

### Legacy Pesticide Working Group: Final Report Overview

November 5, 2020

# Today's Discussion





### Purpose of the Final Report

Describe an approach for cleaning up and managing lead and arsenic contaminated soil on historical orchards in Central Washington, consistent with applicable regulations and based on input from the community.





### User-Friendly Style Highly Visual

# Introduction

I want to	I am a				
	Homeowner	Developer	Planner		
Understand the issue of legacy pesticides.	See page 3 of this report and find additional information online at <u>www.ezview.wa.gov</u>				
Find out if a property has lead and arsenic (LA) pesticide contamination.	Enter the property address into the interactive web map at <u>www.ezview.wa.gov</u>				
Understand how to address contamination.	See Section 3 of this report.*	See Section 4 of this report.*	See Section 4.2 of this report.*		

\*Actual report sections will be updated in the final report





## Affected Development Projects

### Chapter Sections...

- Commonly Affected Development Projects
- Development Process
- Typical Costs

# Affected Development Projects

### **Developments to Be Considered / Evaluated**

- Existing Residences (single family and multifamily)
- New Construction: Single-Family Home
- New Construction: Multifamily Development
- "Small" Subdivision
- "Large" Subdivision

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# Cost Impact on Development



## Analysis Based on Input from Homebuilders / Developers:

- Currently, with no mitigation, it is generally a year between land acquisition and the start of construction and at least two years before one starts to see a return on investment.
- Mitigation can add \$5,000 to \$15,000 (25 to 50 percent) to site development costs on a typical lot.
- Disposal of contaminated soils can range from \$125 to \$200 per cubic yard.
- Building costs for a typical, median-level single-family home can range from \$180 to \$220 per square foot.
- **Preliminary:** Mitigation can increase the base cost to \$183 to \$227.



## Affected Development Projects Typical Development Costs...

Hard Costs	Soft Costs	Land Cost
Site Preparation (infrastructure, grading) Residential Unit Construction Off-site Improvement Costs Construction Contingency Remediation	Construction Loan Fees Interest Subdivisions Permitting Development Permitting Developer Fee Design Holding Costs (property	+ Total Land Acquisition Cost
Sales Tax	taxes, insurance)	





## Local Government Permit Process

### **Input from Planners:**

- Thresholds of short plats differ, with some jurisdictions using four lots and some nine lots.
- SEPA flexible thresholds for multifamily developments vary greatly among agencies, ranging between 4 units and 60 units.
- Some agencies raise and address potential pesticide concerns early at the preapplication meeting, while others rely on Ecology SEPA comments later in the process.

## Permit Process Multifamily

Project Type	Units	SEPA Review	Decision- maker	Pre-App. Meeting	Notice of Complete App.	Notice of App. to Other Agencies	Public Hearing/ Comment	Appeal
			East Wer	natchee				
Small Development	3 or fewer	No	Admin	Yes	Yes	Yes	No	LUPA process
Large Development	4 units or more	Yes	Admin	Yes	Yes	Yes	Yes	LUPA process
			Wena	chee				
Small Development	20 or fewer	No	Admin	Optional	Yes	No	No	Hearing Examiner
Large Development	21 or more	Yes	Admin	Optional	Yes	Yes	Yes	Hearing Examiner
Chelan County								
Small Development	60 or fewer in UGA, 25 or fewer outside UGA	No	Admin	Optional	Yes	No	No	Hearing Examiner
Large Development	61 or fewer in UGA, 26 or fewer outside UGA	Yes	Admin	Optional	Yes	Yes	Yes	Hearing Examiner



## Permit Process Subdivisions

Project Type	Lots	SEPA Review	Decision- maker	Pre-App Meeting	Notice of Complete Applica- tion	Notice of Applica- tion to Other Agencies	Public Hearing/ Comment	Appeal
			East Wena	tchee				
Short Plat	4 or fewer	No	Admin	Optional	Yes	Yes	No	Hearing Examiner
Major Subdivision	5 or more	Yes	Planning Commission	Yes	Yes	Yes	Yes	LUPA process
			Wenatc	hee			_	
Short Plat	9 or fewer	No	Admin	Optional	Yes	Yes (limited)	No	Hearing Examiner
Major Subdivision	10 or more	Yes	Hearing Examiner	Optional	Yes	Yes	Yes	District Court
			Chelan C	ounty				
Short Plat	4 or fewer outside UGA, 9 or fewer in UGA	No	Admin	Optional	Yes	Yes	Yes	Hearing Examiner
Major Subdivision	5 or more outside UGA, 10 or more in UGA	Yes	Hearing Examiner	Yes	Yes	Yes	Yes	LUPA process



# Programmatic Approach

## **Chapter Sections...**

- Simplified Soil Sampling
- Model Remedies Implementation
- Incorporate into Permit Review Process
- Guidance
- Notification





## Property Assessment Decision Tree

### **Remedy Selection Decision Tree**



All remedy options may apply to a property.



