

CHAPTER 4

Updated Information and Errata

CHAPTER 4 UPDATED INFORMATION AND ERRATA

This chapter of the Final EIS (FEIS) identifies corrections to the January 2008 Draft EIS (DEIS), the October 2008 Supplemental Draft EIS (SDEIS) and the February 2010 EIS Addendum (EIS Addendum), including text changes and clarifications, based on comments received and other updated information.

February 2010 EIS Addendum

Chapter 3.4, Historic and Cultural Resources

On page 3.4-4 of the EIS Addendum, the 1st, 2nd, and 3rd paragraphs are hereby modified to read as follows:

“The Steam Plant (#6) has been identified as a structure owned by Georgia Pacific (GP) and the Steam Plant stack, in particular, is identified as a part of the structure that presents a potential significant safety hazard. The foundation connecting the stack to the ground was determined to be inadequate under certain seismic and/or high wind conditions; the stack was also determined to include asbestos-containing materials that need remediation.

In addition, GP has identified significant economic and contractual obligations that the company has regarding the salvage value of steel and other materials within the structure. These obligations are current and make the near-term financial viability of adaptive reuse of the Steam Plant even more challenging than presented in the 2010 Adaptive Reuse Report. Due to this information regarding market and economic conditions, as well as GP’s financial considerations and obligations, the Steam Plant may be demolished.

Based on the results of the 2010 Adaptive Reuse Assessment, as well as the 2008 SDEIS historic and cultural resource analysis, the Port has determined that the following structure **would be retained** with proposed redevelopment of the New Whatcom site:

- Shipping Terminal Pier (No Port #, #8 in 2008 DEIS Historic Resources Report) – owned by Port of Bellingham

The following structures/portions of structures are proposed to be **temporarily held from demolition for to allow for further consideration of possible retention/reuse, based on the phasing of site cleanup and redevelopment activities, any changes in market and economic conditions, and the financial considerations and obligations of the owner:**

- Old Granary Building (#7) – owned by Port of Bellingham
- Board Mill Building (#12) – owned by Port of Bellingham
- Alcohol Plant – East Portion (#17) – owned by Port of Bellingham

And, the following iconic structures are proposed to be **temporarily held from demolition for possible retention/reuse in some manner in the future** (based on further icon evaluation and the financial considerations of the owner at the time of redevelopment):

- Chip Bins (#9) – owned by Port of Bellingham
- Digester Tanks (#13) – owned by Port of Bellingham
- High Density Tanks (#49) – owned by Port of Bellingham”

October 2008 Supplemental Draft EIS

Chapter 3.9, Population, Employment and Housing

On page 3.9-2 of the SDEIS, the analysis is hereby amended to including the following information as Table 3.9-2:

**Table 3.9-2
POPULATION AND HOUSING BY REDEVELOPMENT AREA
UNDER THE PREFERRED ALTERNATIVE**

	Marine Trades Area	Downtown Waterfront Area	Log Pond Area	Shipping Terminal Area	Cornwall Beach Area	TOTAL
Population	717	1,480	653	191	573	3,614
Employment	2,496	3,146	1,424	1,251	37	8,354

Source: Collins Woerman, 2010.

Chapter 3.10, Aesthetics

On page 3.10-34 of the SDEIS, the 2nd sentence of the 3rd paragraph is hereby modified to read as follows:

"Partial views to Gooseberry Point are available in the background; no views of Bellingham Bay are currently afforded from this viewpoint."

January 2008 Draft EIS

Chapter 2, Project Description

On page 2-6 of the DEIS, the 1st paragraph under Section 2.2.1 is hereby modified to include the following new text:

"The collaborative Bellingham Bay Pilot Team concluded that Habitat Action No. 13, the removal of the ASB from the water and establishment of intertidal and shallow subtidal habitat and marine buffers and/or eelgrass, would result in the single largest habitat gain of all of the actions identified by the Pilot Team in Bellingham Bay."

On page 2-10 of the DEIS, the 2nd sentence of the 4th paragraph under Section 2.3 is hereby modified to read as follows:

"During the scoping comment period, 61 comment letters and emails were received including comments from: the Department of Ecology, Lummi Natural Resources Department, City of Bellingham Planning Commission, Bellingham Bay Foundation, People for Puget Sound, Clean Water Alliance and other organizations, agencies and private citizens (see **Appendix A**, List of Written Comment Letters Received During EIS Scoping Period)."

