

**Port of Allyn
Special Meeting
March 21, 2016
6:00 pm**

The purpose of this Special Meeting was to discuss documents concerning the proposed Sweetwater Park project.

The meeting opened with flag salute at 6 p.m.

Present were Commissioners Scott Cooper, Chair; Judy Scott, and Jean Farmer. Also present representing the Port were Executive Director Lary Coppola and Operations Manager LeAnn Dennis. Also in attendance were Mendy Harlow, Executive Director of the Pacific Northwest Salmon Center (PNWSC); Ken VanBuskirk, Linnie Griffin, Rob Drexler, Phil Wolfe, Rich Phipps, Brian Peterson and Arla Sheppard Bull of the Kitsap Sun.

Commission Chair Cooper briefed the audience that the Port has acquired Environmental Protection Agency (EPA) documents and the Board needs to discuss it.

Commissioner Farmer asked questions concerning the State Department of Ecology's (DOE) position that the voluntary clean up on the parcels making up this project have not been completed. She read correspondence she received from DOE stating the volunteer cleanup program is now closed for the property due to inaction on the part of the Salmon Center. She emphasized that she wants to make sure the soil is safe before the Port becomes involved and a park is built. The EPA recommended to her that a Phase 1 Site Assessment be performed, which should answer her questions.

Commissioner Cooper discussed his research concerning the EPA site grant made to the Salmon Center, saying that he reviewed documents stating the site was cleaned up, including the Brownsfield Grant that was given to the Salmon Center to do the work. His research indicates that one agency (DOE) shows the grant open and the other (EPA – which made the Grant) has it closed out already. He added that the Port needs to do its due diligence and find out if the cleanup is in fact complete and it's just a case of paperwork not being completed, or if there is more work to be done. Before the Port will move forward, it needs to be 100 percent certain that it has been cleaned up first.

Mendy Harlow did a presentation about the PNWSC's Brownsfield work which took place from 2003 to 2007. She was the actual grant manager for the project, and worked directly with Alkai Consultants.

She stated the Targeted Brownsfields Assessment was applied for in December of 2003, approved in 2004 and completed 2005. A third party consulting firm was hired by EPA to do an additional assessment. The Hood Canal Salmon Enhancement Group was approved for the grant to remove tanks, which was done in 2005. In 2006, monitoring wells were installed and sampled quarterly. Arsenic was detected at relatively high levels at the beginning, but were reduced over time. Ms. Harlow presented documents that show common

levels of arsenic all over the state, with the levels on this site ranking well below those. According to her, the final report was submitted on January 19, 2007, which noted normally occurring arsenic, and that officially closed the EPA file.

Ms. Harlow went on to say that in December, she received an email from DOE stating that the volunteer clean up portion was closed due to inactivity. This was the first she learned of any DOE involvement, as she was under the impression that since the grant was with the EPA, when they indicated it was closed, that there was nothing more to be done.

However, she said that the new DOE staff will come out and do a site visit as well. She believes any elevated levels of arsenic will actually be mitigated and capped because it is located where the planned parking area is, and will be covered with asphalt. She also believes there may be a couple of septic tanks still buried on the property, but there is a normal process to cap and/or remove them. In conclusion, Ms. Harlow also said that any property acquisition must go through a Level One Assessment anyway, so the site will be tested, and grant funds will be used for additional clean up if necessary, which will be handled by a third party.

Dr. Brian Peterson stated the asbestos removal on the site has been donated. There is also an automatic 10 percent included in the grant to help resolve any unforeseen contaminant issues.

Commissioner Farmer asked why one agency would have the case open while the other has it closed. Ms. Harlow answered that she is working on getting the site off the list, and re-enrolled into the voluntary cleanup program. Since there is a state agency involved, it may take awhile, but they would be involved the whole time, so the project can move forward. She added the reason for the park is specifically to clean up and restore the area.

There was some additional discussion of past clean up and history of the land. Commissioner Scott discussed that she didn't have questions because she is familiar with the parcels in question, familiar with the grant process, and understands that these are things that get taken care of during the process.

