

# PugetSoundPartnership

our sound, our community, our chance

Draft Action Agenda Comments

*Cities*

Nov. 6 - 20, 2008

Set 1 of 8



November 20, 2008

Mr. Williams Ruckelshaus, Chair  
Leadership Council  
The Puget Sound Partnership  
PO Box 40900,  
Olympia, WA 98504-0900

**Re: Cities' Comments on the DRAFT Action Agenda**

Dear Chairman Ruckelshaus,

On behalf of the 112 cities in the 12-county Puget Sound Basin, I wish to extend our sincere thanks to you, the other members of the Leadership Council, your fine staff and the countless hours you and hundreds of citizens spent in the development of this Action Agenda. This phase of your ambitious assignment is nearing an end. We look forward to working in partnership with the Council during the coming years to help implement strategies and projects that indeed restore health to the Sound and support efforts by cities to maintain and enhance the quality of life in our communities.

Succeeding at both simultaneously will be challenging, but we believe achievable.

**Our comments have been developed in consultation with cities within the 12-county area – several of whom you will hear from directly:**

- Many have followed the development of this Action Agenda and participated directly in the Partnership's outreach efforts.
- Several serve on an AWC Puget Sound Advisory Group and have continuously advised AWC throughout this process.
- Several more responded to our request for input both on the Council's initial set of Priority Initiatives and most recently, the Draft Action Agenda and Preliminary Ranking of Near-Term Actions.

Given the deadlines under which you are operating, it is not possible to give full consideration to all the comments and issues in a few days, and meet the December 1 deadline. The AWC comments submitted here are intended to capture issues and concerns raised by a number of cities. However, we commend for your review and evaluation all of the comments you have received thus far from cities.

**Cities share the following perspectives:**

- They care about the health of the Sound and want to help meet the goal of restoring its health by 2020;
- Those right on the Sound and those upstream from it have roles to play, while simultaneously planning for and accepting population growth and expanded economic development;
- With help from the state and others, cities can –
  - Continue to grow in more compact ways as long as needed infrastructure and quality of life elements exist;
  - Better manage urban stormwater as required in most Puget Sound cities through implementation of NPDES Phase I or Phase II permits;

- Update local Shorelines Master Programs and GMA Comprehensive plans that are sensitive to the needs of the Sound's health and well being; and
- Help citizens and businesses better understand how they can take actions to prevent added pollution of our rivers, streams and the Sound.
- Now is not the time to initiate new planning or regulatory efforts. Instead, help cities and others implement the ones we have and are updating.
- There are many appropriate "measurement of success" variables in the Action Agenda. Missing are ones that identify whether needed responses are fundable, sustainable and supportive of continued growth in cities.
- **Funding is a key** – there isn't enough money now to support compact, prosperous and livable communities, let alone meet the ambitious goals of restoring the Sound's health by 2020.

Please find as an ATTACHMENT, more specific comments on the Action Agenda.

We look forward to continuing our efforts to forge an effective and workable strategy for restoring and sustaining the health of Puget Sound and the communities that surround it. We thank you again for your leadership, creative thinking and commitment to this all important task.

Sincerely,



Karen Rogers, President  
Association of Washington Cities

# Association of Washington Cities Comments Regarding the Puget Sound Partnership Draft Action Agenda

11/19/08



## A. Overarching Comments, Concerns and Issues

### I. Funding

Cities, and their budgets, come in all shapes and sizes. Significant fiscal constraints are an unfortunate circumstance affecting all cities large and small, and the gap between revenues and services is widening by the day. Even in good economic times, cities increasingly find themselves cash strapped with growing mandates and failing infrastructure.

Most jurisdictions are preparing to weather current financial and economic challenges with budget cuts and reductions in workforce. Many of these reductions will impact the ability to deliver essential services to protect public health safety and welfare including those tasks associated with a cleaning up Puget Sound. With these reductions come risks and liabilities. New programs and mandates to address Puget Sound must have identified funding sources other than traditional local government sources of revenue, and be permanent and sustainable vs. biennium-at-a-time.

