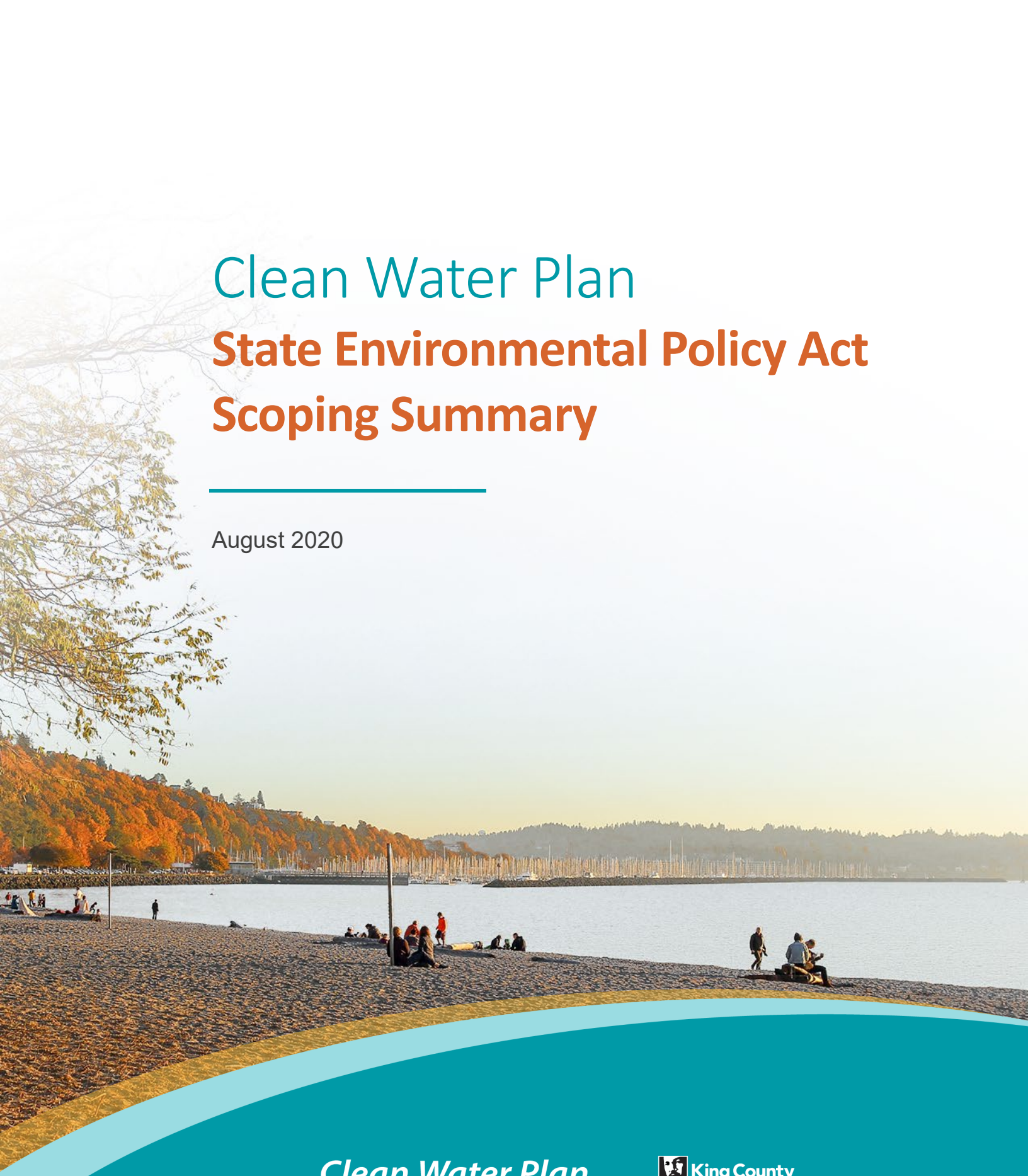
Clean Water Plan

State Environmental Policy Act Scoping Summary

August 2020



Clean Water Plan
Making the right investments at the right time

King County
Department of Natural Resources and Parks
Wastewater Treatment Division

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Introduction

This report presents a summary of public comments received by the King County Wastewater Treatment Division (WTD) during the State Environmental Policy Act (SEPA) scoping period for King County's Clean Water Plan (Plan) Programmatic Environmental Impact Statement (EIS). Public comments were received between May 20 and July 19, 2020.

The report contains an overview of the SEPA scoping process and Clean Water Plan, a discussion of EIS public engagement efforts, and a summary of comments provided during the scoping comment period. Appendix A presents a copy of the Determination of Significance and Request for Comments on the Scope of the Programmatic EIS and Appendix B contains all comments received during the scoping period.

SEPA Scoping Process

The purpose of scoping is to establish and confirm the focus of the EIS by seeking input from agencies, tribal governments, and members of the public on the content and emphasis—or scope—of the EIS. Scoping also provides notice to the public and other agencies that an EIS is being prepared, and typically initiates their involvement in the EIS process.

An EIS is a document that provides impartial, comprehensive discussion of a project's potential significant adverse impacts, reasonable alternatives, and proposed measures to avoid or minimize impacts. A programmatic EIS provides decision-makers with information to consider in making decisions, policy changes, and approval decisions. It does not constitute a decision or approval on its own. An EIS is not a cost-benefit analysis for a plan or project; rather, an EIS provides environmental information to be considered alongside economic and other policy considerations in reviewing actions that could significantly affect the environment.

Scoping under SEPA began in May 2020 when WTD issued a Determination of Significance (DS)/Scoping Notice for the Clean Water Plan. The DS was issued because WTD, as the lead agency, determined the Plan to likely have significant adverse environmental impacts, and has initiated the EIS process. The scoping notice included a brief summary of the proposed actions for the Clean Water Plan, as well as ways to provide comments. Information obtained from the public comments will be used to help WTD in framing the scope of the environmental review and in choosing the elements of the environment and alternatives to be evaluated in the SEPA EIS.

Clean Water Plan Overview

King County is facing critical decisions that will shape the scope and focus of water quality investments in the coming decades. These decisions will have both benefits and tradeoffs for regional water quality and public spending. The purpose of the Clean Water Plan is to

proactively guide these future water quality investments so that they are made thoughtfully and transparently. WTD is preparing the Clean Water Plan to guide its water quality investments through the year 2060. The Clean Water Plan will amend King County's Regional Wastewater Services Plan, which has been guiding the operation and development of WTD's wastewater infrastructure and related activities since its adoption in 1999.

Development of the Clean Water Plan is driven by a set of complex issues facing the region that necessitate a comprehensive evaluation of how WTD can maximize the benefits of its future water quality investments in order to deliver the best water quality outcomes, as well as the best economic, social, and health outcomes for the region. Toward that end, WTD is exploring a range of different investment strategies that include relevant policy, program, and project actions to protect and enhance regional water quality.

WTD is developing action alternatives for consideration in the EIS for the Clean Water Plan. The EIS will also include a "no action alternative" representing what would happen if WTD does not develop and implement the Plan. The action alternatives are based on how different investment strategies will address a variety of relevant issues, including, but not limited to, the following general issue areas (refer to Appendix A: Determination of Significance and Request for Comments on the Scope of the Programmatic EIS for additional information regarding the potential issue areas):

- Regional Wastewater Treatment Plants
- Capacity in Regional Sewer Pipes and Pumps
- Aging Sewer Systems, Natural Disasters, and Climate Change
- Recycling Resources from Wastewater
- Stormwater and Combined Sewer Overflows
- Pollution Reduction Issues, Preventing Pollution at the Source
- Pollution from Historical Activities

Public Engagement

A key part of the Clean Water Plan is listening to communities about how King County makes investments and reaches the best water quality outcomes. The Clean Water Plan must reflect the range of needs, interests, and priorities of the people who live in the region. This includes those who pay utility bills, those who rely on eating fish from Puget Sound, and those who enjoy our beautiful beaches. That's why King County began a community engagement effort for the Clean Water Plan—to ask community members to share what's important to them when thinking about the future of our communities, our health, and our environment. WTD also conducted community outreach and solicited comments on the Clean Water Plan EIS through the SEPA scoping process. This section presents a summary of the community outreach efforts conducted to date.

Clean Water Plan Engagement Program Background

Since late 2018, King County has led a robust regional effort to engage the community in the Clean Water Plan development process and solicit feedback on the Plan. Using a range of methods, both in-person and online, King County collected hundreds of pieces of feedback during this initial engagement period. Feedback was incorporated into the Clean Water Plan development process to ensure the Plan is informed by community priorities. A **summary of regional engagement efforts** through the end of 2019 is available in the Clean Water Plan library.

The following is a list of activities King County conducted between late 2018 and mid-2020, prior to the SEPA scoping comment period in May:

- Advertising campaign
- Advisory Group meetings
- Clean Water Plan workshop
- Community interviews
- Community organization partnerships and orientation
- Fairs and festivals
- King County employee events
- Online open house and public questionnaire
- Youth engagement events
- Wastewater treatment webinar

Community-based organizations attend a Clean Water Plan orientation in March 2020.

Handouts and previous event materials are available on the Clean Water Plan website at **www.kingcounty.gov/cleanwaterplan**.

SEPA Scoping Engagement

King County's SEPA scoping engagement efforts for the Clean Water Plan sought to fulfill legal requirements for the SEPA process and engage populations that have typically not been heard from during environmental review. WTD provided a basic overview of SEPA so the community could learn about what kinds of comments are most relevant, how to comment, and how SEPA fits into the project decision-making process. The goal was to make learning about and commenting on the SEPA scoping notice easy.

Public Notifications

King County notified the public of the SEPA scoping comment period (and, later, the extension of the comment period deadline) through several methods:

- Email notification to 5,000 subscribers
- Email notification to 600 King County employees
- Email notification shared with organizations to forward to their memberships
- Clean Water Plan website (on both the **English** and **Spanish** web pages)
- Social media posts (provided in both Spanish and English). WTD boosted the Spanish-language Facebook post to people who speak or read Spanish in 94 different zip codes across the WTD service area.
- Legal ad posted in *The Seattle Times* on May 20, 2020.

The scoping notice, available on the Clean Water Plan website, was translated into 12 different languages: Amharic, Arabic, Traditional Chinese, Simplified Chinese, Korean, Oromo, Russian, Somali, Spanish, Tigrigna, Ukrainian, and Vietnamese.

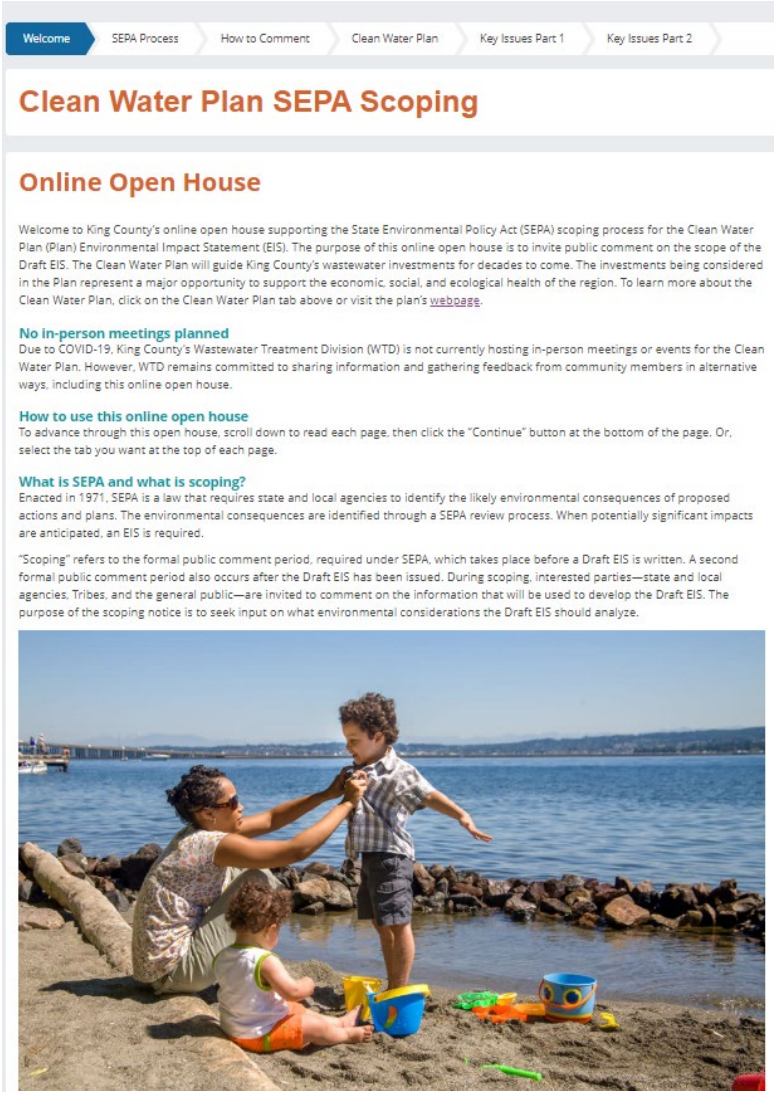
SEPA Scoping Outreach Activities

Because of COVID-19, WTD is currently not hosting in-person meetings or events for the Clean Water Plan. However, WTD remains committed to sharing information and gathering feedback from community members in alternative ways, such as email notifications, social media, and online open houses. WTD staff remain available to answer questions via email and telephone during regular business hours.

The following are summaries of outreach tools WTD used to promote the project and SEPA scoping comment period.

Online Open House

King County launched a SEPA scoping online open house on May 20, 2020, in coordination with the start of the SEPA scoping comment period. The purpose of the online open house was to provide the public with a clear description of the SEPA process and why it's important, instructions on how to comment, and information on the Clean Water Plan and key issues King County is considering. It was offered in both English and Spanish, with the ability to select additional languages through Google Translate.



The online open house launched on May 20. It was available in English and Spanish.

The online open house was visited by more than 3,000 participants; 900 of those participants visited the Spanish-language version. Most visitors reached the online open house through the King County email notification, the King County website, and Twitter and Facebook. Fourteen people signed up to receive Clean Water Plan email updates.

Community-Based Organization Engagement

Community-based organizations (CBOs) online meeting: The Clean Water Plan is partnering with CBOs, trusted advocates in the community, to engage historically underrepresented populations in WTD's long-range planning. Six CBOs are partnering with King County on the Clean Water Plan: **Casa Latina**, **Interim CDA**, **Living Well Kent**, **Na'ah Illahee Fund**, **Urban League of Metropolitan Seattle**, and **Young Women Empowered**.

On May 8, prior to the SEPA scoping comment period, WTD held an online meeting that was attended by four of the CBO partners. Partner representatives discussed how to participate in the Clean Water Plan EIS scoping public comment period and sought to learn from CBO colleagues who have previously participated in SEPA. The project team provided a one-page SEPA scoping informational handout for CBO partners to use as a resource tool.

CBO materials packets: To reach communities who do not have web access, WTD delivered 300 printed packets of Clean Water Plan materials to **Interim CDA** on June 10. These materials were enclosed in food boxes distributed to seniors in response to the COVID-19 crisis and included a print version of the SEPA online open house, a comment form, and a self-addressed envelope with paid postage. As requested by the CBO partner, the materials were translated into Simplified Chinese, Tagalog, and Amharic.

CBO SEPA scoping online learning sessions: In July, King County hosted two 1-hour SEPA online learning sessions to engage youth and underrepresented populations. **Antioch University** and **Cascadia College** graduate and undergraduate programs and alumni of environmental studies programs were invited to participate. The invitation was also extended to the **Environmental Professionals of Color**, Seattle Chapter.

The first meeting, on July 11, introduced the Clean Water Plan. About 12 people virtually participated in the meeting. The second meeting, held on July 14, welcomed input and SEPA scoping comments, which King County captured verbatim. About eight people participated in the second session. In alignment with the County's Office of Equity and Social Justice Strategic Plan, each participant in the July 11 and 14 meetings received $75 in compensation for their time and expertise.

Tribal Government Briefing

On May 13, the Clean Water Plan hosted an online briefing for tribal governments. The purpose of the briefing was to provide information about the process for developing the Clean Water Plan as well as regional clean water services and programs, and to introduce, in advance of the SEPA scoping notice comment period, the key issues and potential actions that will be explored as part of the SEPA process. King County extended invitations to representatives of five tribal governments: Muckleshoot, Puyallup, Snoqualmie, Suquamish, and Tulalip. One or more representatives from the Puyallup, Snoqualmie, Squamish, and Tulalip governments attended the briefing.

Committees and Advisory Group Updates

During the SEPA scoping comment period, King County updated the following audiences on the Clean Water Plan and SEPA process:

- **Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC):** Clean Water Plan team members provided an update to MWPAAC's Clean Water Plan Technical Taskforce on May 21 and an update to the MWPAAC General Meeting on May 27.

- **Regional Water Quality Committee:** On July 1, project managers for the Clean Water Plan updated the committee on the Plan's process and progress, highlighting SEPA scoping along the way.
- **Clean Water Plan Advisory Group:** King County held an online session with the advisory group on June 11. As part of its regular engagement and project updates, the group was informed of the SEPA scoping comment period.

Summary of Scoping Comments

This section provides a high-level summary of comments received during the SEPA scoping process. The comments are organized by topic according to general themes, some of which are overlapping. Comments have been summarized and paraphrased, and are grouped generally for review purposes.

A total of 368 different comments were received during the scoping period. Of this number, 25 comments were submitted directly via mail or email; 343 other email comments were based on a form letter submitted through a third-party link. The 25 direct comments included nine that were submitted on behalf of two tribes, multiple public utilities, and various community advocacy and environmental organizations, with the remaining 16 comments submitted by individuals.

Appendix B contains the 25 individual comment submittals and copies of the form letter comments, including a list of the individuals from whom they were received.

General Comments

The following comments relate to the overall plan, process, guiding regulations, or overarching opportunities and framework of the Clean Water Plan:

- The comment period should be extended or halted; WTD has not provided adequate information on the potential impacts of the project to the public and scoping commenced prematurely, with insufficient information for the public.
- The Plan scope should be broadened to the whole county and the Plan should contain procedures for periodic review.
- The legal requirements and policy guidelines that will shape the Clean Water Plan should be explained.
- The Clean Water Plan is a once-in-a-generation opportunity to align the County's wastewater investments with the recovery of the Puget Sound ecosystem and the protection and restoration of the tribes' treaty resources.

- The Clean Water Plan should contain clear administrative procedures that require periodic reviews and make necessary updates as appropriate, as well as a process for review at least every 5 years with biannual status reports.
- The Clean Water Plan should consider wastewater alternatives in concert with all regional water resources (drinking water, streamflow requirements, stormwater, receiving water quality).
- King County should seek opportunities for collaboration with local agencies and other partners to achieve economies of scale and enhanced environmental protection.
- King County should seek to keep sewer rates affordable. Recognize that King County sewer rates are only part of the cost of sewer service for customers, and that the local agencies are facing many of the same issues (growth, aging infrastructure) that King County faces.
- The Clean Water Plan should consider how education/public outreach can prevent pollutants from entering the waste stream.
- King County should explore mitigation/restoration concepts that have been conducted in other parts of the county.
- The benefits of the Plan must be clearly measured and articulated.

Water Quality

Protecting water quality was a common theme in the scoping comments. Because this section is so broad and overlapping, water quality has been broken into the following subtopics.

Regulatory Compliance

The following comments relate to water quality compliance aspects of the Plan:

- The County must comply with the requirements of the Clean Water Act and Washington State Department of Ecology's Water Quality Standards, and all other applicable laws and regulatory requirements.
- Minimize the introduction of toxic constituents into wastewater that may affect fish health and human health, consistent with federal, tribal, and state water quality standards.
- Identify and address impacts to groundwater.
- The County must not delay important projects due to the Clean Water Plan planning process or the pending General Nutrients Permit.

Stormwater and Combined Sewer Overflows

The following comments relate to the treatment of stormwater and combined sewer overflows (CSOs):

- Fully meet the requirement to control all CSOs by 2030 and meet the requirements identified in King County's Consent Decree with the U.S. Environmental Protection Agency (EPA).

- Support projects that prevent stormwater from entering combined sewer systems.
- Permeable roads and sidewalks should be considered as a way to help prevent overflow into CSO pipes.
- Include more specificity about alternatives that could result in equal or better water quality.
- Include an action that explores the benefits for joint CSO planning with the City of Seattle.
- Compare the value of stormwater treatment versus or in addition to nutrient removal.
- Evaluate the opportunity and feasibility of putting stormwater into the wastewater treatment plant (WWTP) rather than directly discharging into water bodies.
- Consider how to address emerging contaminants such as PFOS/PFAS (perfluorooctane sulfonate/perfluoroalkyl substances) in the long-term plan.
- Address how CSO control projects are consistent with existing plans and policies.
- Assess the impacts of delaying CSO projects.
- Provide clarity as to whether the potential impacts associated with stormwater will be evaluated countywide, or only in areas in Seattle served by WTD's combined sewer system.
- Evaluate the opportunity and feasibility of putting stormwater into the wastewater treatment system rather than directly discharging into the water bodies, resulting in better receiving water quality that may, in turn, reduce WWTP requirements.
- Will programs like RainWise continue?

Pollution Reduction Issues, Preventing Pollution at the Source

The following comments relate to reducing pollutants at the source:

- Implement more efficient and comprehensive testing and treatment of water.
- Identify locations for green infrastructure installations and then direct education programs and financial incentives toward these areas.
- Reduce pollutants entering wastewater at the source.
- WTD relies on Seattle Public Utilities to meet some of its Industrial Wastewater Discharge Permit requirements to conduct source control in CSO basins (minimum requirement 7). WTD should consider potential impacts to component agencies.
- More education/public outreach is needed to prevent pollutants from entering the waste stream.
- Create partnerships with community organizations and businesses to reduce the introduction of pollutants into wastewater and stormwater.
- Reduce pollutant stream from industries and other public facilities.
- Prevent pollution and toxic constituents in stormwater and wastewater.
- Work to reduce impacts from illegal RV and boat discharges.

Fish and Wildlife

The following comments relate to the protection of fish, wildlife, and habitat protection to be addressed in the Plan:

- Evaluate impacts on aquatic life from WTD discharges and CSOs.
- Include an analysis of how proposed Plan actions can protect and support habitat for salmon and steelhead trout.
- Implement habitat projects with multiple stakeholders, including community organizations, the state's Southern Resident Orca Task Force, and other community and government agencies with a vested interest.
- King County should explore mitigation/restoration concepts similar to others implemented in the county.

Environmental Health

The following comments relate to contaminated sites, sediments, and pollutant generators to be evaluated in the Plan:

- Impacts to contaminated sites (Duwamish Superfund Site, Queen City Farms Superfund Site, and Cedar Hills Regional Landfill) and cleanup activities should be considered.
- Include more stringent regulations for polluters that violate the Clean Water Act and EPA laws.
- Review individual and cumulative impacts of contaminated sites.

Public Services and Utilities

Comments about infrastructure improvements have been broken into subtopics related to regional treatment facilities, capacity, aging infrastructure, and recycling water.

Regional Wastewater Treatment Plants

- The site selection process for WWTPs should address present and future impacts on the surrounding area.
- Provide advanced levels of treatment for WWTPs to maximize removal of pollutants in wastewater effluent.
- Building multiple smaller WWTPs could create more jobs and ease pressure on the three main treatment plants in our region.
- Move high-level nitrogen treatment to only a few plants.
- Medium-size and small satellite plants should be considered.
- Explore nutrient credit trading at regional plants as a means to achieve future nutrient requirements in Puget Sound.
- Look at expanding the reclaimed water system.

- Improve biosolids handling.

Capacity in Regional Sewer Pipes and Pumps

- Increase the capacity of wastewater treatment facilities.
- Address specific sewage plant capacity, percentage of use, and their surplus abilities, as well as their strategy when the additional wastewater hits the maximum levels.
- Consider the impact from the use of composting toilets and the reduction in wastewater volume.
- Maximize the conveyance system to capture the largest amount of wastewater while maximizing water conservation within the system.
- Alternatives evaluation should include the potential impacts on component agencies' systems.
- Infiltration and Inflow (I/I) alternatives should evaluate key impacts on member agencies.
- Consider COVID 19 impacts on residential sewer systems.
- As mitigation for all of the pipe repairs/replacement, consider placing the money in a mitigation bank, for active habitat restoration, particularly riparian habitat restoration. Provide the money to local nonprofits and other organizations to support their work, rather than a consulting firm to do a traditional mitigation site.

