

Washington Department of Ecology
Legacy Pesticides Small Group Virtual Meeting Summary
Construction & Development

Wednesday, May 13, 2020 | 9:00 a.m. – 10:30 a.m.

Action Items:

- Small Group members to select a representative for the group. A Group Member identified Paul Jewel as a potential representative for the group. Joy asked members to send any additional nominees via email.
- Joy Juelson and Lisa Parks will follow up with any interested individuals with a separate call, due to technical issues, to ensure comments, questions and research ideas are recorded in the meeting summary. Please provide written comments or considerations to Katrina Radach.
- Jake Mayson will send Lisa Parks (MFA) any examples or ideas of other state responses.

Welcome

Facilitator Joy Juelson, Triangle Associates, welcomed the group (see list of attendees) and requested introductions. Joy Juelson reviewed the agenda and meeting objects regarding the small group's purpose.

Small Group Functions & Support

Logistics & Timeline: Joy Juelson then reviewed the following small group's logistics and timeline. Please note that this is a tentative timeline and may change again.

- May: Small Group Meetings
- June: Small Group Meetings
- July: Full Legacy Pesticides Working Group Meeting (in-person if possible)
- August: Full Legacy Pesticides Working Group Meeting
- September/October: Final Full Legacy Pesticides Working Group Meeting.

Small Group Representative: In an effort to communicate efficiently between the small groups and the full Legacy Pesticides Working Group (LPWG), Joy Juelson and the Ecology Staff requested the small group to delegate or identify a representative for the group. This representative would be leading the communications for the group to Ecology staff and the consultant team and would share out any ideas the small group supports when the full LPWG convenes. A Group Member identified Paul Jewel as a potential representative for the group. Joy asked members to send any additional nominees via email.

Small Group Support: To technically support the LPWG and the small groups, Ecology has worked with Chelan County to contract with [Maul Foster Alongi](#) (MFA). Valerie Bound, Washington Department of Ecology, introduced Lisa Park with MFA who will be the lead MFA team member for the small groups. Lisa Parks lived in Douglas/Chelan County for over 30 years and has extensive experience with planning and working closely with community members. Prior to joining MFA, she was the executive director of Port of Douglas County. She is excited to be leading the MFA team on this project. In addition to Lisa, the following MFA consultants are available to support the LPWG as needed:

- Phil Wiescher: Environmental scientists who has experience with remedy feasibility and containment source control. He will be supporting the MFA team and LPWG to identify potential technical solutions.
- Kate Elliot: Is an expert specialist regarding communication and outreach. She will be supporting the MFA team and LPWG regarding the messaging and outreach solutions.
- Jim Maul: Is one of the founders of MFA and has over 25 years of technical consulting services. In particular, he enjoys working with communities around complex challenges and identifying solutions to benefit the community and the environment.

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Discussion of Subject Matter Questions, Solutions, and Research Needs

Joy Juelson introduced the following Construction and Development Small Group’s topic questions:

- Outline the existing process that homebuilders and developers navigate bringing projects to completion
- Identify difficulties and obstacles within the current process
- Identify existing barriers to sampling and how to overcome
- Identify existing barriers to cleanup and how to overcome
- Outline potential costs related sampling and cleanup
- Provide input on ways costs could be mitigated (e.g., creation of a clean soil bank or other ideas)
- Provide input on ways cleanup could be incorporated into existing processes or permitting
- Provide feedback on the ease or difficulty of available cleanup options
- Provide input and feedback on the development of guidance outlining ways that sampling and cleanup can take place for different types of projects

Following the introduction of the topic questions, Joy Juelson requested the small group engage in a round robin discussion to provide feedback on the questions and identify any research needs, questions, or comments for MFA . The following feedback was captured:

1. *Group Member:* became interested in the Legacy Pesticides Working Group from their role on the housing committee for the Senate. They was surprised to hear the challenges a housing developer may face when trying to develop housing on former orchard lands. They are particularly concerned about any potential delays in housing development, additional costs, and additional regulations.
2. *Group Member:* supports the previous Group Member’s comment. Group Member’s goals for this group includes the following:
 - Clarification on the types of projects that may be impacted
 - Develop clear communication with property owners
 - Develop clear guidance on when testing is needed (this may get addressed through mapping, charts, etc.)
 - Develop guidance on what can or needs to be done to mitigate legacy pesticides issues
 - Ensure the solutions to address the legacy pesticides problems are affordable
 - Ensure the public and environment are healthy