### 2. Recognize Appropriate Urbanization and Reduce Pollution at the Source

All parties to the Partnership agree that reduction of pollution at the source is the best strategy for saving Puget Sound, and it is the most cost effective. Urbanized areas tend to be concentrated in the lowland areas of the Sound, where essential nearshore, estuarine, and lower river habitat is found.

The accommodation of density, with appropriate transportation systems, infrastructure, surface water management, and utilities is as essential to cleaning up Puget Sound as any other habitat protection or restoration measure. So too in cities is protecting existing urban habitats – many of which include healthy nearshore environments.

In fact, providing for human habitat as well as marine habitat is essential for the survival of both. Since most sources of pollution are the result of human activity, how we provide for urban living is essential to reduce pollution at its source. Viable cities need to be an essential part of the Action Agenda.

### 3. Appropriate Scale for Recovery Efforts

Restoration and recovery efforts need to reflect the larger scale of the WRIA and the associated subareas vs. a one size fits all approach at a smaller, site specific scale. WRIAs are the drainage basins and the building blocks to restore Puget Sound and they represent a significant investment in time, money and local working agreements already in place by governments and the private sector.

Each WRIA is unique with different characteristics, geography, habitat, water quality and quantity, degrees of urbanization and landscape, degrees of disturbance and restoration opportunities. Many cities have been investing in these areas and this work needs to be respected in the Action Agenda.

A number of cities commented they wanted to see recognition of good work already underway regarding restoration and to incorporate local science, local working groups and knowledge as to what works, and what does not, in their areas. Such a 'bottoms up' approach is consistent with the structure of the State Growth Management Act, and to some degree, the Shoreline Management Act. Local grass roots efforts represent a human and technical resource that can make a significant difference, will aid and support restoration efforts, will help with education efforts and are relatively cheap to employ.

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#### **4. Broaden the Measurements Defining a Healthy Puget Sound**

The work of the Partnership correctly portrays the rich diversity of habitat, water characteristics and diversity of plant and animal species. Yet the action agenda relies heavily on the recovery plans for Chinook salmon as an overriding indicator. There can be no doubt that salmon recovery is a critical element for measuring the health of Puget Sound and the work done in support of it must be respected.

The Action Agenda should reflect a broad biological diversity of plant and animal life, full scope of water quality, water quantity, and other measurements including of course salmon and other marine life. Focusing on Chinook Salmon to the exclusion or diminishment of other biological, chemical and physical factors misses critical pieces and connections, like how a healthy food web is critical to all species using Puget Sound including humans, or the value of bio-diversity, or the various measurements related to water and soils.

#### **5. Coordination of Regulatory Frameworks**

There are a number of federal, state, tribal and local entities involved in the various regulations associated with Puget Sound. We need to seek strategies that coordinate these efforts and efficiently marshal scarce resources toward clear policy, regulatory and operational objectives. This will require an extraordinary effort and that effort must begin with the establishment of clear objectives and strategies. Cities must be full partners in these efforts. Furthermore, new initiatives associated with climate change, mitigation and adaptation, need to be incorporated into the Action Agenda.

#### **6. Build on Success**

There are success stories and we need to use them and export them to accelerate these efforts. Cities are currently making significant environmental investments for stormwater management, levee repair and maintenance, waste water treatment plant upgrades habitat restoration, and other projects. These stories need to be told and the examples and lessons learned from these successes and good efforts should be replicated around the Puget Sound.

### **B. Specific Comments**

#### **Q 1. Defining a Healthy Puget Sound**

**More recognition can and should be given to accommodating population and employment growth in appropriate areas.** In fact, the economic engine for cleaning up Puget Sound is the economic capacity of the region (cities). Without it, there will not be sufficient funds to address clean-up and restoration. This is a critical balancing task and one that should be more clearly recognized in the definition of Puget Sound. This is consistent with the enabling legislation that created the PSP.