Aging Sewer System, Natural Disasters, and Climate Change

- Evaluate the impacts of historically contaminated sites on water quality.
- The Plan should specifically evaluate seismic risk/vulnerability.
- Climate change actions should include sea level rise.

Recycling Resources from Wastewater

- The Plan should consider leachate processing from Cedar Hills Landfill.
- Utilization of recycled water in new construction should be considered.
- Consider the regulatory requirements that drive the need to produce reclaimed water.
- Explore the use of recycled water for augmenting in-stream flows under the Water Restoration and Enhancement Plans (RCW 90.94).
- Evaluate the environmental, logistical, and economic impacts of expansion of the reclaimed water system.

Socioeconomics, Environmental Justice, and Tribal Rights

The following comments relate to social equity, tribal consideration, and the funding and fee structure associated with implementation of the Plan:

- Consider the impact of alternatives on local agencies, tribes, and disadvantaged groups.
- Assess impacts on tribes' reserved treaty rights to commercial, subsistence, and ceremonial fish throughout King County.

- Address impacts to low-income and minority populations in the Duwamish Basin from toxic pollution discharges.
- Identify and evaluate disproportionate economic impacts on low-income communities and communities of color from the cost of new infrastructure and Plan implementation.
- Pass along the expense to those building newer and bigger developments.

Scoping Comments Outside of the Programmatic SEPA Review

Several issues were raised in the scoping comments that are outside of the programmatic review of this EIS because they were related to specific projects or geographic areas outside of King County's service area or jurisdiction. While decision-makers may wish to consider these issues, they will not be specifically evaluated in the EIS.

Next Steps

The Clean Water Plan project team has reviewed all scoping comments received and will use them, as appropriate, to focus the environmental analysis included in the Draft EIS. This will include identifying specific environmental analyses for the elements of the environment and the range of alternatives to be analyzed in the Draft EIS. Scoping comments will not be addressed individually with a specific response; however, the concerns and topics identified will be addressed in the body of the EIS.

It is anticipated that the Draft EIS will be published in 2021, at which point it will be available for public review and comment. Following publication of the Draft EIS, agencies, affected tribes, and the public will have an opportunity to comment on the content of the document. King County will host an extensive public notification process to solicit comments on the Draft EIS. Notice of the public comment period will be posted in *The Seattle Times* and on the Washington State Department of Ecology's SEPA Register, and will be sent directly to all parties who submitted scoping comments, affected tribes, agencies with jurisdiction, and those who have specifically asked to receive notices about the project. Notice will also be posted on the project website at www.kingcounty.gov/cleanwaterplan.

After the Draft EIS comment period, King County WTD will prepare the Final EIS, which will identify a preferred alternative for the Clean Water Plan.

Appendix A: Determination of Significance and Request for Comments on the Scope of the Programmatic Environmental Impact Statement

King County

Department of Natural Resources and Parks ● Wastewater Treatment Division
Environmental and Community Services Section ● 201 South Jackson Street,
MS KSC-NR-0505, Seattle, WA 98104-3855 ● Phone 206-684-1714 ● FAX 206-684-1278

NOTICE OF SCOPING PERIOD EXTENSION
Programmatic Environmental Impact Statement for the King County Clean Water Plan

Proponent: King County Department of Natural Resources & Parks, Wastewater Treatment Division

Description: In order to increase the opportunity for interagency cooperation and public participation pursuant to WAC 197-11-410, the King County Wastewater Treatment Division hereby extends the comment period for the Clean Water Plan Programmatic Environmental Impact Statement (EIS) by 30 days, from June 19, 2020 to July 19, 2020.

Extended Comment Deadline: Comments will be accepted through July 19, 2020.

Comment Online: Comments may be submitted via email to
CleanWaterPlanSEPA@kingcounty.gov

Mail: Written comments may be submitted via mail addressed to:
ATTN: Katherine Fischer, Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-NR-0505
Seattle, WA 98104-3855

Additional Information: Please refer to the Clean Water Plan SEPA Scoping Online Open House at https://publicinput.com/CleanWaterPlan for additional information, including the Determination of Significance and Request for Comments on the Scope of the Programmatic Environmental Impact Statement for the Clean Water Plan that was issued on May 20, 2020.

Contact:
Jim Sussex
Environmental Planner
201 S. Jackson Street,
Seattle, WA 98104
Tel: (206) 477-3556
jim.sussex@kingcounty.gov

DocuSigned by:
Mark Isaacson
6/10/2020

Mark Isaacson, Division Director — Date
King County Wastewater Treatment Division
SEPA Responsible Official

King County

Department of Natural Resources and Parks ● Wastewater Treatment Division
Environmental and Community Services Section ● 201 South Jackson Street,
MS KSC-NR-0505, Seattle, WA 98104-3855 ● FAX 206-684-1278

DETERMINATION OF SIGNIFICANCE AND REQUEST FOR COMMENTS ON THE SCOPE OF THE PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

Purpose of Announcement: The purpose of this announcement is to invite comments on the scope of the Environmental Impact Statement (EIS) that will be prepared for the King County Wastewater Treatment Division Clean Water Plan in accordance with the State Environmental Policy Act (SEPA). Information about the Clean Water Plan and how to submit scoping comments is provided below.

Lead Agency: King County Department of Natural Resources and Parks, Wastewater Treatment Division

Date of Issuance: May 20, 2020

Description of Proposal: The King County Wastewater Treatment Division (WTD) is preparing the Clean Water Plan to guide its water quality investments through the year 2060. The Clean Water Plan will amend King County's Regional Wastewater Services Plan (RWSP) which has been guiding the operation and development of WTD's wastewater infrastructure and related activities since that plan was adopted in 1999.

Development of the Clean Water Plan is driven by a set of complex issues facing the region that necessitate a comprehensive evaluation of how WTD can maximize the benefits of its future water quality investments in order to deliver the best water quality outcomes, as well as the best economic, social, and health outcomes, for the region. Toward that end, the Clean Water Plan will explore a range of different investment strategies that include policy, program, and project actions to protect and enhance regional water quality.

WTD is currently developing the action alternatives for consideration in the EIS. The EIS will also include a No Action alternative representing what would happen if WTD does not develop and implement the Clean Water Plan. WTD is developing the EIS alternatives based on how different potential investment strategies would address a variety of relevant issues including, but not limited to, the following:

Regional Wastewater Treatment Plants: WTD is exploring different options to improve existing wastewater treatment facilities or to construct new wastewater treatment facilities. Both the capacity of facilities and their level of treatment will be explored. The capacity exploration will examine options for expanding treatment plants to serve population growth including large treatment plants serving multiple sites, smaller plants serving one city, and on-site treatment systems serving individual large buildings. The levels of treatment to be explored will include continuing the current secondary treatment level, secondary treatment plus nutrient removal, advanced treatment to remove additional pollutants, and further advanced treatment to remove enough pollutants to produce drinking quality water.

Capacity in Regional Sewer Pipes and Pumps: WTD is exploring options for maintaining the capacity of its regional network of underground pipes and pumps, referred to as conveyance system, which moves sewage from homes and business to treatment plants. This includes consideration of options such as the continuation of the wastewater conveyance system's current level of service (5% chance of overflow in any given year), a revised level of service (20% chance of overflow in any given year), aggressive infiltration and inflow (I/I) reduction and incentivizing self-directed I/I reduction, and conveyance system control optimization.

Aging Sewer Systems, Natural Disasters, and Climate Change: Operating the regional wastewater system requires making informed decisions related to infrastructure operations, maintenance, renewal, and resilience. WTD is exploring a range of investment levels for asset management to understand the resulting levels of risk of failure or service disruption. WTD is also considering the resiliency of its wastewater infrastructure to potential risks such as natural disasters and climate change.

Recycling Resources from Wastewater: WTD recovers materials and energy from its wastewater treatment processes to produce fuel, heat, water, soil amendments, and nutrients for reuse. Options will be explored for the recovery and reuse of these resources as elements of making other improvements to the system including treatment plant improvements. Options to be explored include biosolids production for fertilizer and compost, and recycled water use.

Stormwater and Combined Sewer Overflows (CSO): A range of options for managing stormwater and combined sewer overflows will be explored, including: continuing current planned CSO control projects as well as other options that could result in equal or better water quality benefits. A range of potential projects to increase the amount of stormwater treated or pollutants removed from stormwater will also be explored, including water quality trading concepts such as market-based incentives and pooling funding.

Pollution Reduction Issues Preventing Pollution at the Source: WTD will explore a range of options for controlling pollution at the source, such as continuing current programs to work with industry in the region to remove pollutants prior to reaching the wastewater treatment system; incentivizing the reduction of, or requiring elimination of, pollutants; and; potential industry and government partnerships.

Pollution from Historical Activities: WTD will explore options that include continuing current programs to clean up contaminants that have built up in sediments from past activities. More expansive programs to address legacy pollution, including projects in and adjacent to water bodies that remove pollutants and prioritize restoration of critical habitat will also be explored.

Location of the Proposal: The Plan covers the area served by WTD that includes the urban growth areas of King County and adjacent portions of south Snohomish County, and a small area of north Pierce County.

Environmental Impact Statement (EIS) Required: WTD, has determined that this proposal is likely to have a significant adverse impact on the environment; therefore, an EIS is required under RCW 43.21C.030 (2)(c) and will be prepared. The EIS will address relevant aspects of the built and natural environment for each alternative. The areas that WTD has identified for potential consideration in the EIS include, but are not limited to, the following:

- **Earth** (geology, soils, erosion and landslide hazards)
- **Air** (air quality, odors, climate change)

- **Water** (surface and ground water, quality, quantity, and stormwater)
- **Plants and Animals** (habitat and diversity of species, ESA listed species)
- **Energy and Natural Resources** (use, efficiency; renewable resources, conservation)
- **Environmental Health** (noise, hazardous materials)
- **Land and Shoreline Use** (relationship to existing plans and policies, population growth)
- **Transportation** (transportation systems, traffic)
- **Public Services and Utilities** (emergency services, water/stormwater, sewer, solid waste)
- **Socioeconomics and Environmental Justice (**including Indian Treaty Rights)

Scoping: Agencies, cities, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on potential alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required.

Comment Deadline: Comments must be submitted by 5:00PM June 19, 2020.

Comment Online: Comments may be submitted via email to CleanWaterPlanSEPA@kingcounty.gov

Mail: Written comments may be submitted via mail addressed to:
ATTN: Katherine Fischer, Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-NR-0505
Seattle, WA 98104-3855

Additional Information: Please refer to the Clean Water Plan SEPA Scoping Online Open House at https://publicinput.com/CleanWaterPlan for additional information.

SEPA Responsible Official:	Mark Isaacson
Position/Title:	Director, King County Wastewater Treatment Division
Address:	201 South Jackson Street, MS KSC-NR-0501 Seattle, WA 98104-3855
Date: 5/18/2020	**Signature:** DocuSigned by: Mark Isaacson CD09B21B45EF482...
Proponent and Lead Agency:	King County Department of Natural Resources and Parks Wastewater Treatment Division
Contact Person:	Jim Sussex, Environmental Planner King County Wastewater Treatment Division 201 South Jackson Street, MS KSC-NR-0505 Seattle, WA 98104-3855 phone: 206-477-3556; e-mail: jim.sussex@kingcounty.gov

Appendix B: Scoping Comments

Tribes

Muckleshoot Indian Tribe

Submitted via email, July 17, 2020

MUCKLESHOOT INDIAN TRIBE
Fisheries Division
39015 - 172nd Avenue SE • Auburn, Washington 98092-9763
Phone: (253) 939-3311 • Fax: (253) 931-0752

July 17, 2020

Mr. Mark Isaacson, Director
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-NR-0501
Seattle, 98104-3855

RE: King County Wastewater Treatment Division's Clean Water Plan, SEPA Notice (DS) and EIS Scope

Dear Mr. Isaacson:

We have reviewed the SEPA Determination of Significance and Request for Comments on the Scope of the Programmatic Environmental Impact Statement for the King County Wastewater Treatment Division's Clean Water Plan (Dated May 20, 2020). This proposal will guide King County Wastewater Treatment Division's (WTD) water quality investments through the year 2060 on the operation and development of WTD's wastewater infrastructure and related activities. This Clean Water Plan will affect the future quality and quantity of water within the Muckleshoot Tribe's fishing areas within WRIAs 8, 9, and 10.

The goal of the Muckleshoot Tribe's Fisheries Division Habitat Program is to protect and restore fish habitat, including water quality and quantity, so that tribal members can exercise their treaty-reserved commercial, subsistence, and ceremonial fishing rights now and in the future. The Tribe is committed to protecting and restoring the abundance of salmon and the quality and quantity of fish habitat in these areas. We offer the following comments for the scope of the Programmatic Environmental Impact Statement for the Clean Water Plan (Clean Water Plan EIS). The following concerns and strategies should be addressed in the alternatives, analyses, related documents, and discussions for the Clean Water Plan EIS.

1. **Pollution Prevention**. Effective and accountable plans to partner with communities, businesses, and local governments to reduce pollutants at the source to minimize the introduction of these pollutants into wastewater. Include consideration of minimizing the introduction of toxic constituents into wastewater that may affect fish health and human health, consistent with federal, tribal, and state water quality standards.

2. **Level of Treatment at King County's Wastewater Treatment Plants.** Advanced levels of treatment should be considered for wastewater treatment plants to maximize the removal of pollutants in wastewater effluent. In this analysis, consider strategies to

remove toxic constituents that may affect fish health and human health, consistent with federal, tribal, and state water quality standards. Consider strategies to remove nitrogen and phosphorus pollutants, consistent with state and federal objectives to minimize nutrient loads to waterways. Consider Washington State's Puget Sound Nutrient Reduction Project (https://ecology.wa.gov/Water-Shorelines/Puget-Sound/Helping-Puget-Sound/Reducing-Puget-Sound-nutrients/Puget-Sound-Nutrient-Reduction-Project).

3. **Stormwater Management and Combined Sewer Overflows (CSOs).** Effective and accountable plans to partner with communities, businesses, and local governments to reduce pollutants at the source to minimize the introduction of these pollutants into stormwater. In this analysis, consider toxic constituents that may affect fish health and human health, consistent with federal, tribal, and state water quality standards. Consider plans to maximize CSO projects to minimize combined sewer overflows.

4. **Management of Capacity of Sewers and Pumps**. Maximize the system to capture the largest amount of wastewater while maximizing water conservation within the system. Consider maximum wastewater flow levels, storms that happen only once every 20 years, and potential regional future growth. Consider aggressive actions to reduce the amount of inflow and infiltration into the sewer system.

5. **Fish Passage and Habitat Processes.** The EIS needs to acknowledge and assess the potential for existing and expanded infrastructure and projects covered under the plan to restrict and/or restore fish passage at roadway crossings and stream crossings. We recommend that the plan include requirements to replace fish passage barriers when capital improvement projects under this plan occur, as well as, ensure that fish passage projects done by others would not be impaired by new, expanded, or relocated sewer and stormwater projects. Examples would be to bury sewer lines deeper or relocate sewer or stormwater lines, relocate detention ponds, etc. to improve fish passage and habitat processes.

We would appreciate a written response to our comments and concerns. Further, it is very important that the County provide the Tribe with early opportunities to evaluate actions, strategies, and related reports under consideration for the EIS Clean Water Plan. Please direct these communications and materials to me as the technical contact for this Clean Water Plan. I can be reached at 253-876-3128.

Thank you very much,

Nancy Rapin

Nancy Rapin
Water Team Leader

Suquamish Tribe

Submitted via mail and email, July 10, 2020

THE SUQUAMISH TRIBE
PO Box 498 Suquamish, WA 98392-0498

July 10, 2020

SENT VIA E-MAIL AND REGULAR MAIL

Katherine Fischer
Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-NR-0505
Seattle, WA 98104-3855

RE: Determination of Significance and Request for Comments on the Scope of the Programmatic Environmental Impact Statement for the King County Clean Water Plan

Dear Ms. Fischer:

This letter provides the Suquamish Tribe's comments concerning King County's May 20, 2020 determination of significance and request for comments on the scope of a programmatic environmental impact statement ("EIS") that will be prepared for the King County Wastewater Treatment Division Clean Water Plan. The stated purpose of the Clean Water Plan is to amend King County's current Regional Wastewater Services Plan and guide King County's water quality investments through the year 2060.

The Suquamish people have lived, fished, hunted, and gathered in and around Puget Sound since time immemorial. The Suquamish Tribe ("Tribe") is a federally-recognized Indian Tribe and pursuant to the 1855 Treaty of Point Elliott, the Tribe reserved the right to fish and gather shellfish at its "usual and accustomed" (U&A) fishing grounds and stations in Puget Sound. The Tribe's U&A includes the entire marine area of King County north of Vashon Island and also the Lower Duwamish River. Within its U&A, the Tribe exercises treaty-reserved rights to harvest fish and shellfish resources.

Since time immemorial, the welfare of the Tribe and its members has depended on access to healthy and abundant fishery resources in what is now King County and elsewhere in Puget Sound. These resources support the health, economic, and spiritual wellbeing of the Tribe. When the abundance of these resources or access to them are threatened (or interrupted) by pollution, habitat modification, harmful algal blooms, ocean acidification, or numerous other preventable anthropogenic pressures, the Tribe and each of its members are impacted.

Potential Impacts of the Clean Water Plan on the Suquamish Tribe

For several reasons, the Clean Water Plan is of enormous consequence to the Tribe. First, within the Tribe's U&A, King County operates two large wastewater treatment plant outfalls (West Point Treatment Plant and Brightwater Treatment Plant) and numerous outfalls that convey and discharge combined sewer overflows (CSOs) to Puget Sound. The sheer volume of wastewater that passes through King County's treatment plants and CSOs, makes King County the largest single discharger of treated wastewater in all of Puget Sound. King County has 30 miles of shoreline that are within the Tribe's U&A, none of which have been approved or conditionally approved for commercial shellfish harvest due to the risk of bacterial and chemical contamination

from King County's outfalls. The risk of bacterial and chemical contamination from any of King County's outfalls, is one of the most significant challenges to upgrading all or portions of King County's shoreline within the Tribe's U&A. Without an approved or conditionally approved shellfish growing area, the Tribe and its members remain unable to exercise their Treaty rights in King County's marine nearshore.

Second, the Tribe knows from first-hand experience that upset conditions at any of King County's wastewater treatment facilities (including CSO facilities and conveyance infrastructure), whether from unusual storm events, human error, or equipment failure or malfunction, can lead to impacts to its U&A outside of King County. In February of 2017, system failures at the West Point Treatment Plant caused the release over 200 million gallons of stormwater and untreated sewage into Puget Sound. This resulted in a two week closure of the Tribe's shellfish harvesting areas (Port Blakely and Port Madison). Most recently, in July 2019, a failure at the West Point Treatment Plant led to the discharge of 2.1 million gallons of stormwater and untreated sewage directly to Puget Sound. Shellfish growing areas on the west side of Puget Sound (including areas immediately adjacent to the Port Madison Indian Reservation) were closed to harvest due to the health risk posed by this failure. Equally important, this spill impacted and interfered with the Tribe's ability to practice its cultural traditions and host the annual 2019 Tribal Canoe Journey. The Tribe was in the midst of welcoming a large number of canoe journey participants from the marine waters of Puget Sound to the shores of the Port Madison Indian Reservation. After the Tribe was notified of the sewage spill and the No Contact Advisory due to sewage spill, the Suquamish Tribal Council was forced to advise its members and other Tribes' members on canoe journey to avoid touching the marine waters when entering Suquamish territory and to ensure that they properly decontaminated themselves after carrying their canoes from the marine water to the nearby uplands for the canoe journey events. The No Contact Advisory was in place during the entire canoe journey hosting event on the Port Madison Indian Reservation.

Third, there is increasing evidence that nutrients discharged by King County Wastewater Treatment Division and others are impacting the Puget Sound ecosystem, contributing to low dissolved oxygen, acidification, harmful algal blooms, and changes to food web dynamics. These impairments pose a direct threat to aquatic life and the abundance of treaty-reserved resources. In the case of harmful algal blooms, it also threatens the Tribe's access and ability to harvest. Shellfish closures due to paralytic shellfish toxins in the central basin of Puget Sound were almost unheard of until the 1970s but had become commonplace by the 1990s. Approximately 38 tons of dissolved inorganic nitrogen are discharged from wastewater treatment plants to Puget Sound each year. Two-thirds come from the four largest plants, including West Point Treatment Plant and King County South Treatment Plant, both of which are King County Wastewater Treatment Division facilities.

Finally, King County proposes developing a 40-year investment plan for its wastewater treatment facilities and operations. Whereas 40 years is but a fleeting moment in time relative to the time that the Suquamish Tribe has plied the waters of Puget Sound, it is a distant planning horizon for a local jurisdiction, even one the size of King County. The Suquamish Tribe urges King County to view this plan as a once in a generation opportunity to align the County's wastewater investments with the recovery of the Puget Sound ecosystem and protection and restoration of the Tribe's treaty resources and access to them.

Content and framing of the Clean Water Plan

King County has repeatedly and publically characterized the clean water planning process as an effort to determine how to best invest the County's limited funds in its wastewater treatment and conveyance system to produce the biggest benefits. In meetings with the Tribe, staff have remarked that "we [the County] can't do everything, so we need to determine what the highest priority investments are." In its Clean Water Plan, the Tribe urges the King County Waste Water Treatment Division to treat Puget Sound and the ecosystem services it provides as a fundamental component of King County. The investments the County makes are not just in the physical infrastructure that make up the system, but in a healthy and recovered Puget Sound with abundant salmon and orca whales, and with clean and abundant shellfish beds that support tribal treaty rights without interruption or closures from frequent sewage spills (including CSO events) or from harmful algal blooms.

Earlier this year, King County staff presented a briefing on the Clean Water Plan to tribal governments. In its presentation materials, King County included a picture of a tribal canoe on Puget Sound on a sunny summer day. This presentation was given less than a year removed from the sewage spill of July 2019. The inclusion of the image of a tribal canoe in King County's presentation was a painful reminder to the Tribe that what should have been a celebration of cultural and community renewal, the Tribe's hosting of the annual canoe journey, was marred by a sewage spill from the West Point Treatment Plant. The emotional toll that event has exacted on the Tribe is severe and lasting. The image is also a reminder to the Tribe of the continued loss of harvesting opportunity in its U&A due to the presence and operation of King County's wastewater treatment facilities. It has been over 25 years since the Rafeedie Decision affirmed the Tribe's treaty-reserved right to harvest shellfish on public and private tidelands within its U&A. In the time since, the Tribe has repeatedly pressed King County to take the necessary actions to protect and reopen shellfish beds to tribal harvest. The Tribe requires that the Clean Water Plan lay out a clear path to harvestable growing areas within its U&A and also commit King County to the investments necessary to make this happen.

As the most populous jurisdiction in the region, the County's role and regional leadership in ecosystem recovery is crucial. The Clean Water Plan should identify and enumerate all actions within King County government necessary to ensure recovery of Puget Sound. The Clean Water Plan should explain how it is concurrent with land use plans and compliant with environmental regulations and how the County's integrated actions account for new population growth and a changing climate while restoring a resilient Puget Sound ecosystem.

Finally, the Tribe believes that the Clean Water Plan must recommit King County to all of its current and future legal and regulatory obligations. In its latest Annual CSO and Consent Decree Report (Annual Report; published July 2019) the County recommitted itself to implementation of all of the terms and conditions of the July 3, 2013, Consent Decree (CD) [Civil Action No. 2:13-cv-677] it entered with the U.S. Department of Justice, U.S. Environmental Protection Agency and Washington Department of Ecology. This statement was encouraging to the Tribe and we believe the Clean Water Plan should be developed consistent with this commitment. As the County noted in its Annual Report:

> CSO control is important to King County because CSOs are a recognized source of water pollution that can result in temporary increases in bacterial counts, aesthetic degradation of shorelines, long-term adverse impacts on sediment quality at discharge points, and raised public health concerns in areas where there is potential for human contact. Protection of water

quality and compliance with environmental regulations are top priorities for King County. In addition, the County is committed to meeting all the milestones and actions outlined in the CD.

Because of the ongoing impact of CSOs on water quality and tribal treaty rights and resources, the Tribe wholeheartedly agrees. King County must stick to the schedule of CSO improvements required by the CD. The Clean Water Plan must not propose extensions to the 2030 deadline. The Tribe is especially opposed to suggestions of an extension of 30 years to the deadline for compliance with the CD.