Chapter 3.1, Earth

On page 3.1-10 of the DEIS, the following text is hereby incorporated into Sea Level Rise discussion:

"Subsequent studies have been conducted to further refine sea level rise predictions in the Pacific Northwest. A January 2008 report by the UW Climate Impacts Group and Ecology titled "Sea Level Rise in the Coastal Waters of Washington State" provides a low probability/very low estimate of 6 inches, a medium estimate of 13 inches, and a low probability/high impact/very high estimate of 50 inches for potential sea level rise in the Puget Sound Basin by 2100. The 2.4-ft estimate of potential sea level rise by 2100 is considered a reasonable estimate given that it is more than twice the medium estimate reported in that January 2008 study (which was not available until after the DEIS was published), and is higher than the 2.1 ft value for the Friday Harbor area that is indicated on Figure 2-10 of the November 2006 Ecology/CTED study..

The existing mean higher high water (MHHW) elevation in Bellingham Bay is approximately 8.5 ft above mean lower low water (MLLW). As indicated in the SDEIS, the revised grading plans for the Preferred Alternative (and applicable to the Updated Preferred Alternative) would typically raise site grades several feet along lower-lying shoreline areas and would mitigate many of the long-term potential impacts of long-term sea level rise (Refer to Section 2.3.3 of the SDEIS); grading estimates for the Updated Preferred Alternative are similar. Even assuming a long-term sea level rise near the low probability/very high estimate of 50 inches, on-site structures and utility systems would be effectively accommodated without significant impacts. New stormwater outfalls (except within the Marine Trades Area where outfall elevations may remain at 12 to 13 feet) would be designed with an invert elevation of 13 to 15 ft MLLW in order to limit long-term sea level rise impacts or storm surge problems.

Future design of certain onsite improvements and infrastructure would consider the effect of a potential rise in groundwater levels as part of the specific building and construction design and permit process. The effect of potential sea level rise on groundwater table fluctuations at the site is difficult to predict over the long-term; however, it should be understood that any such effect would likely occur whether or not the proposed redevelopment activities occur. It is considered reasonable to assume that tidal influences and fluctuating groundwater levels near the shoreline would generally be similar to current conditions; however, overall groundwater gradients toward Bellingham Bay would tend to flatten if groundwater levels near the shoreline slowly rise as water levels in Bellingham Bay rise in the future. Any such flattening of groundwater gradients could potentially reduce the rate and/or level of potential contaminant migration toward

Bellingham Bay within areas of existing contamination near the shoreline. If overall groundwater levels rose within existing contaminated areas near the shoreline, some upward movement of contaminants could potentially occur. The need to further evaluate and potentially make adjustments to any contaminant containment system or hydraulic control system over the long-term would have to be evaluated on a case-by-case basis in the future."

On page 3.1-19 of the DEIS, the 1st sentence of the 1st paragraph under the Tsunami discussion is hereby modified to read as follows:

"Depending on the height of any tsunami wave produced by a major rupture along the Cascadia Subduction Zone, a tsunami could potentially pose a temporary hazard at the site; however, the return period for large earthquakes along the Cascadia Subduction Zone that could generate a large tsunami is on the order of several hundreds of years."

Chapter 3.2, Air Quality

On page 3.2-6 of the DEIS, the 2nd sentence of the 2nd paragraph is hereby modified to read as follows:

"Violations in the downtown area have been primarily due to charred wood particulate from wood-working industries."

Chapter 3.4, Plants and Animals

On page 3.4-23 of the DEIS, Table 3.4-3 is hereby replaced with the following table:

**Table 3.4-3
CUMULATIVE IMPACTS ON AQUATIC HABITAT IN THE SITE AREA
(DEIS ALTERNATIVES 1-4, UPDATED PREFERRED ALTERNATIVE, SEPARATE
ACTIONS); ACREAGES RELATIVE TO OHW IN PARENTHESES AND ITALICS**