**It is unclear whether the 'provisional indicators' are only those identified in the table. If so, the six identified are insufficient to assess success at meeting the rather broad goals identified in this section.** For example, forest cover should be used to assess upland habitat for integrity of hydrologic cycles. Integrative biological indicators like salmon runs are vary useful in describing success, but not in identifying failures. The provisional indicator list should be expanded to include bottom-of-food chain organisms, or key water quality parameters such as biological oxygen dements, or nutrient loadings.

#### **Q 2. What is the Status of Puget Sound**

The document should provide a sense of the full scope of what is included in a healthy Puget Sound. Focusing simply on indicators, such as Chinook salmon, misses critical pieces and connections, as well as the depth and breadth of plant and animal species, and other indicators such as qualitative measures related to water, soils, biological and chemical measurements.

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We appreciate the recognition of climate change impacts in the 'Surface and Groundwater supply availability' section. It should also be recognized in the 'Other threats... Invasive species' section as a species migration is a phenomenon and consequence directly associated with climate change.

### **Q 3. Guiding Principles for Ecosystem Management in Puget Sound**

This section recognizes that: "Actions should have realistic expectations that they will be effective in addressing the identified threat". Such actions must also be capable of being implemented. This should be added to Q.3.

#### **Priority A: Protect Intact Ecosystem Processes, Structures and Functions**

This section appears to recognize the difference between urban and rural areas. Cities believe urban areas need to accommodate density and growth, population and job creation in order to meet projected demand, and to create the economic climate to sustain protection efforts for cleaning up Puget Sound. Conversely, providing greater protection for natural resources in more rural areas is essential for protecting these resources. Priority A appears to recognize this distinction and incorporate it into the body of the Action Agenda. While we believe it needs to be strengthened, we appreciate it being incorporated into the document.

##### **A.1.3: Use watershed characterizations to set priorities for local protection and restoration.**

While cities agree in concept, we are concerned regarding the application of this recommendation. Retrofitting storm water systems may be desirable but it is not yet a common practice and carries significant financial, legal and technical challenges. Significant funding and technical assistance is necessary in order to implement this recommendation.

We appreciate the focus on regional planning forums, base maps, and the inclusion of SMA and GMA plans. We would recommend city professionals such as planning and public works officials be included in any regional coordinating groups that may be established.

##### **A.2 Permanently protect the significant intact areas of the Puget Sound ecosystem**

We concur with the general direction expressed in this recommendation and the recognition for additional funding. However, we do not agree with the recommendations to amend the Shoreline Management Act, expanding the jurisdiction and the use of conditional use permits for bulkheads. There are significant property issues here that will create havoc and conflicts of rights, responsibilities and liabilities for local governments and the State of Washington. This issue may be better addressed through providing incentives to reduce the impacts of bulkheads and shoreline armoring. Additionally, cooperative approaches between local governments, DOE and CTED to develop coordinated GMA and SMA strategies will be more effective and timely than amending the statutes.

##### **A.3.2 Reform state water laws to be more protective of in stream flows**

Cities have significant concerns regarding these recommendations as they have the potential to impact water rights and waste water discharges already regulated under the Clean Water Act, TMDL requirements and could raise conflicts with existing municipal water rights. This topic needs significantly more review and discussion.

#### **Key Priority A Actions Needed in the Near-Term:**

- Provide funding and technical assistance to cities to update local shoreline management programs by 2013 (A2.5).
- Implement the recommendations from the approved water quantity plans under the Watershed Planning Act consistent with the Action Agenda and coordinated with other local restoration and protection efforts (A3.4).
- Support municipal water systems implementation of Washington Department of Health's Water Use Efficiency Rule, including establishing water conservation goals, metering, and reporting from municipal suppliers **now required to do so (A3.7) The smallest systems and those not experiencing growth aren't currently required to implement such a program. Adding them would require legislation.**

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## **Priority B: Restore Ecosystem Processes, Structures and Functions**

Cities generally concur with the recommendations; we want to emphasize the need to rebuild ecosystems at a larger scale. Cities have a clear mandate under a number of state laws including GMA and SMA to accommodate population and employment growth. Looking at larger scale ecosystem restoration will help place appropriate emphasis on urban and rural capacities to address growth, clean-up actions, development, redevelopment and resource protection and restoration. However, we must caution that restoration projects are inherently complex and costly and will likely exceed the capabilities of all but the largest cities and utilities. Large projects will likely require multiple sponsors and will need to target multiple restoration objectives. Funding will be a challenge and must be resolved before this recommendation can be implemented.