Thank you for the opportunity to comment on King County's Determination of Significance and Notice of Scoping. We agree with King County's threshold determination and look forward to working government-to-government with King County to ensure that the Clean Water Plan meets the County's and the Tribe's long term needs.

Sincerely,

Tom Ostrom
Ecosystem Recovery Manager
Suquamish Tribe
(360) 394-8446

Cc: Mark Isaacson, Director, King County Wastewater Treatment Division
Christy True, Director, King County Department of Natural Resources and Parks
Joe Hovenkotter, Government Relations Officer, King County Department of Natural Resources and Parks
Suquamish Tribal Council

Community-Based Organizations

Greater Maple Valley Unincorporated Area Council

Submitted via email, July 19, 2020

Katherine Fischer
katherine.fischer@kingcounty.gov
Environmental Programs Managing Supervisor
Wastewater Treatment Division (WTD)
Department of Natural Resources and Parks (DNRP)
King County
201 South Jackson St
Seattle, WA 98104-3855

Ms. Fischer,

Subject:

Please accept the comments herein from the Greater Maple Valley Unincorporated Area Council (GMVUAC). We are a community council of volunteer citizens who reside in the unincorporated portion (*i.e.*, outside the City of Maple Valley) of Tahoma School District # 409. The GMVUAC represents and advocates with King County, state officials, and other organizations for the interests of the citizens of our unincorporated area. We serve a population of 16,100 (2010 Census). Our service area is 116 sq mi. Residents of the Rural Area live in areas where they can embrace the natural environment as part of their daily lives. It is the intent of the GMVUAC to be the voices of those residents.

We have reviewed the Determination of Significance (DS) calling for a Programmatic Environmental Impact Statement (EIS) on the Clean Water Plan to revise/replace King County's Regional Wastewater Services Plan (RWSP). We have confined our comments to the Scope of that EIS. Ultimately, we advise the scope of the EIS address the human and environmental health impacts of the entire architecture of our wastewater-handling processes.

Description of Proposal

While we understand the necessity of long-term planning, forty years seems like a long time for a fast-growing area that presents so many variables not known and unknown. The eventual Clean Water Plan should contain clear administrative procedures that require periodic reviews to assess whether the plan is still valid and make necessary updates as appropriate, as well as a process review at least every 5 years with bi-annual status reports.

Issues

Regional Wastewater Treatment Plants

Scoping should look at alternative locations for building additional wastewater treatment plants. Unsafe or marginally safe practices for sludge (and the like) should be moved to areas better suited for complex chemical engineering processes (such as in the urban industrial areas themselves, and Eastern Washington), and a larger *"safety factor"* be built into our regional areas and systems that better anticipates the increased population growth that may likely occur within King County.

Scoping for additional Wastewater Treatment Plants should include assessment of urban and rural area growth plans with the impacts on residents and businesses within a 20-mile radius of potential sites.

Scoping on the site selection process should address present/future neighborhood impacts, wildlife habitat and population impacts, transportation studies, and a complete environmental analysis that includes air flow (stagnation), microclimate effects, and seismic stability.

Capacity in Regional Sewer Pipes and Pumps

Scoping needs to address specific sewage plant capacity, percentage of use, and their surplus abilities, as well as their strategy when the additional wastewater hits the maximum levels. Concerning overflow limits—*options such as the continuation of the wastewater conveyance system's current level of service (5% chance of overflow in any given year), a revised level of service (20% chance of overflow in any given year), aggressive infiltration and inflow (I/I) reduction and incentivizing self-directed I/I reduction, and conveyance system control optimization),* we recommend to not increase the amount of untreated wastewater, but rather to focus on the treatment plants that historically have been problematic. The scope should include regional sewage pipes from Maple Valley, Cedar Hill Regional Landfill, Cedar Grove Composting, and Queen City Farm (this should include both capacity and leakage). Please refer to the wastewater maps: https://www.kingcounty.gov/services/environment/wastewater/csi.aspx

Aging Sewer Systems, Natural Disasters, and Climate Change

We are encouraged the county is looking at Disaster planning; however, there are many facets of which that must be addressed. Scoping should include solid waste and organic solids *"healthy soils"* initiatives, as well as toxic springs outcroppings on the Cedar River Canyon Rim— specifically on the Cedar River Canyon Slopes below both the Cedar Hills Regional Landfill, Cedar Grove Compost, and Queen City Farms, as these water springs and streams affect the water quality of the Cedar River (and its salmon habitat) and present a *"creeping danger"* to the Cedar River Aquifer for the City of Renton and its drinking water sources. Scoping on the geology, hydrology, and soils should include, but not be limited to, mapped scarps, faults, surface disturbances, mines, quarries, and gravel pits.

Recycling Resources from Wastewater

Scoping should consider leachate processing—specifically removal of heavy metals and other toxic chemicals contained in leachate output from being carried into the municipal waste water

system(s) to a specialized processing facility (preferably in an arid, barren, and solar rich landscape) where the materials can be dried, concentrated, and processed into useful products. Scoping also should address biosolids, fertilizer, compost, and recycled water processing and use (i.e. storage in a favorable location that is arid/dry, geologically stable, and located far away from human inhabitable locations) and assess system resiliency including management of ecosystems and reengineering scientific removal of toxic chemicals, pathogens (disease), aerosols and hydrocarbons (including polymers).

Stormwater and Combined Sewer Overflows (CSO)

Scoping should address the potential projects identified to increase the amount of stormwater treated or pollutants removed, including water quality trading concepts such as market-based incentives and pooling funding (each of these should be clearly defined and related impacts identified), as well as impacts to human and animal health and urban, rural, and natural environments. Scoping should include the impacts of stormwater as it flows through ancient courses into wetlands, streams, creeks, rivers, and estuaries (ecosystems). Reference: https://bacwa.org/wp-content/uploads/2008/04/pulse-for-BACWA.pdf

Pollution Reduction Issues Preventing Pollution at the Source Scoping should address the impacts from the many sources that exist today, as well as planned for the future. The Cedar Hills Regional Landfill receives roughly a million tons of garbage a year, hence it exports over a million gallons of leachate into the urban sewer system a day. This large and unique WTD customer is required to pre-process its leachate in expansive open-aeration ponds prior to pumping the processed liquid into the sewage system. The output, whether airborne (gas, dust, etc.), solid or liquid, should be reviewed for all known Volatile Organic Compounds (VOC's), not just the dozen or so King County has historically monitored. Scoping should include full chemical characterization of emitted VOC's and interactions to assess impacts on the health of residents who reside within a 100-mile radius of any Wastewater Treatment Plant site.

Pollution from Historical Activities

In general, we believe the statements in this section seem to be vague: *"WTD will explore options that include continuing current programs to clean up contaminants that have built up in sediments from past activities. More expansive programs to address legacy pollution, including projects in and adjacent to water bodies that remove pollutants and prioritize restoration of critical habitat will also be explored."* We call for the scoping to include all of this and in the depth necessary to truly assess individual impacts and cumulative impacts. We specifically are concerned about clean-up activities around the Queen City Farms Superfund site and Cedar Hills Regional Landfill. There already are decade's long deep histories with both of these sites regarding pollution that includes Cedar Grove Compost. Such impacts need to be better historically recognized and further testing required with continuous monitoring with modern science equipment.

Location of the Proposal

Scoping should not be limited to the urban growth areas. Most of the polluted waterways in King County originate in the Rural Area with both the Cedar River and Issaquah Creek with known toxins. It would seem logical to start clean-up activities at the furthest point sources (e.g., John

Henry Mine, Reserve Silica, Queen City Farm (Superfund), Cedar Grove Compost, and Cedar Hills Regional Landfill) and move activities closer to the urban areas as pollution levels drop from the sources in the Rural Area.

Conclusion

The DS calling for a Programmatic EIS on the Clean Water Plan to revise/replace the County's RWSP omitted the Rural Area: "*The Plan covers the area served by WTD that includes the urban growth areas of King County and adjacent portions of south Snohomish County, and a small area of north Pierce County*." As residents of King County, we believe the scoping must include the Rural Area and all related impacts due to the pollutants and contaminants generated from places like the Cedar Hills Landfill leachate treatment site and other sites located in the Rural Area.

It is important to Rural Area residents to feel included in activities that affect their personal and environmental health. Unfortunately, Rural Area residents *already* feel left out of decisions that affect the County, as a whole; residents in urban and metropolitan areas have City officials and more County Councilmembers who pass ordinances and develop policies that can (and do) negatively affect citizens of the Rural Area.

In the spirit of *"think globally, act locally,"* we recommend scoping consider thinking internationally. King County has the opportunity to make an impact on our world's water sources and promote a *"healthy planet"* approach with its long-term Clean Water Plan that calls for better management and plans for scientific removal and gathering of toxic chemicals, pathogens (disease), aerosols and hydrocarbons that convert the substances into something that is scientifically safe (public and environmentally). Part of the scoping should call for the assessment of research performed on Clean Water Plans from across the nation, especially in those states and counties that border large bodies of water, like Puget Sound.

In addition, scoping should take into account the following similar directives:

• Washington State SB 6306 *"Soil Health Initiative"* Effective June 11, 2020

• King County Executive Order No. LUD-12-1-EO *"Clean Water Healthy Habitat Executive Order" Effective September 4, 2019*

It is expected all the corresponding government agencies will cooperate, coordinate, and respond with the same vision. We recommend considering the County's actions from a global perspective since most of our waterways in King, Pierce, and Snohomish counties drain into Puget Sound.

Approved by:

LarKen Buchanan
lmbuch@outlook.com
Chair, Environment Committee
GMVUAC

Steve Hiester

steve.Hiester@oldcastle.com
Chair
GMVUAC

cc: CleanWaterPlanSEPA@kingcounty.gov
John Taylor, Director Dept. of Local Services john.taylor@kingcounty.gov
Lauren Smith, Director, Regional Planning, KCEO lauren.smith@kingcounty.gov

InterIm CDA

Submitted via email, July 19, 2020

Katherine Fischer
Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 S Jackson Street, MS: KSC-NR-0505
Seattle, WA 98104-3855

SEPA Scoping Comment

InterIm CDA is a community development non-profit which has served the International District community and other similar communities for over fifty years. Our mission is fight for equity and social justice for immigrant, refugee, low income, and Asian-Pacific Islander communities. We provide affordable housing, youth services, housing services, a community garden, and other services and advocacy in the Chinatown-International District area and the general Puget sound region.

Our communities have higher rates of poverty, limited English proficiency, immigrants, and are more prone to environmental injustice than many other communities. Communities we work with regularly are not represented in processes such as this.

We are providing this SEPA comment with the so that our expertise can be used to ensure that our communities, or similar communities, are not left out or disregarded when the King County government is planning on how to update the King County Waterplan.

First, we hope to address the priority areas. These all are important but based upon our knowledge of our communities we would like to highlight some above the others. Equity is important because we must center the voices of the most marginalized communities. For communities like the one is we serve, but also for other communities that we might not serve but whom are still similarly disadvantaged. We must make sure that the King county Waterplan does not only work for wealthier, whiter, homeowning people but all people in King County. Protecting public health is another area of importance because many of the people we serve are elderly immigrants, whose health can be very fragile. This is directly tied to avoiding sewer overflows and protecting the fish and waterbodies. Keeping rates affordable is also very important for most people in our communities because many are lower income, and so do not have the economic resources to pay for extra utilities costs. Finally, our communities suffer from higher rates of population, so anything that can be done to combat climate change and decrease air pollution is welcome.

For example, in the addressing capacity question, we encourage the King County Waterteam to do what they can to prevent people from putting chemicals into the water in the first place. We are not experts, so we do not know if these chemicals are harmful to health or not.

In terms of the capacity of the current system, we have not heard of many complaints that the current system is too prone to overflow. That leads us to believe that the current size expected storm (once every 20 years) is adequate.

As far as the age of the regional system is concerned, the current habit of replacing those systems most in need of replacing seems appropriate. While we are not experts on watersystems, it seems that the average age of pipes and the oldest pipes have a large gap in between them, as do the Pump Stations. It might be appropriate to prioritize those kinds of repairs.

We would like to note that we have participated in pollution reduction programs for our residents and found it very helpful, and fully support expanding these programs if possible, along with expanding language capacity to serve non-English speaking residents. Likewise, we support programs that continue education on toxic sediments. We would like to note that we do serve immigrant families in the Burien/South Park. White Center area, some of whom fish in the Duwamish river.

Finally, we encourage you to finance these projects in a way that removes as much burden as possible from lower income households. Additionally, if it is possible that in the course of the implementation of the King County Waterplan that some of the capitol projects might serve additional community benefit, such as selling surplus land to a local affordable housing provider, or the creation of a new park, we suggest you do so.

Please let me know if you have any questions. I am happy to engage in this process further. My email is dlum@interimcda.org

Thank you,

Derek Lum, MSW
InterIm CDA
Policy Analyst

Young Women Empowered

Submitted via email, July 17, 2020

Hello,

Young Women Empowered (Y-WE) is partnering as a Community Based Organization with the King County Wastewater Treatment Division to provide input into the Clean Water Plan. Please see below for our comments into the SEPA scoping process largely addressing environmental health, environmental justice, and socioeconomics within the built environment.

- When deciding on where these critical investments under the Clean Water Plan will take place, consider neighborhoods with higher populations of communities of color and less access to wealth. Projects in these areas may not be the most "cost-effective," often with older buildings and infrastructure and municipalities with less resources to pay for these projects. Using cost-effectiveness as a primary factor in decision-making around project investments can translate to wealthier, whiter areas in King County having more access to environmental health than others, which we already know is a lived reality as cited in the City of Seattle's Equity and Environment agenda. While the intention may not be to perpetuate environmental injustice, that may well be the experience of poor Black and brown community members who also deserve clean water.
- When considering funding sources, innovation around rate structuring can go further in the County. To the point above, it is important that necessary improvements that are the regulatory obligation of the County do not come at the cost of poor families. Financial support programs are already in place in the County and can be improved to be more equitable. The wealthiest should pay higher rates proportionally as their budgets can weather this impact more than poorer communities. We encourage the County to advocate for more state and federal funding towards these efforts as well.
- Based on the 2018 Combined Sewage Overflow and Consent Decree Annual Report, Combined Sewage Overflow (CSO) sites along the Duwamish River area (designated a Superfund site by the EPA) experienced overflow occurrences more frequently than any other area in the County and on average released more gallons of overflow per occurrence than any other area reported on. According to the City of Seattle's Equity and Environment agenda, 58% of the population that lives within one mile of the Superfund boundary are people of color. Median household income in the adjacent South Park neighborhood is $42,600, ranking 96th out of all 101 neighborhoods in Seattle. In 2014, half of the South Park population was below 200% of the federal poverty level. Not only is the Duwamish Valley disproportionately home to marginalized communities, it is also home to more for-profit industries that contribute higher levels of contaminants on our streets and into our waterways. Directly addressing CSOs and stormwater runoff in these neighborhoods is a top priority. Stricter regulation and financial accountability of industry polluters of the present and past, especially in the Duwamish Waterway area and including the Port of Seattle, is necessary.
- As these investments in waste water treatment infrastructure projects continue, it is important to prioritize local marginalized communities when hiring and training for these "Green Jobs." Grants to community organizations should go to those most underserved historically and presently by these water management and treatment systems, including Black, Indigenous, and other People of Color-led organizations. Lastly, in marginalized communities where these projects take place, measures must be taken to fight gentrification. So often as necessary infrastructure and service investments take place in

poor, underserved areas, the communities who have lived there can no longer afford to as property value increases due to these projects.

Please feel free to reach out with any further clarifying questions, we appreciate your time and consideration of these priorities.

Young Women Empowered cultivates the power of diverse young women and non-binary youth to be creative leaders and courageous changemakers through transformative programs within a collaborative community of belonging. Y-WE's mentorship-based programs serve more than 700 young women, ages 13-26 in the greater Puget Sound Area: 70% are first- or second-generation immigrants, 85% are of color, and 90% are from low-income backgrounds. Programs emphasize Social and Emotional Learning (SEL), Leadership, and Intergenerational and Intercultural Understanding.

Warmly,

Neli Jasuja
Program Manager
Nature Connections
Pronouns: she/her, they/them

Environmental Groups

Puget Soundkeeper; Duwamish River Cleanup Coalition; Zero Waste Washington; Washington Environmental Council; Waste Action Project; Sierra Club, Seattle Group; and Environment Washington

Submitted via email, June 17, 2020

Katherine Fischer
Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 S Jackson Street, MS: KSC-NR-0505
Seattle, WA 98104-3855
Email to: CleanWaterPlanSEPA@kingcounty.gov

July 17th, 2020

RE: Scoping Period for the Clean Water Plan Draft Environmental Impact Statement (DEIS)

Dear Ms. Fischer:

The undersigned organizations work on various clean water issues in King County, including stormwater pollution regulation and control; combined sewer overflows ("CSOs"); Clean Water Act implementation and enforcement; the regulation of toxic chemicals; legacy pollution; voluntary actions to restore ecosystem health; cleanup of the Duwamish River Superfund Site, including source control; and environmental justice. We write to express our collective concerns and comments with various clean water planning processes as part of the Scoping Period for King County's Clean Water Plan (the "CWP").

This scoping period has commenced prematurely. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to:

- Explain the legal requirements and policy guidelines that will provide the foundation for and shape the CWP. This legal foundation includes but is not limited to:
    1. The requirement to control all CSOs by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC (the "CD");

2. Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's;
3. King County's requirements and obligations as a Responsible Party participating in cleanup and source control related to the Lower Duwamish Waterway Superfund Site; and
4. King County's policies and resolutions regarding equity, environmental justice, and commitments made to communities in the Lower Duwamish Valley.

- Explain that King County and the City of Seattle, are currently working with EPA to modify their respective Consent Decrees, explain what those modifications entail, and explain the known and potential impacts within King County (inclusive of Seattle) to water quality, the environment, and communities that could result from modification.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan. Such planning processes include but are not limited to King County's Water Quality Benefits Evaluation process; the work of the new Strategy, Policy and Performance Unit including the development of King County's first Stormwater Master Plan; Our Green Duwamish; the County's Comprehensive Plan; Salmon Recovery Plan; Waste Treatment Division/CSO Plan, and more.

- If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have. Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River.

Because the County has failed to provide sufficient information to the public for the public to be able to understand, meaningfully comment, and fully participate in this process, we ask that the County pause the scoping period in order to provide the public with a clear and complete explanation of the above factors and how they will shape the Clean Water Plan, be shaped by the Plan, and potential Action Alternatives. We will also address the scope of the DEIS in section 4 below.

1. Concerns Regarding Regulatory Framework and Compliance

King County failed to articulate the legal framework that will dictate the shape and content of the Clean Water Plan, or to explain how the County plans to comply with applicable laws. This information must be provided in the DEIS.

a. CSO Controls Required

CSOs happen all too frequently in King County and Seattle, and result in hundreds of millions of gallons of combined sewage and stormwater being discharged to Puget Sound every year. Of particular concern are toxic chemicals associated with industrial users (sewage) and stormwater runoff from roadways. King County estimates that, as of 2018, it treats 12.4 billion gallons of wastewater a year, but that another 595 million goes into Puget Sound untreated per year from combined sewer outfalls.[1] This is in addition to CSO overflows from the City of Seattle outfalls.

CSO discharges contain a mix of approximately 10% wastewater and 90% stormwater. Per the U.S. Environmental Protection Agency (EPA):

> Because CSOs contain untreated domestic, commercial, and industrial wastes, as well as surface runoff, many different types of contaminants can be present. Contaminants may include pathogens, oxygen-demanding pollutants, suspended solids, nutrients, toxics, and floatable matter. Because of these contaminants and the volume of the flows, CSOs can cause a variety of adverse impacts on the physical characteristics of surface water, impair the viability of aquatic habitats, and pose a potential threat to drinking water supplies. CSOs have been shown to be a major contributor to use impairment and aesthetic degradation of many receiving waters and have contributed to shellfish harvesting restrictions, beach closures, and even occasional fish kills.[2]

According to the EPA, between 2006 and 2010, King County discharged approximately 900 million gallons of raw sewage to waters of the United States every year through unauthorized discharges involving combined sewer overflows (CSOs), in violation of Section 301 of the Clean Water Act. And per EPA, between 2007 and 2010, the City of Seattle discharged another approximate 200 million gallons of raw sewage to waters of the United States every year through unauthorized discharges involving combined sewer overflows (CSOs), also violating the Clean Water Act.

In 2013, Seattle and King County signed Consent Decrees with the EPA to resolve these longstanding Clean Water Act violations. King County is required to implement its Long Term Control Plan to control its CSO discharges by no later than December 31, 2030, and take other steps. Per the CD, in 2013, 16 of King County's 38 outfall locations that are not associated with satellite CSO treatment plants were controlled and 22 remained to be controlled. The County sought, and EPA granted, a non-material CD modification in 2016. Per this modification King County agreed to do a joint project, the Ship Canal Water Quality Project, with Seattle Public

[1] 2018 CSO Control Program Update

[2] https://www3.epa.gov/npdes/pubs/owm0272.pdf

Utilities (SPU) to control two of King County's CSOs as well as four of SPU's CSOs. As of King County's last Long Term Control Plan Update (these updates are issued every 5 years), submitted to Ecology in October 2018, the County reported that it had controlled 19 of 38 CSOs - meaning, essentially, that in a span of 5 years the County controlled 3 CSOs and still has 19 to go.[3] It is unclear what progress has been made since that date - King County's Annual Report for 2019 is not yet available online.[4]

As noted above, Consent Decrees with the EPA, King County is responsible for controlling 38 of its 42 CSOs that are not associated with satellite CSO treatment plants,[5] and Seattle is required to control 86 CSOs.[6] However per the Washington Administrative Code (173-245-020(22)), the "greatest reasonable reduction" for CSOs sets a standard of not more than one untreated discharge per year per outfall, based on a 20 year moving average. This has been interpreted to mean that Seattle and King County are legally allowed one overflow per CSO outfall per year, or 124 overflows for the 124 Seattle and King County CSOs. And that is the *goal* the EPA required the municipalities to achieve by 2030.

In 2017 King County had 206 untreated CSO events discharging 1,707 million gallons (MG) of combined sewage and stormwater to Puget Sound - that's 1.7 billion gallons.[7] This included a catastrophic failure and flooding event that occured on February 9, 2017 at the West Point wastewater treatment plant at Discovery Park that dumped a total of 235 million gallons of stormwater and sewage into the Sound over several weeks, including 30 million gallons of raw sewage.[8] Conditions in 2018 resulted in 160 untreated CSO events in King County, discharging about 839 MG of combined sewage and stormwater to Puget Sound waters.[9] In addition, Seattle reported the following total discharge volumes for 2017, 2018, and 2019:

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[3] https://kingcounty.gov/~/media/services/environment/wastewater/cso/docs/program-updates/2018_CSO-control-program-update-secure.ashx?la=en, Table 2-2 @ 2-9, 2-10.

[4] https://www.kingcounty.gov/services/environment/wastewater/cso/library/annual-reports.aspx

[5] https://www.kingcounty.gov/~/media/services/environment/wastewater/cso/docs/130703_KingCountyCSOConsentDecree.ashx?la=en

[6] http://www.seattle.gov/Documents/Departments/SPU/EnvironmentConservation/CityofSeattleConsentDecree.pdf

[7] https://www.kingcounty.gov/~/media/services/environment/wastewater/cso/docs/annual-reports/2017_CSO-CD-Annual-with-cover-letter.ashx (at page 58)

[8] https://projects.seattletimes.com/2017/west-point/

[9] https://www.kingcounty.gov/~/media/services/environment/wastewater/cso/docs/annual-reports/2018_CSO_CD_annual-report.ashx?la=en (at page 58)

- In 2017: Seattle reported 275 CSOs totaling 147.5 MG,[10]
- In 2018: Seattle reported 163 CSOs totaling 52.6 MG,[11] and
- In 2019: Seattle reported 141 CSOs totaling 95.7 MG.[12]

The combined figures are staggering. These discharges represent large quantities of toxic chemicals and other pollutants released into our fragile marine environment, both causing local harm and widespread harm via bioaccumulation within aquatic life and bioconcentration up the Sound's food chain. Details regarding King County's legal requirements per the Clean Water Act and its Consent Decree with the EPA, as well as past and current data regarding its CSOs and the combined impact of Seattle's CSOs, should be provided to the public in the DEIS.

b. Clean Water Act Requirements

The County must comply with the Clean Water Act (33 U.S.C. § 1251 et. seq.), Washington's Water Pollution Control Act (RCW § 90.48), and Washington's Water Quality Standards (WAC Chaps 173-200, 201A, and 204). The County should clearly describe and delineate these regulatory requirements in the DEIS and explain how they interface with and will impact the CWP.