	Alternatives 1-3/ Preferred Alternative/ Updated Preferred Alternative Marina Concept A	Alternative 4 (No Action), Marina Concept B	Separate Actions	Totals for Alternatives 1- 3/ Separate Actions
New Intertidal & Shallow Subtidal Habitat (ASB converted to Marina)				
Not covered by structures (acres)	4.69 (5.07)	3.69		4.69 (5.07)
Covered by structures (acres)	0.01 (0.01)	+0.01		0.01 (0.01)
New Subtidal Habitat (ASB converted to Marina)				
Not covered by structures (acres)	20.53	21.09		20.53
Covered by structures (acres)	2.77	3.21		2.77
Marina Subtotal	28.0 (28.37)	28.0 (28.37)		28.0 (28.4)
Changes to Intertidal & Shallow Subtidal Habitat ¹				
Changes in overwater coverage (acres)	-1.53 (-1.53) ²		+0.36 (+0.36) ³	-1.17 ⁴
slope or substrate enhanced (acres)	2.41 ⁵			2.41
Changes to Subtidal Habitat ¹				
Net increase in overwater coverage (acres)	0.75 ⁶		-0.28 ⁷	0.47 ⁸
Slope or substrate enhanced (acres)	0			
New Whatcom Waterway Subtotal	1.66			
Total Net New/Enhanced Habitat	29.66 (30.03)	28.0 (28.37)		29.94 (30.34)
Creosote piles removed ¹ (number)	560		599	1,159

Source: Grette Associates, 2010.

¹Elements under Alternatives 1-4/Updated Preferred Alternative would occur in the Whatcom Waterway; separate actions also includes some elements that would occur in I & J Waterway, the Bellingham Shipping Terminal(BST) and the north side of the Whatcom Waterway.

²Includes removal of 1.59 acres of intertidal/shallow subtidal coverage through demolition of south Whatcom Waterway pier/wharfs and construction of 0.06 acre of new intertidal/shallow subtidal coverage from ramps associated with the transient moorage floats; decrease in intertidal/shallow subtidal coverage from proposed redevelopment is 1.53 acres. (NOTE: Intertidal/shallow subtidal shading removed is the same if calculated relative to OHW. On the north side of Whatcom Waterway, the floats to be removed would be set off-shore so that they do not cover the area between MHHW and OHW. Any increased shading removed with the float ramps would be negligible (~0.0006 acre). On the south side of Whatcom Waterway, the upper intertidal zone between MHHW and OHW is vertical bulkhead, and thus would result in no increased area of coverage).

³Includes removal of floats in Whatcom Waterway (-0.08 acre), removal of chemical docks in the BST (-0.04 acre), new piers in the I & J Waterway (+0.02 acre), and an estimated 0.46 acre for pedestrian trail from

Cornwall Park to Boulevard Park (2,050 ft by 10 ft): increase in intertidal/shallow subtidal coverage from separate actions is 0.36 acres.

⁴Represents a net decrease in intertidal/shallow subtidal overwater coverage. Since this decrease represents a net habitat benefit, 1.17 is added to the total of habitat enhanced.

⁵1,500 ft of shoreline by 70 ft wide (below MHHW) along south Whatcom Waterway would be enhanced by creating a shallower slope along with pier/wharf/bulkhead removal. Total area of slope or substrate enhancement would be 2.41 acres, most of which is under the area where intertidal/shallow subtidal overwater coverage would be reduced. To avoid double-counting this area, this total includes only the enhanced slope area that is not included in net reduction of overwater coverage (2.41 minus 1.53).

⁶Removal of 0.68 acre of subtidal coverage through demolition of South Whatcom Waterway pier/wharfs, construction of 1.43 acres of new subtidal coverage with transient moorage floats/ramps; increase in subtidal coverage from redevelopment alternatives is 0.75 acres.

⁷Includes removal of old chemical docks in the BST (-0.32 acre), removal of old catwalks (-0.03 acre)/construction of new catwalks (+0.06 acre), demolition of existing piers in I & J Waterway (-0.15 acre), and new piers in I & J Waterway (+0.16 acre): decrease in subtidal coverage from separate actions is 0.28 acres.

⁸Represents a net increase in subtidal overwater coverage.

Chapter 3.5, Environmental Health

On page 3.5-1 of the DEIS, the 3rd sentence of the 4th paragraph under subsection 3.5.1.1, is hereby modified to read as follows:

"Actions under MTCA are subject to environmental review under SEPA. MTCA and SEPA contain similar evaluation requirements therefore Ecology coordinates/integrates SEPA and MTCA to avoid duplication."

On page 3.5-2 of the DEIS, the 2nd sentence of the 1st paragraph is hereby modified to read as follows:

"Then, different potential alternatives for a site cleanup action are defined and evaluated, and one or more preferred alternatives identified. Ecology solicits public comment on draft RI/FS's prior to finalization."