### **B.1: Implement and maintain priority ecosystem restoration projects for marine, marine near-shore, estuary, freshwater riparian and uplands.**

This recommendation places a disproportionate emphasis on salmon recovery plans vs. broader ecosystem recovery. While salmon recovery plans are a critical element, salmon are a listed species and there are clearly other stressors that impact their life cycle. Other indicators and species need to be incorporated into measuring Puget Sound ecosystem restoration. Again, funding is a critical factor in the success of this recommendation.

### **B.2: Revitalize waterfront communities**

We agree and appreciate this recommendation. We want to place greater emphasis on livable communities as an important element in addressing Puget Sound health and the Action Agenda. We recognize that cities are being asked to accommodate increased density and job growth. Funding for infrastructure and services will be necessary in order to successfully accomplish this recommendation.

## **Priority C: Reduce the Sources of Water Pollution**

We concur with these recommendations. Also, we agree with the statement that: "Many new and emerging pollutants are not well understood." Treating pollution at the source is clearly desirable. However, funding to address these issues is not available today.

As noted in the Action Agenda, the upgrade of water and water treatment facilities will require capital. Funding priorities will need to be clearly established to meet the objectives and expectations in the Action Agenda.

### **C.2: Use a comprehensive, integrated approach to managing urban storm-water**

While we agree with the concepts set forth in this recommendation, we are concerned that the reliance on LID as the principal storm-water management tool may not be realistic and may not accurately reflect the existing conditions in cities. The NPDES Phase I and Phase II rules do address these issues, and LID is an important tool. However, we believe most of the models upon which the expectations for LID applications are based are "suburban development" models and do not reflect the extensive increases in density and intensity of development necessary to accommodate population and employment growth.

With this noted concern, we believe that as familiarity and examples increase, LID will become an ever-easier choice for developers, regulators and land owners. The Action Agenda should help foster increased familiarity.

We greatly appreciate the support for funding for Phase I and II implementation and we want to work with the Partnership to better manage storm water.

### **C.3 Upgrade of storm-water systems**

As noted, storm water treatment systems are expensive. Furthermore, the circumstances surrounding storm water management vary from jurisdiction to jurisdiction including percentage of impervious surfaces, soils, and capacity of the water treatment and storm water treatment facilities. As noted in the Action Agenda, there are areas within Puget Sound where these issues are at a critical threshold. We believe these areas need attention first, and that more work needs to be done on the management of storm water for the remainder of the jurisdictions.

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**Cities generally agree** on the need to reduce the discharge of contaminants into the Sound by upgrading and improving existing sewage treatment plants and septic systems, and by providing incentives to local governments and developers to use innovative methods to manage stormwater. **Our collective challenge is to figure out how, when and at what cost to achieve this while simultaneously addressing all the other needs of growing communities? There also needs to be more emphasis on reducing pollutant discharges BEFORE they enter the public rights-of-way.**

#### **Key Priority C Actions Needed in the Near-Term:**

- Provide financial and technical assistance to cities and counties to implement NPDES Phase I and II permits (C2.2).
- Assist cities and counties in adopting low impact development stormwater codes for development and redevelopment (C2.3).
- Develop high-level criteria **in partnership with cities and counties** that can be applied in 2009 to determine the highest priority areas around the Sound for stormwater retrofits (C2.6).
- Provide funding to local government, particularly in nutrient sensitive areas, to initiate projects to upgrade wastewater treatment facilities (C3.2).
- Establish a regional coordinated monitoring program for stormwater, working with the Monitoring Consortium of the Stormwater Work Group (C2.1)
- Fund the swimming beach monitoring program (C6.1)

#### **Priority D: Work effectively and efficiently together as a coordinated system to ensure that activities and funding are focused on the most urgent and important problems facing the region.**

Cities agree that fundamental changes are needed in how we go about the business of protecting Puget Sound. We want to remind the Partnership that the essential mission of cities, to accommodate growth, development and commerce, are also part of this mission to save Puget Sound. Without this focus, the Action Agenda is not possible because the dollars necessary for cleaning up Puget Sound will not be available. Thus, the success of our economy and the quality of our environment are inextricably linked.