Pursuant to the Clean Water Act, King County is subject to the requirements of the 2019 Municipal Stormwater General Permit for Western WA Phase I Municipalities. As such, the County must implement a Stormwater Management Program, comply with TMDL requirements, and fulfill other permit requirements.[13] The County was required to make low impact development the preferred and commonly used approach by 2016, and to implement structural stormwater controls ("SSC") to manage stormwater runoff. A new requirement in the 2019 Permit mandates that King County must achieve a minimum performance standard of 300 "SSC points" by completing a suite of retrofit plans and projects to address polluted stormwater runoff by the end of the Permit cycle.

Municipal Stormwater Permit requirements cannot be "double-counted" by the County for the purposes of offering them up as "tradeoff" projects in exchange for CSO control project delays,

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10 https://www.seattle.gov/Documents/Departments/SPU/EnvironmentConservation/2017AnnualWastewaterCollectionSystemReport032918.pdf (at page 51)

11 https://www.seattle.gov/Documents/Departments/SPU/EnvironmentConservation/2018AnnualWastewaterCollectionSystemReport.pdf (at page 53)

12 https://www.seattle.gov/Documents/Departments/SPU/EnvironmentConservation/2019AnnualWastewaterCollectionSystemReport.pdf (at page 57)

13 See: https://apps.ecology.wa.gov/paris/DownloadDocument.aspx?Id=283818

as will be discussed in more detail below. Ultimately, King County is required to comply with the Municipal Stormwater Permit requirements as separate and additional requirements from the CSO CD. This should be clearly articulated in the DEIS. As such, any structural stormwater control projects that are utilized to calculate the 2019 Permit SSC Points requirement cannot and should not be utilized by King County as a "tradeoff" in exchange for CSO control project delays.

King County will also be required to comply with certain terms and conditions of a Puget Sound General Nutrients Permit. This Permit will apply to all, or a subset of, wastewater treatment plants that discharge directly to Puget Sound. This Permit is currently under development by Ecology and a draft is expected in fall of 2020. The terms, conditions and requirements of this Permit, and any infrastructure upgrades, optimizations or modifications that King County must implement to meet those requirements, also cannot be offered up as "tradeoffs" in exchange for CSO control project delays. Ultimately, King County will be required to comply with the General Nutrients Permit requirements as separate and additional requirements from the CSO CD. This should be clearly articulated in the DEIS.

c. Duwamish Superfund Site Requirements and Obligations

In 2001, the Environmental Protection Agency (EPA) designated most of the Lower Duwamish Waterway as a Superfund site, due to contaminants from decades of industrial activity, CSO discharges and urban stormwater runoff. A total of 5.5 miles of the Duwamish River and 412 acres was identified to be cleaned up. This led to two different groups being formed – the Lower Duwamish Waterway Group (LDWG), made up of potentially responsible parties (PRPs), and the Duwamish River Cleanup Coalition/ Technical Advisory Group (DRCC/TAG), which serves as the community advisory group in the cleanup of the Duwamish River. DRCC/TAG provides the community with engagement opportunities and empowers these affected communities to use their voices on all aspects related to the cleanup of the river and pollution source control.

In 2013, the EPA released a proposed cleanup plan for the Lower Duwamish. The $305 million proposal would not make the Duwamish safe for the communities that live and fish along its shores, and it was modified before the final plan was adopted. The final plan calls for active cleanup of 177 acres of contaminated sediment while allowing 235 acres to recover by controlling and cleaning up pollution sources on land to reduce polychlorinated biphenyls (PCBs), arsenic, carcinogenic polycyclic aromatic hydrocarbons (cPAHs), dioxins and furans and over 40 other toxic pollutants which are above standards. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037.

By the end of 2015, per EPA, 50 percent of PCB contamination in the river bottom sediments was removed through early action cleanups. But there is a long way to go. Once complete, the cleanup of contaminated sediment and pollution source control is anticipated to reduce over 90 percent of the waterway's PCB sediment contamination. In addition to EPA-led site cleanups, there are 16 Ecology led cleanup sites on the Duwamish today and 24 Ecology-led source control projects on the Duwamish. This does not include additional projects in King County and Seattle to control CSOs. Much of the localized pollution in the Duwamish Superfund site, as well as the East Waterway Superfund site, which is concurrently undergoing cleanup, was caused by CSOs.

EPA's cleanup plan anticipates dividing the Lower Duwamish Waterway cleanup into three segments: upper, middle, and lower. The cleanup will begin upstream (south) and move downstream. LDWG, in support of the EPA-led cleanup plan, will begin a more detailed cleanup design for the south third in 2019 and 2020. In December 2019, LDWG produced a Remedial Action Design plan for the upper reach of the Duwamish (the southernmost part). So this is the first third of a 3 part cleanup process. EPA is currently leading public involvement through a Roundtable process during the design development. Because the River flows both ways due to the tide, **any uncontrolled outfalls discharging to the Duwamish have the potential to re-contaminate the River**.

King County must clearly articulate to the public any and all commitments and responsibilities it has as a responsible party for the Superfund Cleanup. Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River.

d. King County Environmental Justice Policies and the Duwamish

South Seattle's Duwamish Valley has long been known to be a community that is suffering from environmental and public health injustices. The community experiences disproportionately high environmental health burdens and risks and fewer positive environmental benefits than the rest of Seattle.[14] A 2013 study, the Duwamish Valley Cumulative Health Impacts Analysis, (*Id.*) demonstrates that people who live in the Duwamish Valley have a 13-year shorter life expectancy than residents of North Seattle. The community also experiences higher mortality from lung cancer, more hospitalizations for children with asthma, and higher rates of diabetes and cardiovascular disease. More Duwamish Valley residents also lack health insurance compared to King County as a whole.

[14] http://justhealthaction.org/wp-content/uploads/2013/03/Duwamish-Valley-Cumulative-Health-Impacts-Analysis-Seattle-WA.pdf

The Washington State Department of Health has issued a fish advisory in the Lower Duwamish River and has warned people to not to eat crab, shellfish and most fish because of the toxic pollution in the Duwamish River.[15] Most fish and shellfish from the Duwamish are not safe to eat, with salmon being the safest option due to shorter residency times in the River. Even when pollution discharges to the River stop, toxic pollutants that are already in the environment will remain and can bioaccumulate in aquatic life - including fish and shellfish. These pollutants can continue causing harm long after the taps are turned off, as many can persist in the environment and in the fatty tissue of creatures and then biomagnify up the food chain. Yet community members, including from lower income and immigrant households, fish in the Lower Duwamish to feed their families. This puts them at increased risk for serious health problems. To help inform the community of the risks and encourage healthier choices, EPA developed a Community Involvement Plan[16] and Institutional Controls to encourage safe fish consumption in culturally appropriate ways. King County developed a "Fun to Catch, Toxic to Eat" program.[17]

In overseeing the Superfund Cleanup on the River, EPA and King County have long known that community members are concerned about the multiple exposures present near the Superfund site due to the heavy concentration of polluting industrial facilities along the River, the presence of other mobile sources of pollutants - including major roadways and areas of concentrated vehicle traffic in the vicinity- and the relative vulnerability of the populations in the area.[18] EPA and King County have acknowledged the need to protect the most vulnerable populations exposed to the contamination in the waterway. Tribal commenters have also expressed concerns regarding the need to prevent recontamination of the waters and fish tissue and to not inhibit tribal rights in the LDW. (*Id.*)

Seattle and King County have both recognized the environmental and public health disparities in the Duwamish Valley and taken steps to start remedying these inequities. In April 2016, the City of Seattle released its Equity & Environment Agenda[19] and announced the creation of a Duwamish Valley Program as an immediate action to advance the environmental justice goals of the agenda.[20] In late 2016, King County produced its first Strategic Plan for Equity and Social

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[15] https://www.kingcounty.gov/services/environment/watersheds/green-river/OurDuwamish/HealthEJ.aspx

[16] https://semspub.epa.gov/work/10/100134114.pdf

[17] https://www.kingcounty.gov/depts/health/environmental-health/healthy-communities/duwamish-fishing/about-us.aspx

[18] https://d10k7k7mywg42z.cloudfront.net/assets/512fbf027a507244640002ea/ej_analysis_ldw_feb_2013.pdf

[19] http://www.seattle.gov/Documents/Departments/OSE/SeattleEquityAgenda.pdf

[20] http://www.seattle.gov/environment/equity-and-environment/duwamish-valley-program/dvp-resources

Justice.[21] A Duwamish Valley Action Plan was published by Seattle in 2018.[22] Further, in 2015, Seattle passed Resolution 31567 and King County passed Resolution 14368 regarding addressing environmental justice impacts on the Duwamish.

The City's Resolution, 31567, affirms the City of Seattle's commitment to transparency, equity, and community engagement in the EPA-mandated process, as the next few years will be focused on "remedial design" – how best to achieve the cleanup goals outlined in the ROD (the Superfund Record of Decision, or cleanup plan). The resolution also sets up an inter-departmental team to continue to identify ongoing projects that serve residential, tribal, and fishing communities in the Duwamish River Valley, coordinate outreach efforts, and consider further actions to protect the health of Duwamish River Valley communities. The County's Resolution, 14368, further recognized the Duwamish Valley as an environmental justice community, confirmed that CSO control on the Duwamish should be hastened and prioritized as per the County's 2012 Long Term CSO Control Plan Update, and requires County staff to proactively work to prevent and mitigate race and income-based disparities in communities. Further, King County "encourages analysis of equity and social justice impacts and development of a remedial design [for the Superfund site] that best protects the health of its diverse communities and residents,…" and made other commitments to addressing environmental justice and "improving the overall community health in the Duwamish River valley."(*Id.*)

The CWP must address whether and how CSO control and any other components of the Plan will be consistent with these Plans and Policies. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will necessarily thus impact the communities in the Duwamish Valley. This is unacceptable and must be explained to the community and prevented or properly mitigated in ways the community understands and accepts.

2. **Concerns Regarding October 29, 2019 letter: "Request to Modify King County's Combined Sewer Overflow Consent Decree" (the "Modification Request")**

    a. Proposed Delay of Chelan Avenue CSO Project (Lower Duwamish Waterway)

In a letter to EPA dated October 29, 2019, King County requests to modify the CD, stating: "[t]o allow for the Clean Water Plan to proceed and inform the water quality projects and implementation schedule needed for CSO compliance, King County requests an extension for

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[21] https://www.kingcounty.gov/elected/executive/equity-social-justice/strategic-plan.aspx

[22] http://www.seattle.gov/Documents/Departments/OSE/Duwamish/DuwamishValleyActionPlan_June2018.pdf

two milestones associated with the Chelan Avenue CSO": the completion of bidding for the Chelan Avenue CSO project from December 31, 2020, to December 31, 2026, and the completion of construction of this project by December 31, 2023 to December 31, 2030. King County goes on to state that "[d]ue to increased costs and the relationship with other CSO projects in the Lower Duwamish area, King County is reviewing alternatives for controlling the CSOs in the Lower Duwamish area. As described in the Chelan Facility plan submitted to Ecology in 2018, a more cost effective CSO Control Measure with increased water quality benefits, as compared to the storage tank required in the CD, may be to send flows from the Chelan CSO to a wet weather treatment station anticipated to be constructed to control the Hanford, Lander, Kingdome, and King (HLKK) CSOs."

First: the undersigned are uncomfortable with additional planning processes like the Clean Water Plan being used as an excuse to request further delays remedying a toxic pollution problem that has been known about and acknowledged since at least 1979.[23] This delays important source control action that is needed so that the river cleanup does not get recontaminated. King County has surveyed and noted numerous times that the community cares about stopping pollution from CSOs. While we understand the need to streamline and save municipal dollars, we fear that an endless cycle of planning without implementation could delay pollution control and further harm what little remains of salmon runs on the Duwamish.

Second: we are extremely concerned by potential impacts to the Duwamish River community and environment that could result from an additional 7 year delay of the Chelan Avenue CSO Project. Located on the West Waterway next to Harbor Island as the Duwamish River flows out to Elliot Bay, per King County, the Chelan Avenue CSO discharges approximately 25 times per year, resulting in the discharge of an estimated 17 million gallons of combined stormwater and wastewater to the Duwamish per year.[24]

[23] Consent Decree, Case 2:13-cv-00677-JCC Document 6, at Paragraph A Page 5.

[24] https://www.kingcounty.gov/depts/dnrp/wtd/capital-projects/active/chelan-cso-control.aspx (Summer 2020 update)

Chelan Avenue CSO Control Project Area. Source: https://www.kingcounty.gov/~/media/depts/dnrp/wtd/capital-projects/ChelanCSO/docs/1703_Chelan-CSO-fact-sheet.ashx?la=en

The Lower Duwamish Waterway is a designated Superfund cleanup site for various toxic chemical contaminants in sediment, fish and shellfish. Most of the human health risk comes from polychlorinated biphenyls (PCBs), arsenic, carcinogenic polycyclic aromatic hydrocarbons (cPAHs), as well as dioxins and furans.[25] CSO discharge from the Chelan Avenue outfall may contain toxic chemicals, however, it appears that King County does not regularly sample or monitor this outfall for pollutants. For example, in its 2019 NPDES permit application for the West Point Treatment Plant, King County notes that it only monitors CSO flow volume for the Chelan Avenue outfall, outfall 036.[26]

The Chelan Avenue CSO project is intended to reduce overflows to meet Washington's regulatory standard of one or less overflows per year. Delay of this project by seven years therefore has the potential to contribute an additional 119 million gallons total or more, should flows increase over time (e.g. as a result of climate change), of combined stormwater and wastewater to this area, along with an unknown quantity and concentration of pollutants. Delay of the Chelan Avenue Project by seven years could cause significant environmental harm in the form of toxic pollution. We cannot agree to the delay of the Chelan Avenue CSO at this time. Any delays to the Chelan Avenue Project must be demonstrably offset by greater, measurable, water quality benefits (e.g. pollutant reductions) that will exceed the reductions expected per the

[25] https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.cleanup&id=1002020

[26] https://apps.ecology.wa.gov/paris/FacilitySummary.aspx?FacilityId=24954381

Chelan Avenue CSO project. We expect such information to be provided in the DEIS. We will discuss this concept more below.

Third: the Chelan Facility Plan is not readily accessible online. We request that King County provide a copy of the 2018 Chelan Facility Plan, and any other documents and materials referencing alternative projects to control the Chelan Avenue CSO, to the undersigned care of Alyssa Barton, at alyssa@pugetsoundkeeper.org. Responses to subsequent requests for documents and requests for meetings in this comment letter should also be provided to this contact. The Chelan Facility Plan must also be included as part of the DEIS if King County is relying on this plan to inform the CWP.

b. Proposed Delay of Additional, Unknown Projects

King County notes it is "reviewing alternatives for controlling CSOs in the Lower Duwamish Area" on page 4 of the Modification Request. This statement is vague and ambiguous. The undersigned request clarification regarding any other Lower Duwamish CSOs in addition to the Chelan Avenue CSO project that the County might plan to delay, and further request that this information be made available to the public as part of the DEIS process. This kind of delay is highly concerning when the County and other responsible parties are in the process of working to reduce sources of pollutants to the river so as to prevent recontamination of the river and protect the multimillion-dollar investment.

The Modification Request also states that the County requests to work with EPA and Ecology "on developing a modification to remaining CSO Control Projects with CSO Control Measures and milestone dates that can yield equivalent or higher water quality benefits than in the current CD within an affordable rate informed by the County's Clean Water Plan." The County requests an end date to complete projects beyond 2030.

First: the undersigned are unable to evaluate whether a CSO control program end-date beyond 2030 is acceptable due to insufficient information about the tradeoff projects King County proposes in exchange for delay, as will be discussed below. However, noting that the Clean Water Plan is intended to be a long term plan that will extend to 2060, the undersigned are alarmed and will not and cannot accept any plan that delays CSO control to 2060. We cannot afford to take a century to remedy an issue we created by engineering waste systems that convey our sewage and stormwater into our local waterbodies for disposal. To the extent that the undersigned may agree to the delay of certain projects, such delays cannot result in delays of the Duwamish Superfund Cleanup, which is currently slated to be complete by 2037.

To the extent that King County may pit stormwater projects against wastewater projects, using scarcity of resources as an excuse, this is a false choice. The question of clean water is not an

"either/or," but a "both/and," and King County should explain to the public how it intends to accomplish all Clean Water Act requirements by controlling CSOs and Stormwater, while making necessary upgrades to aging infrastructure, planning for population growth and climate change, and protecting environmental justice communities.

Second: the undersigned are unclear which "remaining CSO Control Projects" King County seeks to modify, and how so, and request clarity as to both details. Namely, the Consent Decree from 2013 includes 7 projects with upcoming milestones that King County might potentially be seeking to delay:

- Brandon Street/South Michigan (041/039)
- West Michigan/Terminal 115 (042/038)
- HLKK (032/030/028/029)
- 3rd Ave West (008)
- University DSN (015)
- Montlake (014)
- 11th Ave NW (004)

However, it is unclear whether King County is on track with all projects, or whether this list is complete or accurate. King County must clearly articulate to the public as part of the DEIS (or earlier) which CSO projects are already delayed, if any, which are at risk for delay, and how long current or projected delays are expected to take.

Third: King County has been silent to date regarding what tradeoffs are being proposed or contemplated in exchange for delay of the CSO control projects, though King county has strongly hinted that this is what it intends to do. King County cannot simply delay current legally required CSO control projects. Nor can King County trade out voluntary, non-regulatory projects for regulatory requirements.

Neither the public, the EPA, nor the undersigned are under any obligation to consent to delays. King County must stay on track with its CD requirements. To the extent it wishes to delay projects, King County should propose additional projects to complete in the interim that will result in greater, measurable water quality benefits to the CSO receiving waters. To that end, in order for the undersigned to evaluate whether any proposed delay tradeoffs might be acceptable, King County must provide the public:

- Information regarding each CSO projects the County seeks to delay, including:
    - The annual uncontrolled flow volume originating from each CSO the County seeks to delay

- The annual uncontrolled pollutant loading by pollutant type from each CSO the County seeks to delay, for solids and all EPA priority pollutants
  - If not all priority pollutant data are available, then at a minimum, data regarding all pollutants that currently exceed water quality standards in the receiving water must be provided
- The amount of time requested to delay each project.
  - The undersigned will not agree to any modification that will either delay CSO control projects indefinitely or excuse the County from the requirement to complete them.
  - The undersigned will also not agree to any modification that will result in more pollutants entering Puget Sound waters than would currently under the CD.

- An explanation of which tradeoff projects the County is proposing to complete in the interim period before the current suite of CSO control projects is completed, including:
  - Where each proposed tradeoff project is located in relation to the project it is meant to "trade off" for.
  - The receiving waters for each tradeoff project.
  - The timeline to implement each tradeoff project.
  - A complete, updated timeline of all proposed tradeoff projects and original CSO projects.
  - An explanation of the type of discharge each tradeoff project would control (e.g., stormwater only, CSOs, etc.).
  - The annual flow volume each project would control.
    - An explanation of how "control" will be defined for tradeoff projects (is it a performance standard, what standard, how is it measured).
  - The annual uncontrolled pollutant loading by pollutant type currently originating from this source for solids and all EPA priority pollutants
    - If not all priority pollutant data is available, then at a minimum, data regarding all pollutants that currently exceed water quality standards in the receiving water must be provided.
  - The quantity of pollution, by pollutant type, that will be controlled by each proposed tradeoff project annually.
    - An explanation of how "control" will be defined for tradeoff projects (is it a performance standard, what standard, how is it measured).
    - Pollutant reductions must be measurable and comparable to CSO control projects. The toxic chemicals in untreated industrial wastewater that flows in CSOs should be distinguished from the chemicals in stormwater.

- A demonstration or explanation of how each proposed tradeoff project will achieve greater pollutant reductions than each CSO control project, related to specific chemicals (not surrogates).

- A demonstration or explanation of how the overall new plan, consisting of tradeoff projects and CSO control projects, will achieve measurably greater pollutant reductions than keeping to the current CSO control project schedule required by the CD.

- A demonstration or explanation of how the overall new plan will further environmental justice, and specifically, address longstanding inequities and health and other environmental justice disparities in the Duwamish Valley community.

Fourth and finally: to date, the undersigned have seen no justification or accounting data supporting King County and Seattle's suggestions that the price tag for CSO control projects has become untenable. The County has proven itself capable of adapting to changing environments and conditions in the past, and we are confident that the County can be nimble and stay on track with key CSO control project deliverables if more attention and resources were applied to developing creative solutions rather than trying to skirt existing regulatory requirements.

While we understand and appreciate that projected costs to complete the CSO control projects may have increased, so too has the population of our region and other sources of municipal income. We have yet to see evidence that it would not be possible to revise existing laws or codes in order to more equitably structure the rate system for wastewater in King County and/or Seattle. While we look forward to learning about proposed projects that will result in great water quality benefits for our region overall, kicking the can down the road is not a solution. We would be happy to explore and support innovative rate structure solutions with the County to equitably bridge the gap between prior cost estimates and today's cost projections for CSO control projects.

c. Modification Request and Details Should be Made Public

The undersigned are concerned that King County did not provide the Modification Request to the public as part of this scoping period, nor has King County shared openly with stakeholders, the community, or the public the fact that the County is negotiating with EPA to modify the CD - namely, King County is currently seeking to delay legally required and agreed upon CSO control projects to stop toxic pollution. The CD modification process is deeply intertwined with the Clean Water Plan development process, and the CD is intertwined with the Clean Water Plan as currently described (albeit vaguely) by King County. King County's CD and requirements cannot be omitted from the Clean Water Plan conversation and should be provided along with

the scoping documents. Likewise, details about CD modification conversations with EPA should be made public and provided along with the scoping documents.

To the extent that King County might have already submitted a proposal to modify their CD to EPA, this is a public record and should be shared with the public as part of the Scoping Process. The details of any modification proposals and conversations with EPA on this topic should also be made public. Such information will impact the scope and content of the CWP and thus the DEIS, including alternatives considered. To the extent that modification of the CD and developing the CWP are policy issues that involve decisions about future actions that will impact public health and safety - namely, managing and controlling toxic stormwater and wastewater pollution - the public and the undersigned have the right to understand what the County is planning and/or already doing.

3. Clarity and Transparency Regarding Related Planning Processes

King County should explain the other planning processes it is currently overseeing or engaged on that are implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan. The below graphic demonstrates that the County currently has over a dozen projects or initiatives ongoing pertaining or relating to clean water.

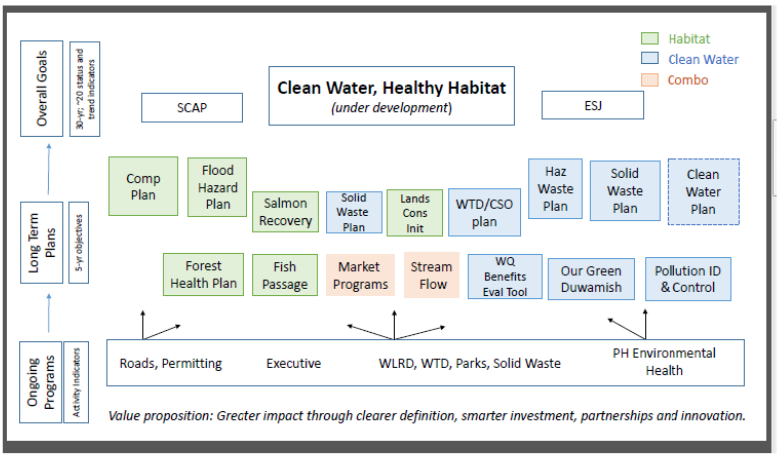

Figure 1: Slide 4 of 8 from presentation given to Puget Soundkeeper Alliance by King County Staff on November 15th, 2019, documenting 16 different plans or programs that are directly or indirectly related to the Clean Water Plan.

We appreciate and support King County's efforts at silo-busting and better integrating different departments. Interdepartmental communication and cross-collaboration are critical to spur

innovation, better align programs, achieve more consistent outputs, and maximize efficiency through information sharing, better leveraging skills and expertise, and avoiding duplication of efforts.

More must be done within this Clean Water Plan process to clearly delineate these different projects, their boundaries, and how they interrelate. Such planning processes include King County's Water Quality Benefits Evaluation process; the work of the new Strategy, Policy and Performance Unit including the development of King County's first Stormwater Master Plan; Our Green Duwamish; the County's Comprehensive Plan; Salmon Recovery Plan; Waste Treatment Division/CSO Plan, and more.

