



FACT SHEET

Project Title:

Bellingham Bay Comprehensive Strategy – Whatcom Waterway Cleanup Site.

Proposed Action:

The Proposed Action consists of the cleanup of the Whatcom Waterway Site, in accordance with requirements of the Model Toxics Control Act (MTCA) and Sediment Management Standards (SMS) regulations.

Cleanup of the Whatcom Waterway Site is one element of the Bellingham Bay Comprehensive Strategy, a bay-wide guidance document developed through the Bellingham Bay Demonstration Pilot (Pilot), a 14 member federal, state, local and tribal partnership. The Bellingham Bay Comprehensive Strategy was presented by the Department of Ecology (Ecology) in a Final Environmental Impact Statement in October of 2000.

On October 10, 2006, Ecology issued for public review and comment, a Draft Supplemental Remedial Investigation/Feasibility Study (RI/FS). The RI/FS evaluated eight potential cleanup alternatives for the Whatcom Waterway Site and identified preferred cleanup alternatives based on MTCA evaluation criteria. In parallel with the RI/FS, Ecology issued a Draft Supplemental EIS for public review and comment. That Draft Supplemental EIS evaluated potential environmental impacts associated with each of the eight remedial alternatives evaluated in the RI/FS document, and compared these to the impacts of a No Action alternative. The evaluation was conducted consistent with State Environmental Policy Act (SEPA) requirements. In addition to these regulatory requirements the Draft Supplemental EIS also evaluated consistency of the alternatives with the goals of the Bellingham Bay Demonstration Pilot. Following public review and comment, Ecology developed a Responsiveness Summary addressing comments received on both the RI/FS and the Draft Supplemental EIS.

Ecology has completed a Final Supplemental EIS (FSEIS) that incorporates changes made in response to public comments on the Draft Supplemental EIS. The Responsiveness Summary is attached as Appendix G of the FSEIS. Ecology has also approved the RI/FS as final.

Using information in the final RI/FS and the Draft Supplemental EIS, and in consideration of public comments received, Ecology proposed one cleanup alternative as the final remedy for the Whatcom Waterway Site. This final remedy was described in a draft Cleanup Action Plan (CAP), which was

issued for public review and comment (from July 12, 2007 to August 13, 2007) as an exhibit to a draft legal agreement called a consent decree (Decree). The Decree outlines the terms under which the Port of Bellingham and three other parties liable for cleanup would implement the CAP.

Ecology has addressed public comments received on the draft Decree including the draft CAP, in a Responsiveness Summary, and has finalized the Decree. This Final Supplemental EIS is being issued jointly with the final Decree and Responsiveness Summary. The Decree will now be signed by Ecology and the parties implementing the cleanup and entered in Whatcom County Superior Court. The cleanup will then move forward into design permitting, construction and long-term monitoring.

Project Location:

The project is located within the inner, urbanized portion of Bellingham Bay. The Whatcom Waterway Site includes aquatic lands located within and around the Whatcom Creek Waterway navigation channel, located near downtown Bellingham.

Proponent:

Port of Bellingham
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Bellingham, Washington 98227-1677

Lead Agency:

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Required Approvals:

The final cleanup described by Ecology in the Cleanup Action Plan and Consent Decree will require the following permits and other approvals:

- Federal Clean Water Act, Section 404 Permit (Corps of Engineers)
- Federal Clean Water Act Section 401 Water Quality Certification 1 (Department of Ecology) (required if generated wastewater cannot be discharged to the local sanitary sewer system)
- Federal Clean Water Act Section 402 National Pollutant Discharge Elimination System Permit (Department of Ecology)
- Washington State Scientific Collection Permit (Washington Department of Fish and Wildlife)

The cleanup action is exempt from the procedural requirements of the following state and local permits, however the substantive requirements will be followed.

- Hydraulic Project Approval (Washington Department of Fish and Wildlife)
- Shoreline Substantial Development (City of Bellingham)

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Date of Issue:

September 20, 2007

Cleanup Start Date:

The anticipated start date for site cleanup is late 2009 or early 2010. This date is subject to project engineering design and permitting.

Location of FSEIS and other documents available for review.

Department of Ecology
 Bellingham Field Office
 1440-10th Street, Suite 102
 (360) 715-5200

Bellingham Public Library
210 Central Avenue, Bellingham
(360) 676-6860

Department of Ecology
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3190 160th Avenue SE
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Ecology's Web Site:

http://www.ecy.wa.gov/programs/tcp/sites/blhm_bay/sites/bel_bay_sites.html

Costs to the Public:

An electronic copy of the FSEIS is available free of charge at Ecology's web site.

Printed copies can be obtained from Ecology subject to applicable reproduction charges.