##### **D.1.1 Develop methods for and conduct future planning for biodiversity**

The coordination of federal, state and local efforts is essential for Puget Sound recovery. While we support this direction we raise a caution regarding water supply, water quality and land use laws. There are various obligations that local governments must meet including the protection of water rights and potable water supply that need to be accounted for in these efforts.

##### **D.1.2 Integrate and coordinate action plans and programs**

We agree with the premise of this element; the coordination of the Action Agenda with other plans and programs including GMA and SMA plans. However, the legal basis for these various plans is different, and the obligations of local governments to comply with the procedural and substantive elements of the statutes (GMA & SMA), presents a challenge that must be recognized and accounted for as we attempt to integrate elements of the Action Agenda with these obligations. The language in the Action Agenda presumes the Action Agenda to be controlling. Such is not the case in current law.

##### **D.2 Support the integration of Climate Change programs and strategies into the Action Agenda**

Most cities in the 12 county Puget Sound Basin likely support this recommendation. Puget Sound recovery and climate change response with mitigation and adaptation issues are critical issues facing us all. The strategies to address both of these policy directions are not entirely consistent and need to be coordinated. Cities look forward to working cooperatively with the PSP or any other forum charged with addressing these issues.

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### **D.3 Build and sustain long-term capacity**

Cities agree and appreciate the recognition that much of this work will be done at the local level, that local governments vary widely in capabilities and sophistication, and that resources are essential to accomplish the Agenda. We believe this is the essential element – the glue – to hold the package together, and to accomplish the desired integration outlined in “Priority D”.

### **D.4 Reform environmental regulatory systems to protect habitat**

The alignment of federal, state and local regulatory actions is essential to accomplish the Action Agenda. We appreciate this element and support it in concept. However, we also appreciate that some of these efforts emanate from statutory mandates that are not entirely compatible, or are in conflict. Care needs to be taken to identify and address these areas and resolve conflicts where they arise. Also, local government control needs to be respected in this process.

#### **D.4.1.3 Investigate opportunities to use CWA general permits**

Federal and state agencies have indicated a willingness to delegate permit authority to local governments on the basis of pre-approved resource management plans or strategies. Cities generally support the use of general and programmatic permits for federal and state laws. These approaches tend to be larger in scope and provide better resource management and protection, as well as clear directions for local governments in resource management.

Similarly, other elements of D.4 are essential to larger scale restoration opportunities. Cities support these efforts and believe they can be more effective than attempting to maximize resource management (restoration and mitigation) on a site-by-site basis as is often the practice. The “Mitigation That Works” group identified strategies for larger scale mitigation and restoration efforts. Cities agree with this concept but are concerned about the applications since the discussions are at a theoretical level. In our judgment, there needs to be more discussion regarding the practical applications of these strategies, and resource agencies need to help in expediting the permitting of habitat restoration and mitigation banks (see D.4.1.5 & D.4.2.3). We believe the D.4 Near-term Actions are appropriate steps.

### **D.5 Improve compliance with rules and regulations to increase the likelihood of achieving ecosystem outcomes**

An essential element of compliance is monitoring, as noted in this recommendation. However, if the strategies and elements of a healthy Puget Sound are not clearly defined or identified, then the monitoring and compliance program will be fragmented, uncoordinated and inefficient at best. At worst, it will be harmful to both Puget Sound and the region’s economy. The elements of “D.5” must follow, and be subordinate to, the defining and coordination recommendations set forth in “Priorities A, B & C”. This should be clarified in the Action Agenda. It is said: “You cannot manage what you do not measure”. Likewise, you cannot measure what you cannot define. The Action Agenda needs to clearly establish this link.