4. **Concerns and comments regarding the scope of the DEIS and the DEIS Scoping announcement**

    a. Benefits must be clearly measured and articulated

Per the Scoping Notice: "Development of the Clean Water Plan is driven by a set of complex issues facing the region that necessitate a comprehensive evaluation of how WTD can maximize the benefits of its future water quality investments in order to deliver the best water quality outcomes, as well as the best economic, social, and health outcomes, for the region." We agree with this premise but would like the County to be clear regarding what "benefits" it is hoping to maximize. Not all benefits are equal. When it comes to toxic pollution, King County must meet its legal obligations and requirements first. We worry that the County may be using ambiguous messaging with the public, utilizing a series of drawn out and vague stakeholder meeting processes that, in effect, could serve to provide political cover for deregulation and delays that could sacrifice environmental justice communities and cost the public more in the long run in terms of public health and environmental costs.

We appreciate the County's stated desire that it consider how to achieve additional environmental, environmental justice, and public health co-benefits through a suite of mandatory and voluntary clean water projects. However we cannot accept swapping voluntary for mandatory projects that are required by law or regulation already. Voluntary projects must be done in addition to projects required by law or regulation. We also cannot accept swapping out, trading, or substituting previously agreed upon projects in any way(s) that will result in reduced water quality protections than would have otherwise been achieved pre-swap. The County is required to protect human health, salmon and aquatic life, and meet water quality standards first and foremost - without sacrificing or overlooking environmental justice communities, like in the Lower Duwamish Valley. Further impacts to those living in the Lower Duwamish Valley would be unconscionable, and unacceptable to the undersigned.

b. Need for clear goals, deadlines, and milestones on timeline to achieve goals

In terms of the Clean Water Plan, we cannot accept projects without milestones and clear deadlines for completion that end with compliance with water quality standards and all applicable environmental regulations. The Clean Water Plan must contain concrete deliverables with an aggressive and optimistic timeline of milestones, and the County should be held accountable for compliance with it. We also would like to understand how the Clean Water Plan will help ensure that salmon are protected in our region.

c. Salmon protections and ESA concerns

Pacific salmon are an iconic species, integral to the culture and identity of the Pacific Northwest and the people that call it home. Salmon are central to the culture, identity and practices of many Pacific Northwest tribes. Six major species of salmon spawn in King County: Chinook (threatened), Sockeye, Coho, Pink, Chum (threatened), and Steelhead (threatened), and the County is also home to Kokanee, Bull Trout (also threatened) and Cutthroat trout. Chinook in the Green Duwamish watershed were listed as "threatened" on the Endangered Species list in 1999.[27] King County cannot consider water infrastructure investments without considering salmon.

Pacific salmon have lost 80-90% of their historic habitat in Washington and California[28] and are at about 90% of their historic numbers – with some populations being at 1 – 5% of their original abundance. More habitat is being destroyed faster than it can be restored. In Washington, after 20 years and nearly $1 billion spent on Washington state salmon recovery programs, as of 2018 most populations of our Pacific salmon are still in decline.[29] But another major threat to salmon is toxic pollution. Coho salmon are particularly susceptible to toxic stormwater runoff, and can die within hours of exposure. Certain persistent organic pollutants (or POPs), a class of chemicals that includes Polychlorinated Biphenyls (PCBs), Polybrominated Diphenyl Ethers (PBDEs), Dichlorodiphenyltrichloroethane (DDT), dioxins and furans, bioaccumulate within the fatty tissue of animals and biomagnify up the food chain - that is, these chemicals are passed on up the food chain from prey (e.g. salmon) to predator (e.g., humans, Southern Resident killer whales).

Salmon recovery is critical for the survival of the other iconic endangered species of the Pacific Northwest - Southern Resident killer whales. Southern Resident killer whales, or orca whales,

[27] https://www.govlink.org/watersheds/9/plan-implementation/WRIA9Salmon%20HabitatPlanFull.pdf

[28] https://www.fisheries.noaa.gov/west-coast/habitat-conservation/restoration-salmon-and-steelhead-habitat-west-coast. See also Montgomery, David. *King of Fish: The Thousand Year Run of Salmon*. 2003.

[29] https://stateofsalmon.wa.gov/

are also endangered, with only 73 remaining in the wild. Among top predators, orca whales contain some of the highest levels of toxic contaminants in their bodies. As the fattiest salmon, Chinook, are the primary food source for orca whales, the connection between toxic contaminants from CSOs to salmon, to orca, and to humans should be articulated and examined in the DEIS. The Clean Water Plan must consider and avoid any further impacts to salmon in King County, and must be consistent with local and State level salmon recovery plans.

d. Addressing nutrient pollution

Per the Scoping Notice, King County plans to address its regional wastewater treatment plants in the DEIS. Will it also consider its two smaller wastewater treatment plants, and other wastewater infrastructure? The County should address nutrient reductions in the CWP, and should also look at how to address toxics and contaminants of emerging concern. Of particular concern is the County's West Point Treatment Plant at Discovery Park, which has a history of violations and systems failures.

Status quo is not an option: the Department of Ecology has been advising stakeholders since at least 2017 that Puget Sound is impaired for nutrients and that a General Nutrients Permit for wastewater treatment plants is on its way, and we have known for decades that further wastewater treatment plant regulations are necessary to protect clean water. With a draft permit expected in the fall of 2020, King County cannot continue with business as usual.

The CWP process cannot be the basis for delaying necessary nutrient controls at the Counties WWTPs, nor should pending General Nutrients Permit requirements be used as the basis for delays of other infrastructure plans or projects. Likewise, regulatory requirements cannot be "swapped out" or "exchanged" for other mandatory or voluntary clean water infrastructure investments.

5. Conclusion

In light of the above, the undersigned organizations formally request to meet with the appropriate King County Staff as soon as possible regarding the issues identified above.

Sincerely,

Chris Rilling
Executive Director and Puget Soundkeeper
Puget Soundkeeper Alliance

Paulina Lopez
Executive Director
Duwamish River Cleanup Coalition

Heather Trim
Executive Director
Zero Waste Washington

Mindy Roberts
Puget Sound Program Manager
Washington Environmental Council

Greg Wingard
Executive Director
Waste Action Project

Brittney Bush Bollay
Chair
Sierra Club, Seattle Group

Pam Clough
Acting Executive Director
Environment Washington

Cc: Julie Congdon, MPA
Lead Community Involvement Coordinator
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Via email to: congdon.julie@epa.gov

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Leslie Webster
Drainage and Wastewater System Planning Program Manager
Seattle Public Utilities
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Agencies

Green/Duwamish and Central Puget Sound Watershed (WRIA 9)

Submitted via email, July 6, 2020

July 6, 2020

Katherine Fischer
Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, Suite 500
Seattle, WA 98104

Dear Ms. Fischer:

Thank you for the opportunity to comment on the King County Clean Water Plan SEPA scope. As the entity responsible for the recovery of the Threatened Chinook salmon population of the Green/Duwamish and Central Puget Sound Watershed, the WRIA 9 Watershed Ecosystem Forum is highly interested in the Clean Water Plan for its opportunity to integrate water resources and support its efforts to improve the health of the watershed and recover species.

We would appreciate a thorough analysis of how the actions proposed in the Plan can support cleaning up water, cooling water, and increasing habitat for multiple species of salmon and steelhead trout of the Green/Duwamish River and the Coastal areas of King County, including Vashon and Maury Islands. We are particularly concerned about elevated water temperature of the Green River and its tributaries, legacy and new toxins of the Duwamish River, and the impacts of land use and ongoing development throughout the watershed. In the case of the Duwamish River, we have identified numerous locations, including property owned by King County, that are prime locations for salmon habitat restoration essential for the increasing the survival of juvenile Chinook salmon. The EIS for the Clean Water Plan must evaluate each of these sites as locations to mitigate adverse environmental impacts of ongoing operations of the Wastewater Treatment Division. Moreover, every effort must be made to evaluate opportunities for synergies to achieve regional stormwater retrofits in the Lower Green River, Duwamish River, and central Seattle waterfront, and catalyze levee setbacks in the Lower Green River.

As recently stated by bj Cummings, former Executive Director of the Duwamish Cleanup Coalition, in the Seattle Times, “The city was built on the back of the river. The river gave the city the riches and the infrastructure it needed to grow, and it’s time for us to give back a little of that love.” We, as a coalition of local governments working together to protect and restore habitat in WRIA 9, are acutely aware that the services of the Wastewater Treatment Division were and continue to be a major contributing factor in the activities that enabled building of the City of Seattle and the prosperity of King County. We, therefore, believe it is time and essential to give back to river and its watershed through a strategic and integrated Clean Water Plan.

Thank you again for the opportunity to comment on the scope of the Clean Water Plan EIS. We look forward to staying apprised of EIS development and future opportunities to comment. We invite you provide an overview of the Clean Water Plan and its EIS and other updates at key milestones to the Watershed Ecosystem Forum. Please contact me for arrangements and if you have questions.

Sincerely,

Doug Osterman

Doug Osterman, AICP
Salmon Recovery Manager
Green/Duwamish and Central Puget Sound Watershed (WRIA 9)
201 South Jackson Street #600
Seattle, WA 98104
Office: 206-477-4793; Cell: 206-465-9739

Metropolitan Water Pollution Abatement Advisory Committee

Submitted via email, June 4, 2020

Metropolitan Water Pollution Abatement Advisory Committee
King Street Center, 201 S Jackson St, MS: KSC-NR-0508, Seattle, WA 98104
206-477-4435

MEMBERS:

Alderwood Water and Wastewater District
City of Algona
City of Auburn
City of Bellevue
City of Black Diamond
City of Bothell
City of Brier
City of Carnation
Cedar River Water and Sewer District
Coal Creek Utility District
Cross Valley Water District
Highlands Sewer District
City of Issaquah
City of Kent
City of Kirkland
City of Lake Forest Park
Lakehaven Water and Sewer District
City of Mercer Island
Midway Sewer District
Muckleshoot Indian Tribe
Northeast Sammamish Sewer and Water District
Northshore Utility District
Olympic View Water and Sewer District
City of Pacific
City of Redmond
City of Renton
Ronald Wastewater District
Sammamish Plateau Water and Sewer District
City of Seattle
Skyway Water and Sewer District
Soos Creek Water and Sewer District
Southwest Suburban Sewer District
City of Tukwila
Valley View Sewer District
Vashon Sewer District
Woodinville Water District

June 4, 2020

SENT VIA EMAIL ONLY

Mark Isaacson, Division Director
King County Wastewater Treatment Division
c/o CleanWaterPlanSEPA@kingcounty.gov
201 S. Jackson Street, MS: KSC-NR-0501
Seattle, WA 98104-3855

Jim Sussex, Environmental Planner
King County Wastewater Treatment Division
Email: jim.sussex@kingcounty.gov
201 South Jackson Street, MS: KSC-NR-0505
Seattle, WA 98104-3855

RE: Request for Extension of Public Comment Period – Environmental Impact Statement Scoping for the King County Wastewater Treatment Division Clean Water Plan

Dear Mr. Isaacson and Mr. Sussex:

On behalf of the Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC), this correspondence requests that the public comment period be extended from 30 days to 60 days, to end July 19, 2020, for comment on the scope of the Programmatic Environmental Impact Statement that will be prepared for the King County Wastewater Treatment Division Clean Water Plan.

Full public engagement will benefit both King County and the public. MWPAAC intends to submit public comment. The 30-day extension is made necessary by a limited MWPAAC meeting schedule and the challenge of gathering perspectives from the range of local city and sewer utility member entities during the current stresses on municipal and utility resources.

Thank you for your consideration.

Sincerely,

Pam Carter

Pamela Carter
MWPAAC Chair

cc: Katherine Fischer, Environmental Programs Managing Supervisor, King County Wastewater Treatment Division

Submitted via email, June 24, 2020

Metropolitan Water Pollution Abatement Advisory Committee
King Street Center, 201 S Jackson St, MS: KSC-NR-0508, Seattle, WA 98104
206-477-4435

MEMBERS:

- Alderwood Water and Wastewater District
- City of Algona
- City of Auburn
- City of Bellevue
- City of Black Diamond
- City of Bothell
- City of Brier
- City of Carnation
- Cedar River Water and Sewer District
- Coal Creek Utility District
- Cross Valley Water District
- Highlands Sewer District
- City of Issaquah
- City of Kent
- City of Kirkland
- City of Lake Forest Park
- Lakehaven Water and Sewer District
- City of Mercer Island
- Midway Sewer District
- Muckleshoot Indian Tribe
- Northeast Sammamish Sewer and Water District
- Northshore Utility District
- Olympic View Water and Sewer District
- City of Pacific
- City of Redmond
- City of Renton
- Ronald Wastewater District
- Sammamish Plateau Water and Sewer District
- City of Seattle
- Skyway Water and Sewer District
- Soos Creek Water and Sewer District
- Southwest Suburban Sewer District
- City of Tukwila
- Valley View Sewer District
- Vashon Sewer District
- Woodinville Water District

June 24, 2020

SENT VIA EMAIL ONLY

Katherine Fischer
Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
c/o CleanWaterPlanSEPA@kingcounty.gov
201 S Jackson Street
MS: KSC-NR-0505
Seattle, WA 98104-3855

SUBJECT: Clean Water Plan Environmental Impact Statement Scoping

Dear Ms. Fischer:

The Metropolitan Water Pollution Abatement Advisor Committee (MWPAAC) appreciates the opportunity to provide comments on the scope of the Environmental Impact Statement (EIS) for King County Wastewater Treatment Division's (WTD) Clean Water Plan, as well as to propose a plan for ongoing collaborative engagement by MWPAAC in the preparation of the EIS. This partnership will allow component agencies to provide substantive input and help create public understanding of the complexities of the Clean Water Plan and the need for adequate funding to achieve its goals.

WTD should consider the following key principles in developing the scope of the EIS:

- Consider the impact of alternatives on the local agencies, tribes, and disadvantaged groups
- Consider wastewater alternatives in concert with all regional water resources (drinking water, streamflow requirements, stormwater, receiving water quality)
- Seek opportunities for collaboration with local agencies and other partners to achieve economies of scale and enhanced environmental protection
- Seek to keep sewer rates affordable

A detailed list of MWPAAC's comments on each major category of alternatives to be evaluated in the EIS is attached.

Compilation of MWPAAC Comments June 4, 2020 E&P Subcommittee Meeting
King County WW Clean Water Plan Scoping Document

Regional Wastewater Treatment Plants

- This action alternative mentions the use of advance treatments to remove enough pollutants to produce drinking quality water. WTD should evaluate the environmental, logistical and economic impacts of expansion of the reclaimed water system.
- Medium size satellite plants should be evaluated in addition to small and large satellite plants.
- The regional treatment plants section should include an action that explores small scale satellite plants that could be constructed by a developer or WTD in high growth areas to treat wastewater from new developments, and define the benefits of small plants.
- The regional treatment plants section should include an action that explores nutrient credit trading as a means to achieve future nutrient requirements in the Puget Sound.
- All the options shown in the Clean Water Task Force presentations to date should also be reflected in some way within the SEPA scoping document.

Capacity in Regional Sewer Pipes and Pumps

- This action alternative describes conveyance system control optimization. The evaluation of the alternative should include the potential impacts on component agencies systems under this alternative. For example, could SPU CSO overflows increase or decrease due to these alternatives.
- I&I alternatives should evaluate key impacts on member agencies.

Aging Sewer Systems, Natural Disasters, and Climate Change

- Rather than just "natural disasters", the plan should specifically evaluate seismic risk/vulnerability.
- Climate change actions should specifically include sea level rise.

Recycling Resources from Wastewater

- Assessment should include a "value question"; what are the environmental benefits of investments in recycling resources, as compared to the cost of the investment? There should be an analysis that aligns with the desire for investment that provides the greatest environmental benefit for the investment.
- Consider the regulatory requirements that drive the need to produce reclaimed water.
- Explore the use of recycled water for augmenting in-stream flows (e.g., Sammamish River) under the Water Restoration and Enhancement Plans (RCW 90.94).

Stormwater and Combined Sewer Overflows

- Is it WTD's intent to evaluate the potential impacts of stormwater projects only in the areas in Seattle served by the WTD combined sewer-stormwater system, or potential stormwater projects throughout King County? Clarity should be provided around this to ensure that all potential environmental and economic impacts are evaluated if the alternative is looking County-wide.

- The stormwater and combined sewer overflow section should be more specific about alternatives that could result in equal or better water quality benefits being explored in this plan.
- The stormwater and combined sewer overflow section should include an action or alternative that explores the benefits for joint CSO planning and coordination with the City of Seattle, including specific options .
- Compare the value of stormwater treatment versus or in addition to nutrient removal. All of these categories need to be compared against each other, not just in individual silos.)
- Evaluate the opportunity and feasibility of putting stormwater into the WW treatment system rather than directly discharging into the water bodies, resulting in better receiving water quality that may in turn reduce WWTP requirements.
- Consider how to address PFOS/PFAS.

Pollution Reduction Issued Preventing Pollution at the Source

- WTD relies on SPU to meet some of its Industrial Wastewater Discharge Permit requirements to conduct source control in CSO Basins (minimum requirement 7). WTD should include the potential impacts to component agencies during the evaluation of this alternative.
- Consider pollutants outside of the industrial realm that enter the system and cannot easily be removed by the treatment system (producer responsibility).
- Consider how education/public outreach can prevent pollutants from entering the waste stream.

Pollution from Historical Activities

- Seeking clarification; is this assessing existing liability under Superfund law, or is the intent to look at alternatives that go beyond regulatory responsibilities?

Socioeconomics and Environmental Justice

- These are extremely important to WTDs component agencies and our customers. WTD should fully evaluate the impacts of these alternatives, including through meaningful engagement with the community, Tribal governments, and component agencies that fund the alternatives in this EIS.
- Consider the impact of alternatives on keeping sewer rates affordable, and their impact on affordable housing.
- Recognize that King County sewer rates are only part of the cost of sewer service for customers, and that the local agencies are facing many of the same issues (growth, aging infrastructure) that King County faces.

To promote regional understanding of the alternatives in the EIS, MWPAAC requests that the EIS team provide periodic, in-depth briefings to MWPAAC, with the opportunity for discussion, at the following milestones:

- Draft EIS scoping document
- Completion of draft alternatives descriptions
- Socioeconomic impacts of alternatives
- Draft EIS
- Comments on Draft EIS

MWPAAC members will use this information, in conjunction with WTD's robust public education and outreach program, to help local leaders understand the future policy decisions and funding needs to support the Clean Water Plan. MWPAAC will provide ongoing feedback to WTD throughout the environmental evaluation through its Task Force members, as well as during MWPAAC meetings.

MWPAAC looks forward to collaborating with WTD on the development and evaluation of this important regional plan.

Sincerely,

Pam Carter

Pamela Carter
MWPAAC Chair

Attachment

cc: MWPAAC Members
Mark Isaacson, Division Director, Wastewater Treatment Division (WTD), Department of Natural Resources and Parks (DNRP)
Steve Tolzman, Clean Water Plan Project Manager, WTD, DNRP

Sammamish Plateau Water

Submitted via email, July 7, 2020

Sammamish Plateau Water

1510 228th Avenue SE
Sammamish, WA 98075
Main: 425.392.6256
Fax: 425.391.5389
www.spwater.org

July 7, 2020

Katherine Fischer
Environmental Programs Managing Supervisor
King County Wastewater Treatment Division
201 S Jackson St, MS: KSC-NR-0505
Seattle, WA 98104-3855

via email: CleanWaterPlanSEPA@kingcounty.gov

Re: SEPA Scoping Comments - Clean Water Plan

Dear Ms. Fischer:

Thank you for the opportunity to provide input to the SEPA Scoping for the Clean Water Plan (Plan) amendment to the Regional Wastewater Services Plan (RWSP).

The Plan's central strategy appears to expand from a plan which has historically focused on regional wastewater services to a plan that encompasses broad elements of water resources including stormwater management. Sammamish Plateau Water recognizes the need for responsible agencies to diligently integrate regional water resource vision, strategies and planning, but question the institutional and regulatory role King County plays in this process given the legislative and legal responsibilities of other governmental agencies. Understanding that the nature of the scoping process lacks detail it is unclear at this point in the process if King County is asserting broader responsibility and accountability for regional water resource management and if so under what statutory authority. In addition, given the framework of responsibilities entrusted to Metro at its creation and embedded in current contracts with Wastewater Contract Agencies there is no clarity how King County is proposing to pay for the likely multi-billion dollar programs that will be identified in the Clean Water Plan. As a Wastewater Contract Agency, we are concerned that the County will want to place the financial burden of the costs for programs not directly related to wastewater services on Wastewater Contract Agencies and the customers we serve.

Please consider the following more focused comments.

1. Investment is identified as a key objective. Investment in wastewater solutions requires funding. We recommend expanding the wastewater funding focus to include strategies of how the division of wastewater funds collected from the Wastewater Contract Agencies is determined as follows:
    - Include consideration of funding related to the proportion of Infiltration and Inflow (I/I) delivered from each Contract Agency. Allocate the funding requirement and cost incidence to reflect the effort a Contract Agency makes to control I/I in their local system.

  - I/I is identified as a significant source of flow into the wastewater system. The literature provided states the King County system includes more than 400 miles of pipe.
  - Pipes owned by the Contract Agencies tributary to the King County system include many times more length than the 400 miles, and likely account for a high percentage of I/I.
- Consider a true cost of service distribution.
  - Cost incidence should be assigned to Contract Agencies and/or customer and customer classes that generate demands on the regional wastewater system due their flows and/or wastewater composition.

2. The strategy to shift the scope of the Plan from wastewater to "Clean Water," including stormwater, is done without a clear explanation of why a wastewater plan amendment is the appropriate vehicle for addressing surface water and stormwater that never enters the wastewater system, and does not include a commensurate addition and shift in funding sources. If the Plan scope proposal including stormwater is retained, the scope must also be expanded to identify funding sources beyond wastewater rates and revenue to cover the expansion of the Plan to include treatment of stormwater that is not from combined systems or I/I.

   We recommend the following:
   - Address whether the inclusion of non-combined sewer system stormwater is within the contractual scope of the Wastewater Division wastewater system plan, and if current contractual arrangements provide the authority to charge Wastewater Contract Agencies for stormwater treatment.
   - Stormwater funding source should not limited to only those that are connected to the sewer system. For example, those on septic that benefit from a Clean Water Plan do not pay wastewater fees, and are not contributing to the Plan or proposed initiatives. And municipalities who have stormwater enterprises are likewise not being assessed or contributing to the Plan.
   - Stormwater funding source should consider the entire area contributing stormwater, both urban and rural.
   - Sewer customers should not be required to economically support areas of the Plan that do not have a relationship to the wastewater system.
   - The costs of meeting the goals of the Plan should be assigned to the appropriate enterprise fund

3. If this Plan scope remains expanded including stormwater, then it should be a fully holistic Clean Water plan, with the scope expanded to add Groundwater to the scope of water being considered to be kept or made clean.

   The following impacts to groundwater should be considered:
   - Stormwater and stormwater management have been added to the Plan scope, but not their impacts to groundwater.
   - Stormwater management design manuals consistently include consideration of infiltration and injection of stormwater into groundwater systems.

- The service area of the Plan includes locations where groundwater is used for drinking water.
- If stormwater is considered a risk to the surface water quality, it should also be considered a risk to the groundwater quality. It is easier to keep groundwater clean by protecting it from degradation, than it is to clean and remediate groundwater once it has been degraded.
- Groundwater protection requires treatment of surface water, before it reaches groundwater resources. When a drinking water aquifer is involved, analyses using the demonstrative approach are superior to the assumption based presumptive approach.
- A focus on surface water strategies alone could result in degradation of existing groundwater quality, and groundwater may then need to be added for clean-up in the next planning cycle.

There is not a strong nexus between being a sewer customer and degradation of surface water sources by stormwater. But the scope described for the Plan appears to set a course to limit payment for stormwater treatment to those residents that are sewer customers. Consider reducing the scope of the RWSP Amendment to wastewater, including only those stormwater components that enter the wastewater system, and acknowledge the need for a separate plan to address holistic clean water initiatives with funding sources that are not limited to wastewater customers. This new plan can include all water components, integrate other existing component plans, and identify funding sources appropriate for the broader content.

Thank you for considering these recommended changes and/or additions to the scope including; 1) funding strategies aligned with the wastewater system source being addressed, 2) expansion of funding sources to beyond just those that pay sewer bills, and 3) groundwater protection.

