will plan our public outreach to consider this population’s needs.

The United States Census Bureau’s Explore Census Data Table B16001: “[Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over](#)”<sup>13</sup> reports no significant language populations speaking English less than “very well.”

Ecology will reach out to cultural community organizations as part of our public involvement efforts and provide information in other languages as appropriate following federal guidance.<sup>14</sup> The non-English language most widely spoken in the Site area is Spanish. As a result, Fact Sheets will provide contact information for Spanish speakers to request translation services. We strive to involve the whole community in our public participation efforts and welcome your input on additional measures we can take to reach the nearby community.

The Lummi Nation and Nooksack Tribe are federally recognized tribes that may harvest seafood from the Site. Ecology will reach out to these tribes throughout the cleanup process.

## Public Involvement Activities

This section describes how Ecology will share information with the community and how you can share information with us. In addition, this section provides information about state grants that are available to help the community understand and participate in the cleanup process.

### How we share information with the community

During specific steps of the cleanup process, Ecology will mail notices about upcoming public comment periods to residences and businesses near the Site. The mailing list area may vary depending on the type of contamination and where it is located, but at a minimum it will include addresses within a quarter-mile radius of the Site, and other interested organizations and individuals. The notices will provide general information about the Site, contact information for submitting comments, and times and locations of public meetings or hearings, or how to request one if one is not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the Site’s status. We will make these informational documents available online and, if warranted, by US mail.

Comment period notices and other Site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

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<sup>13</sup>

<https://data.census.gov/cedsci/table?t=Language%20Spoken%20at%20Home&g=1400000US53073010403&y=2015&tid=ACSDT5Y2015.B16001&moe=false&hidePreview=true>

<sup>14</sup> Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).



## Notification lists

Ecology maintains an email list and a mailing list that includes: postal addresses within a quarter-mile radius of the Site; relevant local, state, federal, and tribal government contacts; and, other interested parties.

We will use these lists to send notices when cleanup documents are available for public review and comment or for other Site communications.

If you would like to be added to the email or mailing lists for this Site, please contact Ian Fawley at 360-255-4382 or [ian.fawley@ecy.wa.gov](mailto:ian.fawley@ecy.wa.gov).

## Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).<sup>15</sup> To receive the Site Register by email, please contact Sarah Kellington at 360-407-7466 or [sarah.kellington@ecy.wa.gov](mailto:sarah.kellington@ecy.wa.gov), or [subscribe online](#).<sup>16</sup>

## Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in *The Bellingham Herald* and *The Northern Light* (Blaine) newspapers. We will also publish notice on our [Public Input & Events Listing](#).<sup>17</sup>

## Ecology's website and social media platforms

We maintain a [website for the Sea K Fish site](#).<sup>18</sup> The website provides Site information, including current status, public comment period information and documents, and other Site documents.

We may also share information about cleanup sites through [news releases, our Ecology blog, and social media](#).<sup>19</sup>

## Document repositories

During public comment periods when review locations are accessible, you can find print documents at the following locations:

### Blaine Library

610 3rd Street  
Blaine, WA 98230  
Phone: 360-305-3637

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<sup>15</sup> [ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data](http://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data)

<sup>16</sup> <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?SUBED1=SITEREGISTER&A=1>

<sup>17</sup> [ecology.wa.gov/Events/Search/Listing](http://ecology.wa.gov/Events/Search/Listing)

<sup>18</sup> <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=10583>

<sup>19</sup> [ecology.wa.gov/About-us/Get-to-know-us/News](http://ecology.wa.gov/About-us/Get-to-know-us/News)

## **Washington Department of Ecology**

Bellingham Field Office  
913 Squalicum Way, Unit 101  
Bellingham, WA 98225

To schedule an appointment, please contact the Bellingham Field Office Administration Staff at 360-255-4400 or [ECYDLBFOADMINSUPPORT@ecy.wa.gov](mailto:ECYDLBFOADMINSUPPORT@ecy.wa.gov).

## **Washington Department of Ecology**

Northwest Regional Office  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

To schedule an appointment, please contact the Northwest Region Office Central Records staff at 425-649-7239 or [nwro\\_public\\_request@ecy.wa.gov](mailto:nwro_public_request@ecy.wa.gov).

When locations listed above are not accessible, please contact Ecology for document review assistance: Ian Fawley at 425-324-5901 or [Ian.Fawley@ecy.wa.gov](mailto:Ian.Fawley@ecy.wa.gov).

## **Signs at the Site**

We may also install signs displaying information about cleanup status, traffic impacts, and health risks at the Site.

## **How to share information with us**

Interested persons may ask questions, submit informal comments, or share Site information with Ecology at any time. However, to be included in the formal Site record, comments must be submitted in writing during designated comment periods. These written comments can be submitted via:

- Ecology's online comment form
- Email or mail to the Ecology Site Manager

We may also meet with interested community members and organizations to gather information and identify public concerns. To collaborate with us about this Site, please contact Ian Fawley at 360-255-4382 or [ian.fawley@ecy.wa.gov](mailto:ian.fawley@ecy.wa.gov).

## **Public comment periods**

At minimum, the MTCA requires 30-day public comment periods for cleanup documents. Ecology may hold longer public comment periods based upon the complexity of the documents, level of public interest, or other compelling factors.

For related SEPA documents, these are typically issued for public review with the cleanup documents and follow their public comment period.

Following the comment period, we publish all the input we received and respond to significant comments and questions, as appropriate. We will place our responses on [Ecology's Sea K Fish webpage](#)<sup>20</sup>. If the comments received result in significant changes to the project documents, then we will revise and re-issue the documents for public review. If the comments do not result in significant changes, then the documents are considered final.

## Public events

We hold in-person and online public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if we receive 10 or more written requests.

Events are held at locations close to the Site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

## Public participation grants

Qualified individuals and not-for-profit public interest organizations are eligible to apply for a Public Participation Grant (PPG) from Ecology. For contaminated sites, these funds may be used to:

- Contract with an expert to help interpret technical jargon and information.
- Conduct activities that enhance the public's understanding of, and participation in, the site cleanup process.

For more information about PPGs, please contact Lynn Gooding at 360-407-6062 or [lynn.gooding@ecy.wa.gov](mailto:lynn.gooding@ecy.wa.gov). You may also visit Ecology's [Public Participation Grant website](#).<sup>21</sup>

## Plan Amendments/Updates

Ecology will review this plan as the cleanup progresses and amend/update it as necessary.

The public involvement activities presented herein describe Ecology's current plans for keeping the public informed and for receiving information and comments from the public.

If you feel the public involvement activities described in this plan are insufficient, or need modification, please contact Ian Fawley at 360-255-4382 or [ian.fawley@ecy.wa.gov](mailto:ian.fawley@ecy.wa.gov).

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<sup>20</sup> <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=10583>

<sup>21</sup> [ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants](http://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Public-participation-grants)