# Programmatic Approach

## Goals:

- Provide framework for easily evaluating existing and proposed developments for sampling and cleanup that meet MTCA.
- Develop model remedy approach.
- Develop model remedy guidance that allows for streamlined sampling and cleanup with minimal required Ecology engagement.
- Emphasize local control.



#### Soil Bank Analysis

Disposal of contaminated soil and acquisition of clean soil is a major cost driver in traditional soil excavation and capping projects. MFA is evaluating the feasibility of different models of "soil banks" to reduce this cost for developers.





# Comparative Analysis

### **Chapter Sections...**

- MTCA Baseline Processes
- Comparison of Recommended Programmatic Approach to MTCA Baseline Process





# Comparative Analysis

Cost and procedural analysis for a few different development scenarios



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### Single-Family Home

### Subdivision

### Multifamily Unit



## Public Education and Outreach Strategy **Timeline**





Public Education and Outreach Strategy

**Materials** 





### **DRAFT FOR DISCUSSION**



On behalf of the Washington State Department of Ecology, we are contacting you regarding long-standing soil contamination in your area. While this may sound concerning, we encourage you to first read all the information provided in this letter.

#### Historic lead and arsenic contamination is widespread throughout eastern Washington.

From 1905 through the 1940s, lead-arsenate pesticide was commonly used in orchards throughout Washington counties, including Chelan, Douglas, Okanogan, Yakima, and parts of Benton. These kinds of pesticides remain in soil for a long time without breaking down. Sites contaminated with lead-arsenate pesticide may contain levels of metals above concentrations considered safe by health specialists and Washington cleanup standards.

Ecology is currently notifying potentially impacted residents, developers, and other key stakeholders to increase awareness of this issue and provide resources and support for mitigation and cleanup.

Please turn this letter over for simple steps to determine whether your property is impacted. >>

Ecology's goal is to protect communities and residents from the risks of exposure to lead and arsenic. We will do this through this education and outreach effort. We are also coordinating with developers and local governments to mitigate risks in the property development and transaction

We know this is a complicated and concerning topic, and we want to provide you with helpful resources and information. We are hosting multiple online information sessions to share facts and resources and answer your questions. Please join us on DATE for a live information session over Zoom. To RSVP please email [EMAIL] for the Zoom link and submit your questions ahead of time.





Simple steps to determine whether your property is impacted

#### 1



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#### Lead and arsenic contamination is present in surface soils and disturbed soils

Contamination can be present whether your home is new or has been built for some time. The health risks of lead and arsenic contamination in soils vary based on many factors, including location, soil types, soil-disturbing activities, and more. Certain groups of people, including children, seniors, and those with underlying health conditions may be at higher risk.

#### Protect yourself by reducing exposure



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Public Education and Outreach Strategy

**Materials** 

Rack Cards



### **DRAFT FOR DISCUSSION**





Simple steps to determine whether





#### 3



#### Lead and arsenic contamination is present in surface soils and disturbed soils

#### Protect yourself by reducing exposure







Public Education and Outreach Strategy

**Materials** 

**Door Hanger** 

### DRAFT FOR DISCUSSION



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000 711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

#### November 4, 2020

Dear neighbor,

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Sincerely

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Simple steps to determine whether your property is impacted







1. Enter your address into Ecology's web map to check whether your property is within the historic orchard boundary. If it is, continue on. If it is not, you are still encouraged to follow the suggestions in "Protect yourself by reducing exposure."

2. Sample your soil! Contact Ecology to sample your property and to locate resources to conduct your own sampling. Please know that sampling interest is high and we are committed to responding to

Learn about your options. Watch this short video on different mitigation ontions for lead and arsenic contamination on residential property.

#### Lead and arsenic contamination is present in surface soils and disturbed soils

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Ecology's guidance does not replace the advice of a medical professional. We encourage you to review information about health risks on our website and suggest contacting your physician if you have continued concerns.

#### Protect yourself by reducing exposure

Build a few simple habits to reduce your exposure to lead and arsenic.







outside





After working in dirt, wash your hands especially before eating. Use a scrub brush to clean dirt from your fingernals. Take your work boots off at the door. Use an outdoor "wipe-off" mat to reduce the amount of dirt and dust coming into your home.

Wash dirt-covered clothes separately



### DRAFT FOR DISCUSSION

# MFA's Next Steps





## Questions?

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