Sincerely

Jay Regenstreif, P.E.
Planning Engineer

c: Sammamish Plateau Water Board of Commissioners
MWPAAC

20-07-07/Clean Water Plan SEPA Scoping SPW Comment.docx

Individuals

April Hardy, Chase Huntley, Oluwa Jackson, Kayla Luft, McKayla Umperovitch, Amanda Pole, and André Turner

Submitted during the CBO online meeting, July 14, 2020

Below please find comments related to SEPA Scoping submitted by participants via Zoom chat box during second online learning session, held on July 14. During this session, ECOSS welcomed input and SEPA scoping comments. Comments were captured including student's names with their respective word-for-word verbatim.

April Hardy:
1) Increase capacity of wastewater treatment facility in order to reduce and eliminate untreated wastewater discharge into the Puget Sound.
2) Implement more efficient and comprehensive testing and treatment of water to increase the elimination of contaminants, pollution, bacteria and chemicals through the wastewater treatment facility.
3) Devise a plan for socioeconomic cost consideration in order to ensure that lower income individuals do not disproportionately pay more for the implementation of this plan.
We can and should do better!

Chase Huntley: is there a minimum or maximum amount of words/pages for the comment? Can images, graphs, tables be submitted in the comment?

Oluwa Jackson: Is there a comprehensive GIS map of green infrastructure installations throughout King County (not just Seattle)? How is the impact of these installations quantified regarding its impact on stormwater-sources water contamination, if it is?

Oluwa Jackson: Thanks, I was just thinking it would be good to use data like this to plan GI incentives

Kayla Luft: Comment: Is there collaboration between the WTD and other departments? Could there be collaboration between WTD and Road Services to lay permeable pavement when replacing roads and sidewalks? Allowing natural filtration would prevent overflow in CSO pipes, would ease pressure for nearby landscape irrigation, and would allow filtration of road pollutants through the soil before they reach streams.

Oluwa Jackson: My comment: identify appropriate locations for green infrastructure installations that would have maximum impact on stormwater purification, then direct educational programs and financial incentives toward these cities or neighborhoods

McKayla Umperovitch: Will programs or incentives like Rainwise continue? This was a rebate program with King County and City of Seattle to rebate and reduce prices of rain gardens and cisterns in CSO neighborhoods.

Chase Huntley: What is King County and the WTD currently doing to make sure green displacement and gentrification is not negetively impacting low-income and communities of color? Are you making sure green infrastructure capitol projects are not raising property values

for marginalized communities? How are you maximizing ecosystem services for marginalized communities?

Amanda Pole: I will try to do more research to do a better comment, but I do want to make sure that: emerging environmental contaminants of concern like PFAS are included in the long term plan, e.g. plans for detecting, identifying, removing, etc.

André Turner: Comment: Brake dust impact, reduction of. Car washing education and outreach Viable options, waterless, rinse-less, car washes that reclaim water, wash on grass/gravel Tyres, some brands are made with better material for the environment

Kayla Luft: Comment #2: building multiple smaller waste treatment plants could create more jobs and ease pressure on the 3 main ones in our region.

Sarah Chambers

Submitted via email, July 11, 2020

Dear Ms. Fisher,

I am writing to you today, as a resident of King County, to comment on the scoping process for King County's Clean Water Plan (CWP).

I believe the scoping period should be halted because the county has not yet provided enough information to the public, especially to communities that will be the most impacted. More information is important in order for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing trade-offs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these trade-offs and demonstrate the benefits to water quality and the community that any trade-offs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

In addition, I have concerns regarding the impact CWP might have on the Duwamish River and the people in the Duwamish Valley who rely on it, including the Duwamish Superfund site cleanup. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish

Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Thank you,

Sarah Chambers
Auburn, WA

Kelley Govan

Submitted via email, July 16, 2020

Hello!

Following are some SEPA comments I have on the CWP. Please let me know if you have any questions, or want additional information. Thank you for all the hard work you are putting into this!

- Recycled water and nitrogen removal: In terms of nitrogen removal, moving towards high level treatment at a few plants (rather than lower level treatment at all plants) seems worthwhile, and the plants that don't have that high level treatment, could be the primary sources of recycled water. Having high levels of nitrogen is great for recycled water uses, but not great for effluent discharge into the Sound. This could work well if the percentage of effluent that is used as recycled water is significantly increased, i.e. over 50% (realize that's ambitious). Having every treatment plant provide recycled water may not make the most sense, so this could be a good way to balance the expensive costs for denitrification at the plants, and conversely incentivize the increased use of recycled water. Is there a way to mandate that all new construction utilizes recycled water in toilets?

- In regards to capacity, inflow and infiltration is mentioned in side sewers, but what about the environmental cost of sewage leaking? I am extremely concerned about side sewer leaks, and their resultant impact on our watersheds, particularly groundwater and surface water contamination. Homeowners having to pay for side sewer repairs on their own is an unrealistic, and unfair, expectation. Would a cost-share program (similar to the Rainwise model for raingardens) be a possibility for those side sewer repairs? Or even a mini grant program like Stewardship Partners implements? Have there been studies on the annual impact of leaking side sewers in comparison to CSO's? It'd be interesting to know the accumulated impact of a leaking side sewer compared to a CSO location; one is a constant accumulation and the other is maybe a few times a year

- In terms of mitigation for all of the pipes that will be dug up for repairs/replacement, it'd be really great to be able to use the money that would pay for a more traditional "mitigation" project or mitigation bank, into active habitat restoration, particularly riparian habitat restoration. Put the money back into local nonprofits and other organizations to support them doing good work, rather than a consulting firm to do a traditional mitigation site. Return on investment can also be greater when providing the money to nonprofits, i.e. for the same amount of money, nonprofits likely could restore more acreage than traditional mitigation projects do.

- It's not in the plan, so not sure if this is relevant, but I'm very concerned about the amount of illegal discharges from RV's, boats, and other vehicles that people are living out of. The housing crisis in Seattle is really challenging, and persecuting people experiencing homelessness because they can't afford rent is unjust. Are there areas in combined sewer systems that can allow for RV's, cars, etc to park, on at least a semi-permanent basis? Can pump out services be provided? I know many of them are illegally dumping sewage because there's no other option for them. If 1) a pumping

option can be provided that's feasible that could decrease the amount of dumpings that occur, and 2) if those vehicle-based residences are allowed to "live" in areas with combined sewer systems, when they do illegally dump waste, it will be routed to a treatment plant. Pushing these folks out of the city is not the best method, especially in consideration of water quality impacts of not having access to plumbing and sewage conveyance.

Kelley Govan (she/her)| WaterWorks Assistant & Education Specialist
King County Wastewater Treatment Division

Hendrick W. Haynes

Submitted via mail, July 6, 2020

ATTN: Katherine Fisher, Env. Prgms Mng'g Sup.
King County Solid Waste Division
201 S. Jackson St., MS KSC-NR-0505
Seattle, Wa. 98104-3855

Contact Person: **Jim Sussex, Env. Planner**
MS KSC-NR-0505
E-mail: jim.sussex@kingcounty.gov
Phone #: (206) 477-03556

July 6, 2020 DRAFT COMMENT
Sent by U.S. Mail First Class Prepaid
14 pp. inclusive as revised 7/06/2020
Hendrick W. "Hank" Haynes

Renton, WA. 98058

Rev. #1 - 6/24/2020 @ 11:15 am (typos fix)
Rev.#2- 6/28/2020 @ 11:00 am (map ref's)

Re: "DETERMINATION OF SIGNIFICANCE AND REQUEST FOR COMMENTS ON THE SCOPE OF THE PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT" for the amending of King County's Regional Wastewater Services Plan (RWSP) for guiding water quality investments through year 2060. Date of Issuance: May 20, 2020. Respond for comment to Katherine Fisher by July 19, '20 (above).

Subject: Public Comment by Hendrick W. "Hank" Haynes (a private party).

Dear Ms. Fischer; There are many excellent points in what is proposed. Thank you.

I see the rural community as interested in King County Wastewater Treatment Division Clean Water Plan, and application of the State Environmental Policy Act (SEPA), in at least four (4) main areas:

1) The processing of millions of gallons/day of toxic leachate , and other waste products, that are pumped from the rural located Cedar Hills Regional Landfill, and other commercial sites, through pipes (or otherwise transferred) into the municipal sewerage treatment plants system (or "MSTPS", or "WTD");
2) This toxic leachate is received by MSTPS as part of its inflows, which is mixed with materials from other sources and processed through their various cycles;
3) Inflows bi-products are produced by MSTPS (such as various classes of water quality, semi-solids, and "LOOP") and are transferred into rural farms, forested, and other areas to provide: a) water of various quality for a variety of uses; b) to "build-up soil quality"; c) improve appearances (such as lawns, gardens, etc.); build-up agriculture/forestry soils (for food, building materials, etc); and also potentially be dried out and used as fuel for power generation; and
4) Bi-products (such as various classes of water quality, semi-solids, and "LOOP") may come in contact with water sources (such as lakes, rivers, streams, and aquifers), humans, plants, and animals on their external surfaces, become internalized by breathing and direct ingestion, and also become absorbed into plants and animals used for human foods and in medicine. Food and materials products are produced in the rural community and/or shoreline/offshore water bodies. The rural community is a dwelling place for humans, which are an "Apex" species that readily accumulates toxins through what they eat, drink, and breath (with its ill health and mortality effects) into their systems. There is potential for receiving, processing, and exporting of subject urban toxins flows

inside the rural community that may adversely affect local AND global commerce.

5) Seemingly the above could compromise objectives of subject "Clean Water Plan" for both URBAN and RURAL communities and settings. Attached by reference is King County Executive Dow Constantine signed **CLEAN WATER HEALTHY HABITAT EXECUTIVE ORDER** number **LUD-12-2 EO**, and Washington State's Governor Jay Inslee signed Substitute Senate Bill **SB-6306**, Chapter 314, laws of 2020, titled "**SOIL HEALTH INITIATIVE**";
6) Subject plan should examine site and transportation alternatives integrating insights into changing urban and rural growth patterns, and needs reaching out many decades (noticing shifting population "bedroom" community locations, and displaced office space, warehousing, and industrial centers). In real estate, nothing is more important than location (and site moving and rebuilding is expensive); and in environmental engineering, one old adage is that "the secret to pollution is dilution" (e.g., increasing toxicity comes with increasing concentration). More waste treatment and resources recovery should be done closest to its source, and large scale centralized waste processing and recovery should be done in a region well outside and away from urban centers and sensitive rural areas (e.g., should be located in barren arid geologically stable regions with good air flow, and well away from Western Washington population centers;
7) Study should examine strategic importance of waste handling facilities (both liquid and solid), and the need to have a distributed system (with mobile alternatives) to process materials in case of national emergency or time(s) when portions of system may be disabled. Such an emergency example may be the "Big One" 9+ magnitude earthquake predicted for this region (note that the biggest earthquake every recorded by instruments was the magnitude 8.9 in Chile in 1960 (please correct me if I am wrong)).

Respectfully is Urged: a) SEPA Study of CHRLF "Leachate" substance human and wildlife health impacts; b) the creation of different sewerage treatment plant digester products (such as "LOOP") certified for different kinds of soils and other applications (such as for forestry, food grade soils enhancements, materials, fuel(s), etc.); c) direct piping and the sealed plant treatment of waste products (such as leachate) to eliminate odors impacts (including sprays, mists, and gases) on populations surrounding places such as CHRLF and WTD plants, and also to concentrate products suitably for materials substances recovery and re-use. With regard to c) above, this would eliminate above ground settling ponds, gas discharges, flame or candling stacks, and/or other means (including open areas) where bothersome odor and/or unhealthy gases, fluids, or pathogenic discharges are emitted.

SPECIAL HIGH PRIORITY EXAMPLES FOR YOUR CONSIDERATION

Under **page 1**, section ***Regional Wastewater Treatment Plants***, an area titled "on-site treatment systems serving individual large buildings", and "advanced treatment to remove additional pollutants, and further advanced treatment to remove enough pollutants to produce drinking quality

water." are for in "exploring different options". This is consistent with points above cited and the current evolution of chemically engineered commercially available equipment for such processing. However, priorities should be set. Washington State County facilities should show leadership in this area. One example of a priority location covering some 1,100 acres or so (almost two square miles; please correct me if I am wrong) is King County Parks Department lands located Cedar Hills Regional Landfill (or "CHRLF"). With adjacent highly impacted lands (several owners involved with gravel mining, the "Superfund" site of Queen City Farm, etc.), the region of concern approaches 3 square miles.

CHRLF is the largest "garbage dump" in the State of Washington (please correct me if I am wrong). It receives about a million tons of garbage a year, and exports over a million gallons of toxic chemicals containing leachate into the urban sewer system a day. This large customer of WTD processes their leachate in large open area aeration ponds prior to pumping into the WTD system. Vapors and spays are carried in the canyon rim hill top winds onto adjoining rural properties, which then migrates into homes and animal stables, into schools and old age homes, and into local businesses. These odors and toxic chemicals (as gases and "sprays") have a history of making residents sick, and causing them loss of comfort, enjoyment of life, and commerce. While surrounding municipalities may enjoy the convenience of throwing their trash into this smelly dumping ground (over 1000 acres), the people located in about a 3 mile radius from the CHRLF site have their lives and commerce diminished by these odors and its health effects (in both physically, mentally, and in hindering their family lives and productivity).

Why can't WTD directly receive this CHRLF leachate and properly chemically treat it, and avoid these open air ponds all together? Or, in the alternate, treat this leachate in a sealed and odor free way and release clean drinkable water as a byproduct? If the later "clean water" alternative cannot be funded by the county and the rate payers, another alternative may be to tanker car (by rail) transport this leachate to an arid climate where solar power may be used for drying and detoxifying this material, and condensers may be employed to recover clean water during this processing. Many of the gases and sprays emitted by the leachate pond spayers and pond surface evaporation contain ammonia, hydrogen sulfide, and methane compounds which are toxic to plant and animal life (including humans), and many chemicals are green house gases that can contribute to global warming in a significant way.

On **page 2**, under ***Recycling Resources from Wastewater***, "WTD recovers materials and energy from its wastewater treatment processes to produce ….. water, soil amendments, and nutrients for reuse.". Under "***Pollution Reduction Issues Preventing Pollution at the Source:***", "continuing current programs to work with industry in the region to remove pollutants prior to reaching the wastewater treatment system; incentivizing the reduction of, or requiring elimination of, pollutants; and; potential industry and government partnerships." should include removal of heavy metals and other toxic chemicals containing leachate streams from being carried into the municipal waste system, and carrying these streams to a specialized processing facility (preferably in an arid, barren, and solar rich landscape) where the materials can be dried, concentrated, and properly processed in highly automated facilities (and materials hopefully turned into useful products). As noted above, priorities and timelines for facilities relocation(s) should be studied and implemented as may be appropriate. Usually these stair-stepped strategies can take many years to fully realize.

Removing above pollution is consistent with WTD **page 2** "***Pollution from Historical Activities:***" which provides for "More expansive programs to address legacy pollution, including projects in and adjacent to water bodies that remove pollutants and prioritize restoration of critical habitat will also be explored.". Such an idea would qualify the immediate staged decommissioning of the Cedar Hills Regional Landfill (or "**CHRLF**"), its restoration to a large swale region (with many surface streams and springs), and restoration of the large wetland region(s) with through flowing creek from to the Cedar River to Francis Lake, etc. As noted below, a cedar river joined salmon occupied year around creek once existed near the base of the Cedar Hills Regional Landfill swale area and wetlands feature which shared the lands surrounding it (such as Queen City Farm site to the south). A swale is a cupped land feature directing surface water flow.

This King County Parks now owned CHRLF land and its past salmon ecosystem was likely identified in a **USGS land survey** done in **1894 and 1895** (published in 1900 as a "Topography, Washington Tacoma Quadrangle, U. S. Geologic Survey" (or "**Tacoma 1894/1895 map**"), edition of 1900, reprint of 1913). It was also more clearly identified in a summer of **1909 and 1910** surveyed map by Washington State's Washington Geologic Survey "Geological and Classification Map of the **COAL AREAS OF KING COUNTY, WASHINGTON** showing their position and extent" by Geo. Watkins Evans et al, published 1912 as part of Bulletin No. 3, as Plate I (or "**Evans 1912 map**"). Remnants of this large salmon bearing creek between the Cedar River, through the wetland area toward Francis Lake, and Webster Lake, into the 1980's (as witnessed by locals) remained until this area became too destroyed by individual property owner's land uses such as gravel mining (which carried away top soils and clay layers, causing streams to disappear into the mined area (see **U. S. Dept of Agriculture Soils Conservation Services Soils Survey** map of King County **Maple Valley** area (**Map 12, 1971**))). The redirecting of water flows by the King County Surface Water Management (and others) broadly dispersed drainage ditches carried water away from the salmon bearing creek, and into areas not previously receiving such water flow (thus drying up subject creek and wetlands region). This subject mapped creek was one of the most promising salmon bearing and wetland habitats mapped between the town of Renton and the railhead junction at Maple Valley (now city of Maple Valley). The wetland feature was as large or nearly as large as what is now Wetland 14 near Lake Desire and Spring Lake).This ecologically vibrant site, which had migrating salmon still running upstream up into the 1980's, has been broken up and drained off, and reduced to urban region(s) serving garbage dump(s) site(s) (including King County owned CHRLF, and federally sponsored "Super Fund Site" Queen City Farm), and sites for turning scrap materials into soils, and for minerals extraction (gravels, sand, and clay; note this opens up the underlying layered geology, with its faults and scarps, to potential subsurface contamination including into adjacent wells and aquifers (such as the Issaquah Creek Groundwater Management Area), and sole source designated WRIA8 region controlled Cedar River Aquifer. See EPA mapped designation as "Cedar Valley Aquifer SSA" at:

epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b

See also: a) King Co. Dept. of Natural Resources and Parks Oct. 2005 Graphics File Name 0510gwSUSCEPTiss.ai wgab)Susceptibility to **Groundwater Contamination** chart; b) City Council of the **City of Issaquah Resolution No. 2005-15** (Salmon Habitat Preservation and Restoration, and Endangered Species Act); c) **King County Executive Order no. LUD-12-2-EO** ("Clean Water

Healthy Habitat Executive Order"); and Wa. State **Senate Bill SB 6306** (or "Soil Health Initiative", which also relates to "LOOP" materials from wastewater treatment, and materials from CHRLF).

Shouldn't page 2 ***"Pollution from Historical Activities"*** include activities combining Cedar Hills Regional Landfill, Queen City Farm commercial activities, and surrounding commercial activities (including on Indian Coal Mine site)? Should large scale commercial activities be removed and/or prohibited in these areas? Should these wetlands and fisheries resources (including historical grade and hydrology) be restored? Shouldn't the ecology (including native species of trees such as Cedar, Hemlock, and Spruce) be replanted? Shouldn't the horse trail roadway be restored?

A historic roadway was in this CHRLF/Queen City Farm area, which included routing along the eastern Cedar River Canyon rim between Renton and Maple Valley (see "**Tacoma 1894/1895 map**" in this region along the Cedar River between about a 500-600 ft. east wall elevation). This historic horse and cart trail dropped to the canyon floor, crossed the river, and received passengers and freight at a historic rail house on the river. This was near and below (westerly on Cedar River Canyon floor) of what is now Queen City Farm and north of a large wetland area on Queen City Farm. It was south of the water flow swales, streams, and wetlands source(s) provided by site of now CHRLF (see "**Tacoma 1894/1895 map**" ref., and 3 panel map attachment) which also connected with year around creek flows from Francis Lake and Webster Lake (see "**Evans 1912 map**" ref. above). Shouldn't there be interagency cooperation to obtain the necessary stream flows to sustain wetlands and other ecosystem elements (e.g., cooperation between King County Parks, Surface Water Management, Roads, etc. per **King County Executive Order no. LUD-12-2-EO** ("Clean Water Healthy Habitat Executive Order")? Shouldn't the U. S. Dept. of Ecology's administration of the Queen City Farm Superfund Site clean-up and testing program be included as part of this process? Shouldn't the CHRLF be included in the Queen City Farm (or "QCF") Superfund program, since it is many times greater in size and hydrology (including surface water swale flows and wetland flows (including seasonal streams) drain into and about QCF and adjacent properties?

In last paragraph, page 2, under "***Environmental Impact Statement (EIS) Required?***", it is respectfully urged that the leachate question be researched and examined per above, including impacts to a) Water, b) Plants and animals, c) Energy and Natural Resources, d) Environmental Health, e) Land and Shoreline Use, f) Transportation (including cost of shipping leachate elsewhere per above desert country processing urging), g) Public Services and Utilities (note that CHRLF and leachate line(s) are in a USGS and State of Washington mapped area of many faults and scarps; and solid waste disposal means and toxic waste handling means will be important in times of regional and national emergency), and h) ***Socioeconomics and Environmental Justice*** (subject large creek waterway to Francis Lake and Webster Lake directly affects salmon availability in the Cedar River, which chimes into Indian Treaty Rights; subject wastewater and landfill(s) are often located near disadvantaged population groups (including rural residents) that are ill equipped to accept the health and welfare challenges (a social tax) impressed on them by urbanites shipping their waste to them).

As noted above, toxic leachate being mixed with WTD streams outflows, and in carrying heavy metals and other toxic materials, also affects the health and marketability of fish in Puget Sound. This affects the health and reproduction of salmon, orca, safety of domestic fishing harvest, and safety of Indian Treaty Harvest fishery. Leachate toxicity also affects usefulness of "LOOP" for

use by soils manufacturers). During times of high surface water run-off, the sewage treatment plants are over-loaded in capacity and flush large amounts of untreated wastewater into Puget Sound.

As part of the WTD study (since solid waste and organic solids "healthy soils" initiatives may be involved), it is respectfully urged that the toxic springs outcroppings near and below CHRLF, and on or near the Cedar River Canyon Rim, be studied. These waste water spring outflows affect the water quality of the Cedar River (and its salmon habitat), as well as present a "creeping danger" to the Cedar River Aquifer. Residents in the area have alleged observing such features, and have noted that they may be brightly colored and algae infested. It should be noted that there is long history of coal mining activity in the Cedar River Canyon region near or about the CHRLF, as well as many mapped faults and scarps. Although there are many abandoned coal mines in the area (such as the Cedar Mountain Coal Mines which go very deep; e.g., under the Cedar River and into the canyon wall), the CHRLF high plateau area seems to be the area where such relatively unique springs of concern may be noted.

Thus, the outflow from the CHRLF (as leachate into the WTD collection streams), and its potential contamination with sewage treatment plant "digester" resources and solids production of "LOOP" product(s), presents a potential concern to those using "LOOP" in their raising of food products, and in areas where humans, plants, and animals may have contact. A similar threat may be presented in the sprays, mists, and gases emanating and oozing from the CHRLF, which affects local populations in a radius extending out many miles. The King County Solid Waste program, in conjunction with WTD, has many potential health impacts of importance to be studied. Both the WTD system, and Solid Waste Collection and Processing System, are vital in terms of having a continuing function in times of regional and/or national crisis (failure of elements within either may present extreme health risks). It is a remarkable challenge to be studied and worked with as part of subject EIS.

I respectfully urge that unsafe or marginally safe practices be moved to areas better suited for complex chemical engineering processes (such as in the urban industrial areas themselves, and Eastern Washington), and a larger "safety factor" be built into our regional areas and systems that better anticipates the increased population growth that may likely occur within King County's future. By safety factor, this includes the idea of treating urban waste streams within urban centers by sources themselves (or a local area centralized urban processing site), and/or shipping surplus waste streams (such as by specialized rail transport means) for specialized processing into environments best capable of both accommodating such tasks, and utilizing the products of such converted resource streams. Such areas should be located at least one hundred (100) miles from urban/industrial centers such as single metropolitan statistical areas (or "SMSA").