3. *Group Member:* was unsure if they had any specific research requests at the time but was interested in the following moving forward:
 - Ensure resiliency through appropriate barrier materials (fabric delineation and remedial strategies)
 - Clarification of the expectations and evaluations for preliminary redevelopment
 - Potentially evaluate previous development and those strategies
 - Increase evaluations and considerations with the movement of soil/dirt and imported materials
4. *Group Member:* wanted to ensure that we create bright-line guidance. Additionally, they were interested in the following research considerations and comments:
 - What are the responses and efforts of other states who have addressed similar issues with legacy pesticides?
 - Concerns of potential increased housing costs

Following the round robin discussion, Lisa Parks provided a proposed timeline of MFA's support for the LPWG. The timeline includes the full LPWG and small group meetings and provides details on MFA's approach. Please see page 4 to see the timeline and more information. Joy Juelson reviewed next steps and the action items from the meeting. The meeting was adjourned at 10:30.

Action Item: Jake Mayson will send Lisa Parks (MFA) any examples or ideas of other state responses.

Action Item: Joy Juelson and Lisa Parks will follow up with any interested individuals with a separate call, due to technical issues, to ensure comments, questions and research ideas are recorded in the meeting summary. Please provide written comments or considerations to Katrina Radach.

Small Group Attendance (in alphabetical order by last name)

- Paul Jewell, WA State Assoc of Counties
- Hank Lewis, Former Chelan County
- Ryan Mathews, Fulcrum Consulting
- Jake Mayson, Central WA Home Builders Assoc.
- Don Mounter, Pipkin Construction
- Senator Judy Warnick, 13th Leg. Dist.

Ecology Staff/Consultants/Facilitation Team:

- Valerie Bound, Ecology
- Kate Elliot, MFA
- Joy Juelson, Triangle Associates
- Jim Maul, MFA
- Jeff Newschwander, Ecology
- Lisa Parks, MFA
- Katrina Radach, Triangle Associates
- Jill Scheffer, Ecology
- Phil Wiescher, MFA

Legacy Pesticide Working Group WORK PLAN DIAGRAM

	May	June	July	August	September	October	November	December
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LPWG Meetings

Group 1 Meetings	●	●	●		●	●		
Group 2a Meetings	◆	◆	◆		◆	◆		
Group 2b Meeting	▲	▲	▲		▲	▲		
Group 3 Meetings	★	★	★		★	★		

This work plan assumes continued use of small groups and remote meetings. However, any of these could be conducted as large group meetings that are conducted either remotely or in person, if the opportunity arises and the LPWG prefers.

MFA Tasks



Task Descriptions

Research/Background Tech Memo: Research and review prior studies as well as current practices in Washington State and across the US addressing lead and arsenic soil contamination, cleanup options and regulatory processes, particularly as it relates to development permit review processes. This technical memorandum will be a high-level review of the issues and solutions, as well as identifying cost impacts, where that information is available. It is intended to provide the LPWG members information about how other communities are handling this/similar situations.

Pilot Project Tech Memo: Based on input from the LPWG, conduct research into options for utilizing a clean soil bank, as well as researching other ideas that are raised during the small group meetings. This technical memorandum will be targeted at identifying basic facility components, operations methodologies, and the advantages and disadvantages of different types of soil banks and other solutions. The intent of this memo is to provide an initial, conceptual overview of these solutions, and will include recommendations for a more detailed analysis of one or more strategies that are reflective of input from the LPWG and Ecology.

Focused Pilot Project(s) Analysis: Based on the Pilot Project Tech Memo and the LPWG and Ecology, conduct a detailed “deep dive” analysis of select strategies, including clear documentation of specific considerations and evaluative criteria that can be replicated in different areas of the State affected by legacy contamination. For example, if so directed, this analysis would explore site selection methodologies, storage and/or reuse options for contaminated soil, potential operating alternatives (public, private) and significant cost/benefit and business considerations for implementing a clean soil bank.

Public Outreach Strategy & Materials: Develop an education and outreach strategy to inform communities in Central Washington about the manageable risk of legacy contamination. The strategy will identify key audiences and tailor messages for stakeholder groups such as construction firms, developers, realtors, lenders, local government staff and homeowners. The strategy will likely include the use of more traditional outreach efforts such as open house meetings, presentations to local government and organizational groups, Ecology attendance at local events, as well as the use of web based/online options including blog posts, social media communications and other methods to effectively communicate with target audiences.