On page 3.5-2 of the DEIS, the 2nd paragraph is hereby modified to read as follows:

"The Cleanup Action Plan is the decision document in which Ecology selects and defines the cleanup remedy for the site. The Cleanup Action Plan is part of a legal agreement (typically a Consent Decree) between Ecology and those entities liable for implementing the cleanup. Ecology solicits public comment on draft Cleanup Action Plans prior to finalization."

On page 3.5-2 of the DEIS, the 2nd sentence of the 3rd paragraph is hereby deleted.

~~"Additional environmental review under SEPA is often conducted as part of permitting for cleanup projects during this phase."~~

On page 3.5-2 of the DEIS, under subsection 3.5.1.2, the first paragraph is hereby modified to read as follows:

"Under both MTCA and SMS contaminant exposure risk must be minimized or eliminated. Future land and aquatic uses provide information on how humans and the environment could be exposed to contaminants. Therefore, future land and aquatic uses are a key consideration in the development of RI/FS studies and Cleanup Action Plans."

On page 3.5-3 of the DEIS, the 2nd sentence of the 4th paragraph regarding EPA Brownfields Pilot Activities is hereby modified to read as follows:

"The work performed under this grant assisted in completion of a voluntary interim cleanup action at the Roeder Avenue Landfill, and later development of a draft RI/FS for the landfill site (RETEC,2001)."

On page 3.5-4 of the DEIS, the 3rd sentence of the 2nd paragraph under the Area 1 discussion is hereby modified to read as follows:

"This work included development of coordinated cleanup and redevelopment planning under an EPA Brownfields Pilot grant, implementation of a voluntary interim cleanup action as part of the GP warehouse project during 1998 and 1999, and development of a draft RI/FS report for the Roeder Avenue Landfill site by the Port and City in 2001 (RETEC, 2001)."

On page 3.5-4 of the DEIS, the 3rd sentence of the 4th paragraph under the Area 1 discussion is hereby modified to read as follows:

"A public review draft of the RI/FS is expected during late 2011, with construction of the Ecology-selected cleanup action expected between 2011 and 2013 after completion of design and permitting."

On page 3.5-9 of the DEIS, the 1st and 2nd sentences of the 4th paragraph under the Whatcom Waterway discussion is hereby modified to read as follows:

"The Cleanup Action Plan for the Whatcom Waterway site includes a combination of dredging, capping and monitored natural recovery of contaminated sediments. The proposed plan for dredging and capping is based upon addressing contaminant exposure pathways under anticipated land and navigation uses for the Whatcom Waterway and vicinity."

On page 3.5-10 of the DEIS, the 6th paragraph under the Whatcom Waterway discussion is hereby modified to read as follows:

"As described below, the cleanup of the Whatcom Waterway site includes remediation of the ASB area."

On page 3.5-10 of the DEIS, the 1st sentence of the 5th paragraph under the Aerated Stabilization Basin discussion is hereby modified to read as follows:

"The 2006 Supplemental RI/FS for the Whatcom Waterway, and the subsequent Cleanup Action Plan and Consent Decree developed by Ecology are based upon addressing contaminant exposure pathways under future aquatic reuse of the ASB as a marina."

On page 3.5-10 of the DEIS, the 4th sentence of the 6th paragraph under the Aerated Stabilization Basin discussion is hereby modified to read as follows:

"Proposed in-water redevelopment activities and planned separate actions by the Port will be integrated with the design, permitting and construction of the cleanup action."

On page 3.5-11 of the DEIS, the 3rd sentence of the 2nd paragraph under the I&J Waterway site discussion is hereby modified to read as follows:

"The RI/FS study is ongoing, with a public review draft expected during 2011. Sediment cleanup actions will be performed between 2012 and 2014, after finalization of the RI/FS, development of a Cleanup Action Plan, and implementation of remediation design and permitting. "

On page 3.5-11 of the DEIS, the 2nd sentence of the 3rd paragraph under subsection 3.5.3, is hereby modified to read as follows:

"Environmental review under SEPA and/or NEPA of impacts and mitigation associated with the implementation of site cleanup actions has, or will be, accomplished under separate reviews (e.g., 2006 Draft and 2007 Final Supplemental EIS for the Whatcom Waterway site)."