Commissioner Farmer would like to see documentation as the program moves forward. Additionally, she would like to not move forward without proof it is already cleaned up. Neither the grant, nor project can move forward unless the Port takes sponsorship of the grant. Executive Director Lary Coppola said that the liability for any cleanup could be spelled out in an MOU with the school district absolving the Port and holding it harmless for any and all responsibility for any cleanup work of any kind..

Rob Drexler stated he supports the Port taking on the project, saying all problems will be dealt with as the project moves ahead. Commissioner Farmer affirmed that she is just doing her homework and due diligence for the taxpayers. Mr. Drexler responded that the taxpayers want to see the project go forward, and just as important as it is to protect the taxpayers, it is also the Ports responsibility to do what the taxpayers want, and that this program is strongly supported.

Rich Phipps offered help by telling Ms. Harlow about a couple of the letters that may be searched for, and may just need to be verified. Phase one of the cleanup was discussed again, and if something is found, a Phase two - where they test the soil will be next, and a Phase Three would be the cleanup if needed. He added that there is a national priority list, but the site is not on that, but on the state list because it has been cleaned it up and all that is necessary is to tie up the loose ends on the paperwork is what it sounds like to him.

Phil Wolfe commented that he just wants the school district out of it, that their job is to teach children. He said Ports should do things like this, i.e. Brownsfields, parks, etc.

Ken Van Buskirk attended the school board meeting and said the school board is not in a hurry on this and that there are some stipulations. He brought up a letter from October 2007, which was an opinion on the remedial actions taken on the property – 8 documents, in all. DOE said then that the reports were not sufficient (Mr. Kline). He also read some other correspondence that states there may still be tanks buried on the site. Also, to transfer the grant, the NMSD will have to surplus the property. He also mentioned that there were some of the leftover contingencies from the original grant -- fence, sign and a survey of the property lines - and that the property be kept in a safe condition. He believes the diseased trees on the site disqualify it on that basis.

Dr. Brian Peterson clarified that there is a committed couple of individuals that don't want to do this project to move forward, however the school district is talking to all the correct agencies (grantors) attorney's etc. He also cited the Recreational immunity act in reference to the diseased trees. He then presented letters of support for this project from Allyn Community Association, and the North Mason Chamber, noting there is a grant deadline.

Kris Klusman discussed the Chamber's letter of support, stating he also thinks that it is not the school districts responsibility and the Port is the best agency.

Commissioner Farmer stated she is just educating herself on the project. Commissioner Cooper asked about the grant timelines.

Commissioner Scott stated the Port wants to move forward and will talk with our attorney, and the school board will make a decision at their next meeting so it is also dependent on their decision.

Ken Van Buskirk informed the Board that he is not trying to kill the project, he just wants to continue working on the update of the sub-area plan that is currently underway. He says it will need to be added to the subarea plan.

Dr. Brian Peterson added he chaired the previous sub -rea planning committee, and that there has been discussion about trails and parks that is included in the current comp plan.

Good to the order

The Executive Director informed the Board that Maintenance Supervisor Don O'Keefe has requested a raise. Mr. Coppola suggested increasing him from \$15.75 to \$18 per hour. A discussion ensued about how much money Mr. O'Keefe saves the Port by completing most projects himself and not having to go to bid for maintenance projects. The Board directed Mr. Coppola to offer O'Keefe \$18 effective April 1, 2016. Commissioner Scott made a MOTION to offer a raise to Maintenance Supervisor effective April 1, Commissioner Farmer SECONDED. CARRIED.

Mr. O'Keefe has completed refinishing the Commissioner's table and is working on Kayak Park Portable addition. Some discussion about the BIAW L& I program also ensued.

Commissioner Scott made a Motion to excuse Commissioner Farmer from the next meeting, Commissioner Cooper SECONDED. Motion CARRIED.

Meeting adjourned 7:23pm

Respectfully Submitted by;

LeAnn Dennis, Operations Manager

COMMISSIONERS:

Scott Cooper, Chairman

Judy Scott, Vice Chair

Jean Farmer, Commissioner