Hazards such as extreme weather fluctuations and rising sea levels caused by Global Warming should be considered, as well as "so called" predicted "Big One" magnitude 9+ earthquake in our future. Various traditional human or social threats should be considered as well. NOTE: the biggest earthquake ever recorded with instruments is a magnitude 8.9 in Chile (1960). Please correct me if I am wrong. Sites for large or industrial scale solid and semi-solid waste recycling should be studied for location in more favorable areas, such as geologically and meteorologically stable environments with connections to substantial transportation corridors (such as major freeway systems and rail transportation systems which pass through the Cities of Auburn, Everett, Seattle,

and Tacoma, and other cities such as Goldendale, Mesa, Pasco, Prosser, Yakima, etc.). Transportation of materials by railroad to eastern Washington State locations is best favored by sunny and arid climates that can better concentrate and dry out materials, destroy bacteria, and provide passive and active solar power. Location of sites near the Columbia River favors barge transportation of bulk materials. Areas that should be avoided should include: a) regions where significant human or animal population density exist; b) where protected animal and plant populations exist; c) where there are centers of tourism interest (such as near government protected forests and parks); d) where there are geologic faults, scarps, mining activities; where there are meteorological challenges such as significant rainfall, significant run-off, water features, and/or significant weather fluctuations causing population impacting events such as temperature inversions ("stink" and toxic gases can be trapping and concentrated by events; e.g., substantial wind circulation and nuisances dispersion is desired).

CONCLUSION

King County urban and industrial centers currently produce substantial waste streams that are carried out into now the close proximity of rural areas. Population growth has driven up and strained population densities inside rural areas. What was once small towns supporting farms, mining, and timber interests have become pockets of urban commuters living in rural surroundings, and the basic circumstances which caused the town to become populated and grow (local rural employment) may have almost disappeared. This has caused the rural areas to become a mix of rural concerns where value added labor and materials are combined by those living on or near subject site, and those who are urbanites enjoying rural beauty and space along with the need to commute longer distances to work. As rural population densities increase, they may become urban in character and become "annexed" by cities and towns. This is how cities and towns grow, and planning should be made for this.

One growth region is up the Kent Valley to Puyallup, which is now densely populated by commercial concerns such as retail stores, offices, warehouses, and manufacturing concerns along SR-167. Farming has almost disappeared. Another growth region is along SR-169 (Maple Valley Highway) and Issaquah-Hobart Road between the towns of Renton to Maple Valley, and Issaquah to Hobart. The CHRLF and Queen City Farm are located near many homes and businesses. Population densities are increasing here as scarce area properties come under pressure. Is CHRLF land area best served by decommissioning it and making it into a park? Is the area best served by converting the region to a technology serving corridor (and associated housing, such as in Kirkland and Bellevue), or making it a polluting industrial center for processing urban waste resources (and supportive housing and tax base for such activities (examples of such industry located areas: a) Georgetown, b) Skyway, c) White Center).

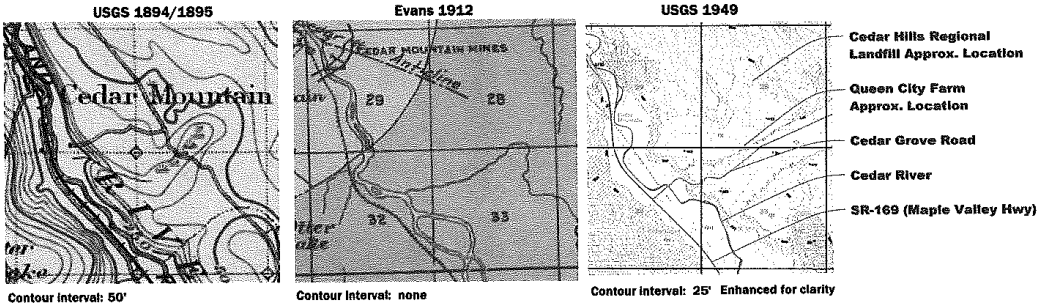
New challenges and pressures are placed on scarce resources. "Recycling", or "closing the loop" in the making and using and recycling materials and products, has become the new normal. Where is (are) the best location(s) to conduct such activity(s)? What are the best technologies to use at this time? What technologies are best used as dispersed technologies? What technologies are best located in large, centrally located and specially prepared facilities which may feed global exports?

It is respectfully urged that research embracing a "healthy planet" approach be considered (as part of page 1, 3rd paragraph under "Description of Proposal", or "alternatives for consideration in the EIS."). Failure to do this may negatively impact not only regional health and commerce (both locally and globally), and eventually the ability to sustain living organisms in this region as we now know it. Don't we have technology, and the ability, to safely and "odor free" process and recover needed resources? Where should such recycling technology be developed and made? Where should such technology be located, used, and shipped to and from (and by what means)?

Why not do this?

Most Sincerely;

H.W. "Hank" Haynes (a Private Party; Draft Only)



MAP HISTORY COMPARISON OF QUEEN CITY FARM AREA AND SURROUNDINGS

Queen City Farms waterway from wetland to waterway changed over time. In 1894/1895 it came from a wetland. In 1912 it was joined with creeks from Webster Lake and Lake Francis to form river over stepper canyon wall to river. In 1949 river is gone, original creekbed is mined away and becomes road.

The USGA map on the left shows section 28 occupied by both the CHRLF and Queen City Farm. In 1894/1895, the westerly wall of the Cedar River Canyon had a horse trail that went from Renton to Maple Valley. In section 28, the road "T"ed and dropped down to a Cedar River crossing where, once the river was crossed, one could get onto a train. A road and waiting station is indicated next to the train tracks (forerunner of SR-169). A natural swale exists for directing the water to a wetland and creek feeding to the Cedar River (from both Francis Lake and CHRLF). Seasonal creek through heavy forestation is indicated for overflows. In Evans 1912, a portion of Cedar River Canyon wall was removed and creek shortened. Year around creek flows from Webster Lake and Lake Francis to wetland region, and down to salmon habitat Cedar River. Settler activity for Cedar Mountain mining in region extended back into 1880's. Bringing out timber and game (including fish) extended back much earlier. Agriculture was found in the May Valley (to east) and Maple Valley (to south, with its railhead). In USGS 1949 map segment on right, the Cedar River Canyon rim to the east has been dropped down from a canyon rim elevation approaching 600 feet to about 400 feet (above mean sea level), and the substantial year around creek joining Webster Lake and Francis Lake has been replaced by a roadway connecting SR-169 with Issaquah-Hobart road. Some small local scattered local streams (many seasonal) still persist.

8 | 2020JUNE23 KATHERINE FISCHER "RWSP"SEPA Sugg. HWH Comment **Draft rev. 2 6/28/'20**

GRDE18-0048 PROJECT AREA (SECT. 28 & 33). NOTE STEEP HILLY AREA DEFINED BY 50' CONTOUR INTERVAL WHICH SHOWS RUNOFF FROM SLOPES RUNNING INTO THE SITES LARGE WETLAND, AND THENCE BY STREAM INTO WHAT IS NOW A KING COUNTY NATURAL AREA AND THE CEDAR RIVER. THIS IS AN IMPORTANT WILDLIFE HABITAT SUSTAINING FEATURE THAT IS NOW RARE.

Railroad

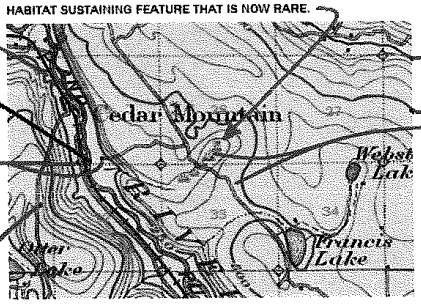
Cedar River

River Ferry (?)

Note structures indicated on drawing, and lack of them in wetland area

Issaquah Creek

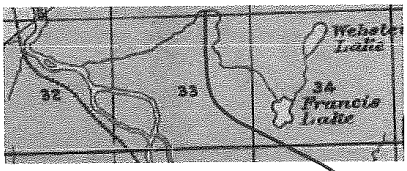
500' contour line



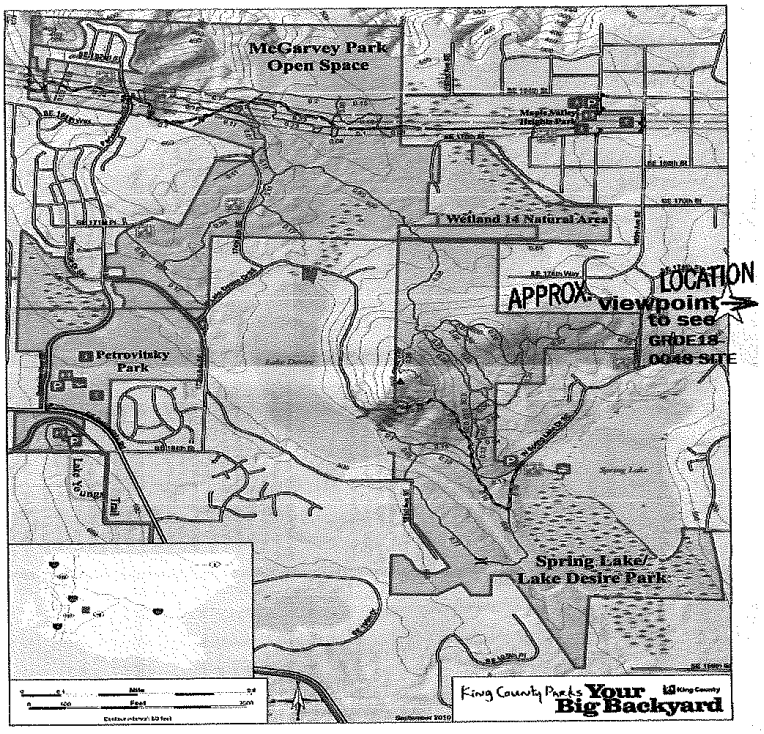
1894/1895 USGS "TACOMA" MAP SURVEY (1900; REPRINT DATE 1913), REDACTED TO SHOW SITE 50' CONTOUR LINES (AND LAND, WETLANDS, STREAMS, AND RIVERS) RELATED TO PROJECT GRDE18-0048. SECTION # DATA ADDED IN GREEN.

Redacted map created by H. W. Haynes 2020MAR21. Map for idea and discussion purposes only.

G. Watkins Evans 1912 (below) map redaction



Historical stream course to wetland/Cedar River year 'round creek following surface contours draining Francis and Webster Lakes, and noted as year 'round stream(s) flowing restored in the 1909/1910 survey and mapping work for book **The Coal Fields of King County** (1912) by George Watkins Evans. The drop in elevation from the two lakes to the wetland below is approximately 120 ft. (estimated based on visual interpolation) and maps 50' contour interval, and in seeing 2 plus curved contour lines (e.g.; # of contour lines (2+) X 50) = 100+ ft.; since distance is also split between another set of contour lines, one half of the 50' change is also added on (or 25'), which gives estimated 125').



MAP APPROX. 2014 of SPRING LAKE/LAKE DESIRE PARK and McGarvey Open Space. Note size and proliferation of mapped wetlands (and size) as compared to subject 1895 USGS "Topography Tacoma" Map.

By virtue of wetland size and distribution noted on subject 1895 USGS "Topography Tacoma" Map, the occurance and sizing of wetland features should be considered as conservative and upsized in relation to current wetland considerations and content. Note viewpoint from which photograph was taken of Queen City Farm site across Cedar River Canyon Rim.

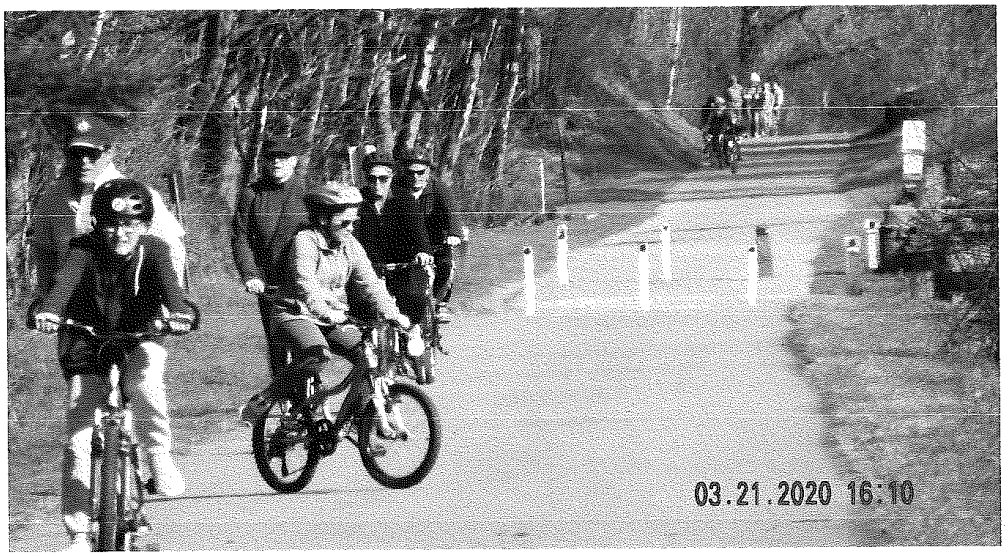
Graphic for idea purposes only. **HWH 2020MARCH22**

Note Wetland 14 Natural Area in upper right of Spring Lake/Lake Desire Park "Your Big Backyard" Map. Wetland 14 was larger in 1894/1895 (land developers have created ditches to drain much water away).

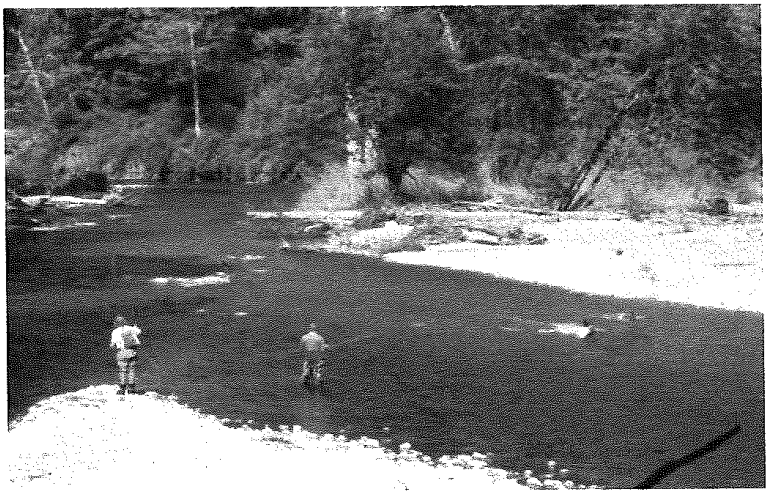
Queen City Farm located soils composting business near canyon rim above Cedar River. See also "Fill" photo below.

Seattle salmon fish market business dependant on wild salmon to serve local customers including restaurants, hotels, airlines and private aviation services, gourmet cooks, etc.

11 | 2020JUNE23 KATHERINE FISCHER "RWSP"SEPA Sugg. HWH Comment **Draft rev. 2 6/28/'20**

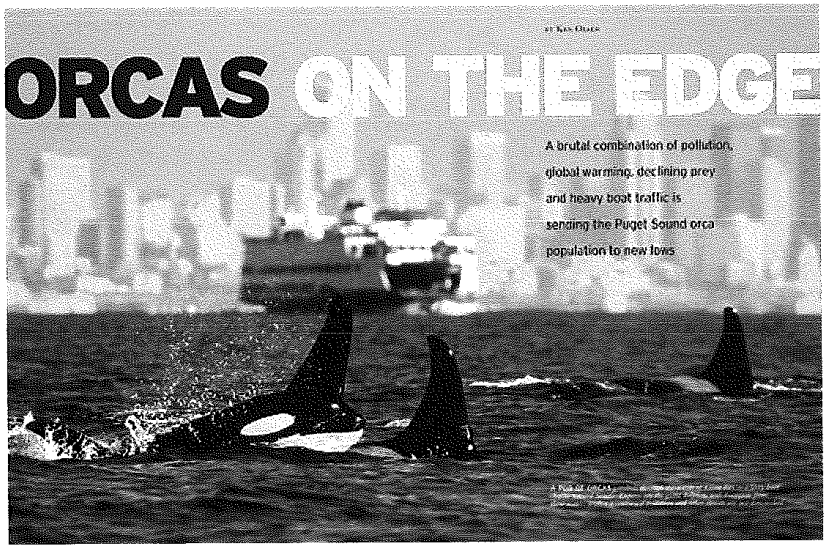


FAMILIES BICYCLING AND WALKING ALONG THE CEDAR RIVER TRAIL (AND THE CEDAR RIVER) NOT FAR FROM (AND WEST OF) THE KING COUNTY CEDAR HILLS REGIONAL LANDFILL.



Fly fishing on Cedar River below King County Parks Dept. Cedar Hills Regional Landfill, and across the river from what used to be Cedar Mountain Coal Mines. Photos by H. W. Haynes

12 | 2020JUNE23 KATHERINE FISCHER "RWSP"SEPA Sugg. HWH Comment **Draft rev. 2 6/28/'20**

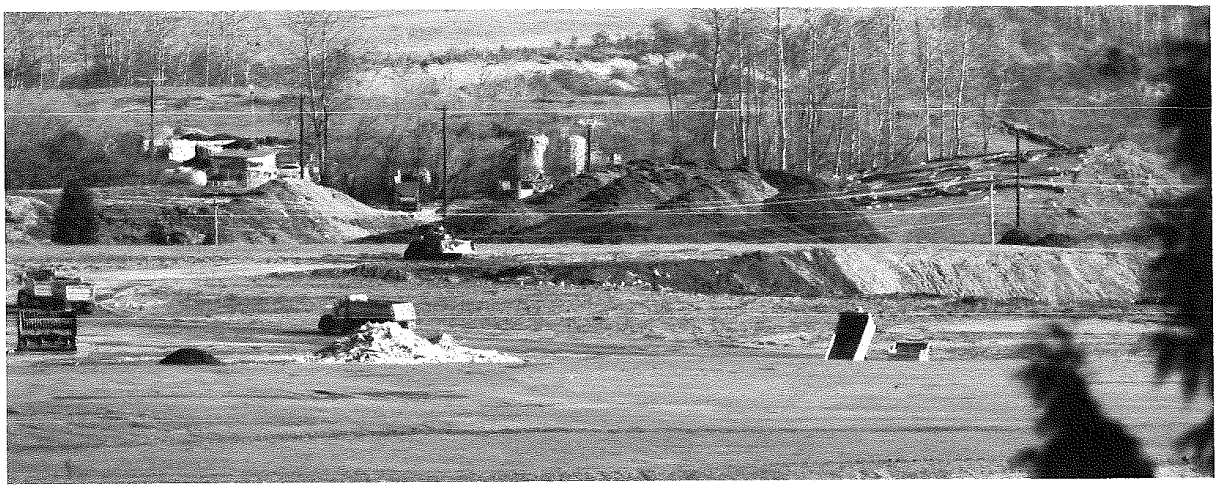


Salmon and Orca are indicator species related to the health of our lands, culture, and economy to sustain its regional ecology and identity. Technology and systems are created to answer social questions and goals based on political and economic pressures.

Historically lack of political vision, and political and technological goals, has produced lackluster results. Attached are seemingly two political vision statements directed at accommodating rural culture, the rural economy, wildlife, and urban waste recycling:

a) Washington State SB 6306 ("Soil Health Initiative" signed by Governor Jay Inslee); and
b) King County Executive Order No. LUD-12-1-EO ("Clean Water Healthy Habitat Executive Order" signed by King County Executive Dow Constantine)

How will government agencies cooperate, coordinate, and respond to these political directives?



Fill material being deposited in Queen City Farm region to seemingly create a large flat plateau extending toward Cedar River. This land area was once occupied by a year around creek, feeding streams, associated wetlands and wildlife (including spawning salmon and Bald Eagles) in a run going from Webster Lake and Francis Lake to the south, and then into the creek system which fed through a biologically rich wetland (about the size of Wetland 14 near Lake Desire and Spring Lake) and down into the Cedar River.

If salmon and orca are to recover, shouldn't the areas where they breed and feed be restored?

This land area is currently going through SEPA review under project numbers such as Permitting Division (King Co. Dept. of Local Services) Project numbers GRDE18-0048 (Queen City Farms Phase III Refill), GRDE15-0053 (Phase I); GRDE15-0214 (Phase II), and GRDE19-0017 (Restoration). The question here is "Restoration" to what? When combined with what is happening in the Cedar Hills Regional Landfill just above subject site, this seems not to take into account what is in King County Executive Dow Constantine signed **CLEAN WATER HEALTHY HABITAT EXECUTIVE ORDER** number **LUD-12-2 EO**, and Washington State's Governor Jay Inslee signed Substitute Senate Bill **SB-6306**, Chapter 314, laws of 2020, titled "**SOIL HEALTH INITIATIVE**". Because of the historical roadways and river crossing in this area, it is also a heritage site worth considering. See **WAC 173-26-221 General master program provisions** and "**SEPA**".

Piles of soil in background are from topsoil maker located on Queen City Farm (or "QCF") Federally listed Superfund site (manufacturers building start in upper left of photo and extend to left off photo). QCF and CHRLF occupy about 2.3 square miles or so of land area (which is a significantly large wildlife habitat area). Photo by H. W. Haynes. Photo was taken on or about February of 2020 from location on opposite side of the Cedar River Canyon (not far from Wetland 14 and Spring Lake/Lake Desire Park) .

Approx. loc. of CHRLF and Queen City Farm is above King County's Cedar Valley Aquifer Area SSA; e.g., King County's and the City of Renton's public water supply aquifer, as well as local rural wells.

Ike Kielgass

Submitted via email, July 19, 2020

Dear M. Fischer,

Here's one obvious way to reduce the amount of untreated runoff: oppose the relocation of the Lakeside Industries asphalt plant to the old County Shops site on SR 169, a stone's throw from the Cedar River.

Let me begin my stating that I am NOT opposed to asphalt. As retired Union 302 and property developer, asphalt is an essential building material and important component of our country's infrastructure.

I worked on the Alaska Pipeline project in the '70s and for its entire duration, constructing the James W. Dalton Highway - a 414 mile supply road that supported the Trans-Alaska Pipeline System. Locally, I worked on the 405/167 interchange in the '80s and various bridges and roadways in the region. I know first-hand that asphalt fumes are nasty.

My work on the AK Pipeline project afforded me the opportunity to buy a home and property in Renton - the home I still live in over 39 years later. My home is now subject to the possibility of being within 500 feet of an asphalt recycling and hot mix plant, its noise and toxic emissions.

Allowing Lakeside Industries to build an asphalt plant at the old County Shops site on SR 169 will not only add ~500 dump trucks PER DAY (~200,000 each year) into the already heavy traffic flow, but will also: impact water quality for hundreds of thousands of residents throughout the County; adversely affect salmon habitat and wildlife in the area and the region's orca population; create additional safety hazards for nearby residents; and subject nearby families and all Cedar River Trail users to the acute effects of exposure to toxins created by grinding recycled asphalt and asphalt fumes from hot mix.

The basic point: This plant does not belong within a stone's throw of the Cedar River in one direction and residential homes in the other.

Respectfully,

Ike Kielgass
Renton, WA

Rose Lew Tsai-Le Whitson

Submitted via email, July 17, 2020

Good afternoon;

I am writing today as a resident within the King County WTD service region. I live in North Seattle. For full disclosure since my company works with King County WTD and since I'm currently working on an unrelated KC WTD project, I am also an environmental permitting and biology specialist with Jacobs Engineering. This correspondence expresses only my personal views, not my company's, and is not related to company business. I do not receive any sort of monetary compensation from Jacobs beyond my salary.

I attended one of ECOSS's outreach programs, where I learned about the Clean Water Plan. My SEPA scoping requests are as follows:

1. Equitable Pay Rate Structure

The Existing Conditions report highlighted how much the region has changed economically in recent years, indicating development of an equitable system is of high priority. On this front, I would like King County WTD to explore ways to restructure the current pay rate system, whether by implementing some sort of income-determined pay rate if that is a legal possibility or by exploring funding sources to develop robust subsidy programs to serve citizens in need.

2. Resilient System focused on Local Stormwater Reservoirs/Vaults

One of the items that struck me as particularly relevant is the sewage overflows during large storm events largely resulting from stormwater inputs overwhelming the system. As climate change impacts to precipitation are increasingly felt, I encourage King County WTD to support capital investment projects and grant programs that specifically provide local stop-gaps throughout the region, wherein stormwater can be trapped locally before entering combined sewer systems where applicable and/or expansion of LID projects. I'm thinking of things like the Ship Canal Water Quality Project, except on a smaller scale and spread throughout the KTD service area. I believe San Francisco also developed a similar program, wherein they constructed local vaults in street intersections (not 100%, heard about this from family who live in SF).

3. Assessment of Resilience in the face of COVID and other unanticipated changes

A friend mentioned offhand something that seemed relevant. What happens now that a greater percentage of people are working from home indefinitely rather than in business centers? Can the residential sewer systems handle this shift in terms of capacity and flow rates? As with the stormwater idea of local solutions, I would love for King County WTD to explore localized methods of handling sewage, if that's even a thing. Examples include supporting grey water conversion programs, or maybe increased coordination with local agencies and homeowners to improve systems serving residential areas? (not an expert here...reaching a bit)

Thank you for your consideration of these SEPA scoping suggestions.