On page 3.5-12 of the DEIS, the 1st sentence of the 4th paragraph under Subsection 3.5.3.1, is hereby modified to read as follows:

"Proposed waterfront redevelopment activities (assuming the necessary approval and permits are secured) to ensure coordination of activities, provide for holistic environmental review, and minimize construction impacts to juvenile salmonids and sensitive aquatic organisms would be integrated with the design, permitting and construction of cleanup actions within the Whatcom Waterway."

On page 3.5-13 of the DEIS, the 4th and 5th sentences under the 3rd paragraph (Soil Management) are hereby modified to read as follows:

"Mitigation would be addressed by complying with the soil management provisions of the site-specific institutional control plans. Control measures would provide for testing, segregation and proper on-site or off-site management of affected materials."

On page 3.5-13 of the DEIS, the last sentence of the 4th paragraph (Worker Health and Safety) is hereby modified to read as follows:

"Mitigation would be accomplished by complying with required state and federal health and safety regulations and site-specific institutional control plans."

On page 3.5-13 of the DEIS, the 2nd sentence of the 5th paragraph (Stormwater quality Impacts) is hereby modified to read as follows:

"Mitigation would be addressed by complying with the stormwater provisions of the site-specific institutional control plans. Control measures would include maintaining cover

soil over contaminated soils where practicable, and/or implementation of stormwater treatment and monitoring during any construction activities that could disturb contaminated soils."

On page 3.5-13 of the DEIS, the last sentence of the 6th paragraph (Groundwater Quality) is hereby modified to read as follows:

"These concerns would be mitigated by complying with the site-specific institutional control plans."

On page 3.5-14 of the DEIS, the last sentence of the 1st paragraph (Sediment Disturbance during Construction) is hereby modified to read as follows:

"These potential impacts would be mitigated by integrating the design, permitting and construction of in-water cleanup and proposed redevelopment activities (to the extent possible), and by complying with site-specific institutional control plans."

On page 3.5-14 of the DEIS, the last sentence of the 3rd paragraph (Vapor Mitigation for Building Foundations) is hereby modified to read as follows:

"These concerns would be mitigated by incorporating vapor mitigation measures as part of building construction as necessary to comply with site-specific institutional control plans."

On page 3.5-14 of the DEIS, the 1st and 2nd sentences under the Beneficial Impacts discussion are hereby modified to read as follows:

"It should be noted that the level of cleanup required under Alternatives 1-3 (mixed-use redevelopment) would be generally more stringent than the level of cleanup required to support ongoing industrial uses under the No Action Alternative. This more stringent cleanup to meet applicable standards for mixed-uses would result in reductions in residual environmental risks. "

On page 3.5-15 of the DEIS, the last sentence under the 2nd paragraph (Navigation Disturbance to Capped Sediment Areas) is hereby modified to read as follows:

"Should future navigation uses be proposed in the future that are inconsistent with initially designed uses, Ecology review would be required and additional remedial actions (e.g., upgrading of cap armoring to address potential prop wash concerns, or completion of additional sediment removal in the proposed large vessel moorage area) may be required in order to support such navigation uses."

On page 3.5-15 of the DEIS, the last sentence under the 3rd paragraph (Soil Management and Worker Safety) is hereby modified to read as follows:

"Where this is not practicable, similar soil management and worker safety provisions applicable to construction activities (e.g., compliance with required state and federal health and safety regulations and site-specific institutional control plans) would apply to utility maintenance or other subsurface maintenance activities."

Chapter 3.10, Aesthetics

On page 3.10-2 of the DEIS, the 1st sentence of the 6th paragraph is hereby modified to read as follows:

"Area 6 (now referred to as the Log Pond Area) contains buildings and structures associated with the ongoing PSE Encogen facility and are reflective of intensive utility uses with several single-story metal buildings and overhead transmission facilities."

On page 3.10-33 of the DEIS, the 3rd sentence of the 3rd paragraph is hereby modified to read as follows:

"Views of the CBD and Mt. Baker are available in the background and include views of the Whatcom Museum of History and Art, a visually prominent building in the CBD."

On page 3.10-33 of the DEIS, the 3rd sentence of the 4th paragraph is hereby modified to read as follows:

"Portions of the view towards the downtown CBD and Mt. Baker would be obstructed by the redevelopment, but some views toward downtown, including the Whatcom Museum of History and Art, would remain."