Sincerely,

Rose Lew Tsai-Le Whitson

Michael MacDonald

Submitted via email, July 10, 2020

Will the Clean Water Plan evaluate the potential impact of promoting residential use of composting toilets, and possible associated reduction in the volume of wastewater that requires treatment?

Michael MacDonald

Designer III, Wastewater Treatment Division
King County Department of Natural Resources and Parks

Naomi Nash

Submitted via email, July 19, 2020

I am a lifelong resident of Seattle and I am more than willing to pay my fair share to help maintain and repair sewer outflows, etc. if I can afford it. For the first time in my life, I have not been able to pay my last two water bills in full due to the combined rate hikes imposed by Seattle Public Utilities over the last 2 years. My concern is that all residents are being asked to pay for upgrades to expand the sewer system to accomodate all of the new development and growth in the area. I think more of the financial burden for expansion should be placed on developers and new residents causing the need for the expansions. Maybe this means increasing the King County sewer capacity charge.

In regards to the environment, I would like to comment on the Wolfe Creek concept feasability study done by Heron Habitat Helpers (HHH). It would take Wolfe Creek out of the sewer and into Puget Sound, therefore helping salmon habitat, and, in turn, orcas. Maybe a project that could be worked on and funded jointly by HHH, the county, the state's Southern Resident Orca Task Force, and other community and government agencies with a vested interest.

Thank you for considering my comments.

Naomi Nash

Jackie Peña

Submitted via email, June 11, 2020

Thank you for extending the public comment deadline. I propose that we lobby for laws where decision makers in industry and business who violate clean water and EPA laws are arrested and charged with an actual crime for violation. Until we hold the human deciders to violate our laws not just fine these corporations, we will continue to to give license to these violators to continue their actions until caught. Let's increase the motivation for them to comply with the laws.

Thank you.

All the best,

Jackie Peña

Teresa Underwood-LeMoine

Submitted via email, July 20, 2020

As a resident of Seattle for 50+ years it is obvious that upgrades are needed to water treatment. My home is within walking distance of West Point treatment plant so we are well aware of CSO events. But how will these improvements be paid for? There have been two large increases on the sewer bills in 2 years. Making it a challenge to pay along with higher property taxes, etc. Certainly, a large part of the problem is the completely uncontrolled growth in the city. Preferring developers and development to environment and quality of life, both of which have taken a huge hit. It would seem appropriate to start passing on larger percentages of the cost to keep up and aging system to those building **newer and bigger** all the time! Either in permit fees or some kind of offset to all the land, trees and plants which are becoming deserts of concrete. Yes, climate is certainly different but when there is no earth to absorb run off you compound the problem immensely. We the single homeowner are encouraged to do rain gardens and any other mitigation to help the environment but big business and big money get a free pass.

I hope that someone who cares where we are heading will take the time to really look at suggestions made by smaller caring groups and not just big money and expensive fixes. Maybe we can get the Wolf Creek Daylighting Concept Study looked at and improve one more place for habitat.

How much of our current charges are being used toward fines. Let's fix the problem in a way that really benefits the environment without breaking the bank.

Teresa Underwood-LeMoine

Form Letter

Submitted via a third-party email link

List of individuals who submitted the form letter

The following 323 individuals submitted the same form letter (see page B-75) during the scoping period via a third-party email link (note all cities/locations cited are in the state of Washington):

Gina Abernathy, Sammamish
Catherine Adams, Seattle
Dennis Anand, Seattle
Lindsay Andersen, Seattle
Brittney Anderson, Woodinville
Lyle Anderson, Blaine
Matthew Anderson, Seattle
Sarah Armstrong, Seattle
David Arntson, Bothell
Rein Attemann, Seattle
Chris Avery, Seattle
Linda Avinger, Bellingham
Shary B., Seattle
Dori Bailey, Chimacum
Norman Baker, Sequim
Robert Bamford, Seattle
Lynne Bannerman, Seattle
Pamela Barber, Kent
Wendy Bartlett, Bellingham
Sarah Bauer, Seattle
Sarah Bauman, Bellingham
Athena Bautista, Seattle
Emmy Bell, Vashon
Angela Bellacosa, Seattle
Pamela Bendix, Bainbridge Island
Derek Benedict, Lynnwood
Michele Black, Seattle
Robert Blumenthal, Seattle
Matthew Boguske, Redmond
Julia Booth, Federal Way
Tika Bordelon, Seattle
Jai Boreen, Friday Harbor
William Brogan, Spokane
Tina Brown, Anacortes
Lucia Burgess, Bellingham
Stephanie Burkemoore, Seattle
John Burrows, Spokane
Sharmayne Busher, Vancouver
Kathleen Butt, Redmond
Brie Byncild, Seattle
Amber Callahan, Seattle
Mark Canright, Rockport
Rebecca Canright, Rockport
Barbara Cardarelli, Redmond
Jennifer Carroll, Seattle
Dana Catts, Seattle
Curtis Cawley, Seattle
Angielena Chamberlain, Seattle
Sarah Chambers, Auburn
Robert Chang, Seattle
Joanna Chesnut, Tacoma
Kristen Chester, Woodinville
Maureen Chomko, Seattle
Maxine Clark, Bonney Lake
Mallory Clarke, Seattle
Gretchen Clay, Bellingham
Farah Clinch, Seattle
Annapoorne Colangelo, Clinton
Jackie Cole, Woodinville
Toby Cole, Seattle
Kelley Coleman Slack, Bellingham
Mike Conlan, Redmond
Daryl Connell, Kirkland
Laurie Cooper, Edmonds
Keith Cowan, Seattle
Marty Crowley, Port Townsend
Lakota Crystal, Roy
Colleen Curtis, Bellingham
M. Dahlgren, Issaquah
Joan Davis, Seattle
Brandie Deal, Bothell
Robin Deligeannis, Seattle
Joni Dennison, Federal Way
Anne Dickerson, Renton
Lon Dickerson, Renton
Amanda Dickinson, Yakima
Ron Digiacomo, Seattle
Laurie Dils, Olympia
Gary Dirks, Port Orchard
Angie Dixon, Clinton

Brendan Dowd, Seattle
Barb Drake, Seattle
John Dubois, Renton
John Dunn, Vashon
Sheila Edwards, Kirkland
Carol Ellis, Seattle
Dean Engelmeyer, Kenmore
Lori Erbs, Acme
Laural Erickson, Seattle
Greg Espe, Seattle
Tina Ethridge, Seattle
Bronwen Evans, Seattle
Chad, Evans, Seattle
Gail Fahrenwald, Olympia
Lucia Faithfull, Federal Way
Cleo Farone, Seattle
Martine Felts, Anacortes
Gloria Fischer, Pullman
Helen Fowler, Seattle
Glenn Franko, Port Angeles
Jeff Freels, Lacey
Barbara Frost, Seattle
Syd G., Seattle
Deborah Gandolfo, Kirkland
Vicky Gannon, Seattle
Charlie Garzia, Vancouver
Mary Jane Gasdick, Seattle
Sandra Gehri-Bergman, Puyallup
Helen Gidden, Bellingham
Peter Giese, Seattle
Thomas Gilmore, Bellingham
Laurie Gogic, Kirkland
Laura Goldberg, Arlington
Jeraldi Gonzalez, Burien
Joyce Grajczyk, Kent
Todd Gray, Seattle
Victoria Grayland, Kenmore
Chris Guillory, Port Angeles
Kathleen Gylland, Seattle
Carole H., Port Townsend
Alexandra Harmon, Seattle
Gwendolyn Harper, Everett
Eloise Harris, Auburn,
Pamela Harris, Seatac
Nichole Hart, Shoreline
Lorraine Hartmann, Seattle
Jo Harvey, Pacific
Jenny Hayes, Seattle
Lloyd Hedger, Tacoma
Marilyn Heimamn, Seattle
Daniel Henling, Seattle
Carole Henry, Seabeck
Jennifer Hiam, Tacoma
Karen Hiller, Orcas
James Hipp, Bellingham
Rich Hladky, Bremerton
Michael Hoffman, Kirkland
Richard Horner, Seattle
Howard DDS, Seattle
Jared Howe, Seattle
A. I., Kenmore
Dean Jackson, Mountlake Terrace
Wendy James, Bellingham
Vanessa Jamison, Marysville
Linda Jarvis, Chimacum
Jeanne Johnson, Seattle
Richard Johnson, Bellingham
Shandi Jones, Seattle
Dorothy Jordan, Lynden
Sophia Keller, Seattle
John Kemmick, Seattle
Jerry Kessinger, Lynnwood
Chloe Key, Tacoma
Jerry King, Spokane
Katelyn Kinn, Seattle
Janice Klinski, Olympia
Kristen Klooster, Everett
Cathy Knauerhase, Seattle
Chris Knoll, Mountlake Terrace
Gary Kocher, Mercer Island
Karli Konodi, Seattle
Meryle Korn, Bellingham
Jeanette Kors, Tacoma
Sunday Kraushaar, Washougal
Kathleen Kuker, Anacortes
Kathryn Lambros, Seattle
Jennifer Larsen, Seattle
Julia Larsen, Seattle
Rebecca Larson, Seattle
Erik LaRue, Burlington
Dawn Lausa, Seattle
John Lawrence, Seattle
Jeffrey Lazar, Shoreline
Amanda Lee, Seattle
Patricia Lenzen, Vancouver
Tate Linden, Seattle
Teresa Logan, Bellingham
Frances Love, Tacoma
Sammy Low, Stanwood
Thom Lufkin, Olympia
Kate Lunceford, Bothell
Vanassa Lundheim, Everett

John Lundquist, Auburn
Jennifer MacDonald, Bellingham
Susan MacGregor, Redmond
Lawrence Magliola, Sequim
Tawni Majetic, Seattle
Julie Mandel, Seattle
Dennis Marceron, Seattle
Shannon Markley, Shoreline
Christopher Marrs, Port Townsend
Liza Martin, Redmond
Catherine Martinez, Poulsbo
Priscilla Martinez, Bothell
Ursula Mass, La Conner
Linda Massey, Edmonds
Evan Matz, Yelm
Ann May, Milton
Earl McCarter, Tacoma
Gloria McClintock, Mount Vernon
Rebecca McDonough, Eastsound
Lisa McGinty, Seattle
Julia McLaughlin, Rochester
Kate McMullen, Seattle
Patricia McNabb, Bellevue
Anna McVey, Seattle
Alex Michell-Morton, Seattle
Travis Miller, Seattle
Ronnie Mitchell, Bellingham
Lisa Mize, Seattle
Victoria Monroe, Issaquah
James Mulcare, Clarkston
Paul Muldoon, Seattle
Susanne Murray, Spokane Valley
Katherine Nelson, Kent
Richard Noll, Port Townsend
Kris Nystrom, Tacoma
Ranell Nystrom, Tacoma
Stacy Oaks, Tulalip
Peg Ogle, Seattle
Paul Oker, Seattle
Elena Oneill, Seattle
Tracy Ouellette, Bow
William Packard, Seattle
Grace Padelford, Kirkland
Stan Parker, Bellingham
Adina Parsley, Stanwood
Karl Pauly, Seattle
Mary Peete, Bellingham
Sharyn Pennington, Auburn
Aldora Perez, Seattle
Lela Perkins, Everett
Megan Peters, Seattle
Thom Peters, Snohomish
Tim Pfeiffer, Seattle
Kate Pflaumer, Seattle
Ingrid Phillips, Seattle
Alane Pina, Seattle
Sarah Polda, Normandy Park
Paul Potts, Raymond
John Primrose, Bellingham
Peggy Printz, Seattle
Sally Radford, Tacoma
Emily Rahlmann, Seattle
Laura Ramon, Maple Valley
Robert Rathbone, Seattle
Roxanne Ray, Seattle
Annemieke Raymond, Seattle
Jill Reifschneider, Vashon
Toni Reineke, Seattle
Paul Reinhold, Seattle
Sophia Ressler, Seattle
Patricia Rodgers, Bothell
Rebecca Rose, Seattle
Hanna Roseen, Seattle
Barbara Rosenkotter, Deer Harbor
Kenneth Rosenman, Seattle
Catherine Ross, Edmonds
Kathryn Ryan, Edmonds
John S., Seattle
Sarah Salter, Lynnwood
Jessica Santana, Seattle
Kimberly Seater, Seattle
Lauren Sewell, Seattle
Sally Sheck, Renton
Michael Shurgot, Seattle
Michael Siptroth, Belfair
M. D. Smith, Seattle
Marilyn Smith, Seattle
Mary Smith, Seattle
Jennifer Smoose, Seattle
Seth Snapp, Bellingham
Samantha Solomon, Spokane
Katie Stansell, Seattle
Chris Stay, Edmonds
Barbara Stevenson, Issaquah
Tonya Stiffler, Shoreline
Irene Stofko, Seattle
Julie Stohlman, Seattle
Don Stutheit, Edmonds
Diane Sullivan, Oak Harbor
James Sutter, Seattle
Thomas Swoffer, Enumclaw
Karen Taylor, Seattle

Cornelia Teed, Bellingham
Debbie Thorn, Kirkland
Alyssa Tou, Seattle
Sharon Truax, Seattle
Greg Turner, Seattle
Emily VanAlyne, West Richland
Debra Vandegrift, Seattle
Virginia Velez, Bainbridge Island
Dirk Vermeeren, Bellingham
Lauren Vorona, Seattle
Izzy Wang, Seattle
Cherie Warner, Pullman
Dean Webb, Seattle
Bob Weeks, Seattle
Elyette Weinstein, Olympia
Marie Weis, Fox Island
R. Weiss, Seattle
Angela Wells, Seattle
Chris Wendle, Seattle
Mariela White, Seattle
Nancy White, Spokane Valley
Carol Whitehurst, Tacoma
Matty Whyte, Burien
Danielle Wilburn, Kirkland
Charles Wilfing, Sequim
MaryJo Wilkins, Kennewick
Janet Williams, Seattle
Steve Williams, Tacoma
Doris Wilson, Kirkland
Kevin Wilson, Port Angeles
Johnna Winters, Federal Way
Gordon Wood, Seattle
Jo Woodrow, Vancouver
Linda Wright, Seattle
Janet Wynne, Bellingham
William Young, Bellingham
Angeline Zalben, Seattle
Sarabeth Zemel, Seattle
Kenneth Zirinsky, Tacoma

Dear Ms. Fisher,

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Modified Form Letters

The individuals cited in this section submitted modified versions of the form letter that appears on page B-75. These modified letters were also received via a third-party email link during the scoping comment period.

Sent separately by Shane Donogh (Carnation, WA), James Pierson (Olympia, WA), and James Youngman (Redmond, WA)

Dear Ms. Fisher,

I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public, in particular those communities that will be impacted by the County's actions - for the public to be able to understand and meaningfully participate in this process. Specifically, King County has failed to explain:

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--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact

the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Glen Anderson

Dear Ms. Fisher,

I am deeply concerned about King County's Clean Water Plan (CWP) scoping process.

You are NOT doing this right!!!

I implore you to have people who REALLY UNDERSTAND THE ENVIRONMENAL AND HEALTH-RELATED ASPECTS OF WATER direct this process!

You started the scoping period too soon, so I IMPLORE YOU TO STOP THIS PROCESS NOW. Step back and do it right!!!

The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize

already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Glen Anderson
Olympia, WA

Greg Anderson

Dear Ms. Fisher,

If you like to eat and drink sewage and toxic chemicals, and enjoy checking out dead wildlife, read no further.

However, because of all the irregularities, I ask King County to pause the Duwamish River CSO scoping period in order to provide a clear and complete explanation of their actions to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

For the oceans!

Sincerely,

Greg Anderson
Lake Forest Park, WA

Randall Collins

Dear Ms. Fisher,

These are my comments on King County's Clean Water Plan (CWP). I am especially concerned about the scoping process.

This scoping period was started too soon and should be stopped. The public has been provided insufficient information by King County to offer meaningful comments and to fully participate.

Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
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--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish

Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Randall Collins
Seattle, WA

Patrick Conn

Dear Ms. Fisher,

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
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--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish

Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County (as politely as I can given your seemingly TRUMP-UNETHICAL and AUTOCRATIC CORRUPT APPROACH TO PUBLIC DEVELOPMENT by ATTEMPTING TO RAM A HALF-ASS CORPORATE-SPONSORED ILL-CONCEIVED PROJECT DOWN THE PUBLIC'S THROAT BEFORE IT/WE CAN ASSESS WHAT IT IS EXACTLY and more important DO ANYTHING TO STOP IT IF SHOWN DEFICIENT, especially in this obvious PUBLIC GOVERNMENT ABUSING TRUMP ERA) to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Patrick Conn
Kent, WA

Virginia Davis

Dear Ms. Fisher,

Thank you for the opportunity to comment on King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public, in particular to communities that will be impacted by King County's actions, for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

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* King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I'm also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish

Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Virginia Davis
Woodinville, WA

Larry Franks

Dear Ms. Fisher,

Pollution avoided is much better than pollution mitigated after the fact.

Larry Franks
BS Fisheries (Salmonid Culture)
UW 1979

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

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- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

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control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Larry Franks
Issaquah, WA

Maradel Gale

Dear Ms. Fisher,

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process. And yes, even though I don't live in King County, I am directly impacted by your King County activities because I live directly across Puget Sound from your waste outfalls.

This scoping period has commenced prematurely and should be halted. This is because the County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
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--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

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already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Maradel Gale
Bainbridge Island, WA

Nadine LaVonne

Dear Ms. Fisher,

Asking the EPA to do anything at this point in time is absolutely pure stupidity. Who do you think runs the EPA these days who oversees it and tells it what Canon cannot do it certainly isn't the people. Get it right for a change don't ask any administrative cabinet to help us they are not interested in doing anything but please the emperor mment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

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--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize

already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Nadine LaVonne
Seattle, WA

Diane Marks

Dear Ms. Fisher,

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
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--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish

Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Diane Marks
Port Angeles, WA

Jessica McAbee

Dear Ms. Fisher,

Please hear my concerns about the approval of the new Clean Water Plan without adequately resolving the issue of Sewer Overflow. Please pause the scoping period until all affected parties have been fully informed of the environmental and human impacts that the Clean Water Plan will have.
I am sure that you are familiar with the specific demands for disclosure from Puget Soundkeepers, and I support fully addressing those before proceeding.

Sincerely,

Jessica McAbee
Seattle, WA

Marco de la Rosa

Dear Ms. Fisher,

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan / CWP scoping process.

This scoping period has commenced prematurely and should be HALTED. The County has FAILED to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process.

Specifically, King County has failed to explain:

- The legal requirements that will provide the foundation for and shape the Clean Water Plan / CWP. This legal foundation includes but is NOT limited to :
-- The requirement to control ALL Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King Co.'s Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
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-- King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what modification entails and explain the known and potential impacts to water quality, the environment and communities that could result from modification.

If the County is proposing trade offs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly EXPLAIN those trade offs and demonstrate the benefits to water quality and the community that any trade offs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for Duwamish River envisions that construction will be completed by 2027, after which EPA will still continue to monitor the effectiveness of the Cleanup for 10 years (through 2037).

Delaying Combined Sewer Overflow control projects could result in more TOXIC pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean

Water Plan.

Project delays will ENDANGER the communities in the Duwamish Valley (an area both King Co. and Seattle recognize already experiences disproportionate health impacts and environmental injustices).

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must NOT contribute to any delays of the Superfund Cleanup, and must NOT pose the risk of / or cause RE-contamination of the River.

King County MUST adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to PAUSE the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Marco de la Rosa
Kirkland, WA

Fredericka Foster Shapiro

Dear Ms. Fisher,

I live on Elliott Bay, and have experienced the sewage overflows.
At this point, I need clarity on King County's plans to solve this problem.
In the 1980's, I lived just above the Duwamish River, and experienced that pollution whenever I canoed. To live surrounded by water that becomes less and less safe for living things is not acceptable. Please halt the scoping period that has started and let the public know how these problems will be solved.

Thanks for your consideration.
All best to you, Fredericka Foster Shapiro.

Nancy Shimeall

Dear Ms. Fisher,

I am deeply concerned about King County's Clean Water Plan (CWP) scoping process.

This scoping period started prematurely and should be halted. The County failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to meaningfully comment and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for the Clean Water Plan (CWP). This legal foundation includes:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
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--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also alarmed about the potential impacts the Clean Water Plan could have on the Duwamish River, the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River states that construction will be completed by 2027, and the EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not

pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Nancy Shimeall
Redmond, WA

Ivan Storck

Dear Ms. Fisher,

I am writing to express my grave concerns with King County's Clean Water Plan (CWP) scoping process.

Thank you for the opportunity to comment on this important plan.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Ivan Storck
Seattle, WA

Adam Wells

Dear Ms. Fisher,

Thank you for the chance to comment on this crucial legislation. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.

The scoping period began prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
--The requirement to control all Combined Sewer Overflows by 2030 and to meet certain project milestones identified in King County's Consent Decree with the EPA in Case 2:13-cv-00677-JCC,
--Clean Water Act requirements including compliance with the 2019 Municipal Stormwater Permit for Western WA Phase I's and with Washington's Pollution Control Law and water quality standards, and
--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

- Explain that King County is currently working with EPA to modify the Combined Sewer Overflow Consent Decree, explain what that modification entails, and explain the known and potential impacts to water quality, the environment, and communities that could result from modification. If the County is proposing tradeoffs in exchange for public endorsement of its delay of Combined Sewer Overflow control projects, the County must clearly explain these tradeoffs and demonstrate the benefits to water quality and the community that any tradeoffs would have.

- Explain other King County planning processes implicated by the Clean Water Plan, and explain how these other planning processes will influence, be incorporated into, and/or be impacted by the Clean Water Plan.

I am also concerned about the potential impacts the Clean Water Plan could have on the Duwamish River and the communities in the Duwamish Valley who rely on it, and the progress of the Duwamish Superfund site cleanup. The Cleanup Plan for the Duwamish River envisions that construction will be completed by 2027, after which EPA will continue to monitor the effectiveness of the Cleanup for 10 years, through 2037. Delaying Combined Sewer Overflow control projects could result in more toxic pollution being discharged into local waters, including the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish

Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Adam Wells
Seattle, WA

Joanne Whitehead

Dear Ms. Fisher,

I was born in Seattle and spent most of my life here and on the shores of Puget Sound. I am horrified and angered by the degradation of the Sound, which local government and much of the public have allowed to happen. The Sound is the foundation of life in Western Washinton -- and it is dying.

Thank you for the opportunity to comment on the Clean Water Plan. I am writing to express my concerns with the CWP scoping process.

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

-The legal requirements that will provide the foundation for and shape the Clean Water Plan (CWP). This legal foundation includes but is not limited to:
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--King County's requirements and obligations as a Responsible Party participating in the Superfund Cleanup of the Duwamish River.

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the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

Any changes to King County's plans to control its CSOs must account for the Duwamish Superfund Cleanup, must not contribute to any delays of the Superfund Cleanup, and must not pose the risk of or cause recontamination of the River. King County must adhere to its commitments to equity and social justice, consistent with Resolution 14368.

In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Joanne Whitehead
Seattle, WA

Laura Zerr

Dear Ms. Fisher,

Thank you for the opportunity to comment on this important plan. I am writing to express my concerns with King County's Clean Water Plan (CWP) scoping process.
I remember as a kid launching our boat (as every true NW native has/had!) into the Duwamish River. We were told to be careful and that you don't eat fish from this river as it was too polluted! That was a crime and it had gotten better! We CANNOT go back to allowing raw sewage into our waterways! Even treated water is polluted with plastics and chemical that needs to end as well, but raw sewage is something we can tackle today! Don't let this NW kid down!

This scoping period has commenced prematurely and should be halted. The County has failed to provide sufficient information to the public - and in particular to communities that will be impacted by King County's actions - for the public to be able to understand, meaningfully comment, and fully participate in this process. Specifically, King County has failed to explain:

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the Duwamish River and Puget Sound, under the Clean Water Plan. Project delays will impact the communities in the Duwamish Valley - an area that both King County and Seattle recognize already experiences disproportionate health impacts and environmental injustices.

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In light of the above, I ask King County to pause the scoping period in order to provide a clear and complete explanation of the above factors to the public, and explain how they will shape the Clean Water Plan and potential Action Alternatives.

Sincerely,

Laura Zerr
Auburn, WA