Cities appreciate and support the call for resources to provide technical assistance and support for the actions set forth in these sections: monitoring, compliance, inspection, education, and enforcement. Furthermore, the “Near-term Actions” include convening a process that includes local governments as well as state and federal entities, and training. These are essential for success in this element.

### **Priority E: Build and implement the management system to support the implementation and continual improvement of the Action Agenda.**

In general, cities agree and support the concepts set forth: performance management systems, stable funding, scientific program and communication, outreach & education. In addition, we believe there needs to be some recognition of the other agendas that are essential to a healthy Puget Sound including accommodation of population, employment and a healthy economy. These are essential elements because, in the final analysis, they will fuel and fund the recovery. These other elements are identified in the scope of the legislation, in the early

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references of the Action Agenda and are part of the regulatory fabric that local governments are obligated to address. These elements need to be identified here as well.

**There are many good ideas within the proposed suggestions.** Many are “internal”. The most important “external” one is the need to have a sustained effort for communication, outreach and education of the public and their officials to know what’s threatened, what’s most important to do, how is it working and how to adjust efforts as needed. To help ensure successful implementation of the Action Agenda and to improve our chances of reaching our goal of a restored Sound, cities need clear points of contact at the Partnership and a more clearly-defined ongoing working relationship with the Partnership on the ground.

### **E.1. Build and use performance management systems to improve accountability for outcomes**

While we agree with the premise of these recommendations, as noted earlier, we are concerned with the reliance on salmon recovery as the primary determinant for accountability. There are too many other factors that influence or impact salmon populations, and there are other more reliable means to measure the relative health of the Puget Sound ecosystem.

#### **E.2.1 Focus funding on the Action Agenda**

This is at the essence of the Action Agenda and cities concur with the recommendation (E.2.1.1) to align funding with the Action Agenda priorities. Cities have identified infrastructure funding as the highest priority for the coming biennium. We believe the recommendations set forth here are consistent with those identified by cities for the upcoming legislative session. This is particularly critical for waste water and storm water improvements. We recognize this is a multi-biennial process and while near term objectives are focused on 2009-11, the 2011-13 and 2013-15 biennium funding will be critical to our success. Serious consideration should be given to establishing a stable and sufficient revenue source to address these critical issues – not the continued reliance at the state level on funding efforts one biennium-at-a-time.

The “Fee-in-Lieu” program and broader geographic look at resource management is essential for the success of these efforts. Coordination with federal, state and local entities is also critical for our success.

#### **E.3 Improve the science**

Cities support the general direction of these recommendations. Further, we support ongoing scientific work, research and expansion of efforts beyond reliance on salmon recovery as the key indicator to Puget Sound health. We believe other species and other indicators need to be factored into the equation (see Near-term Actions 6, 7, 9 & 10)

#### **E.4 Increase and sustain coordinated efforts for communications, outreach and education.**

We agree and support these recommendations.



## OFFICE OF THE MAYOR

280 Madison Avenue North  
Bainbridge Island, WA 98110-1812

November 20, 2008

Bill Ruckelshaus  
Chair  
Puget Sound Partnership  
P. O. Box 40900  
Olympia, WA 98504-0900

Dear Bill,

I appreciate this opportunity to provide comments on the Puget Sound Partnership's Draft 2020 Action Agenda for Puget Sound. The City of Bainbridge Island supports the Partnership's efforts to forward this important work for the legislature to consider in January. Specific comments on the language of the plan by City staff are enclosed.

We know that the development of this important and comprehensive strategy will be an iterative process throughout the legislative session and beyond. As our staff continue to study the Draft Agenda, I'm sure additional opportunities for strengthening this strategy will become apparent. I assume that your office will accept these further comments and incorporate them as the agenda develops during the legislative session. I would appreciate guidance from your office on the form and timeline which would make such comments most useful to you. I also encourage you to establish a clear avenue for other organizations and individuals to provide continuing input throughout this process.

In addition to the detailed comments which staff has provided, I want to stress the "big picture" elements that I believe must form the framework of a successful action plan to restore Puget Sound. These are:

- A political commitment to the development and consistent application of effective regulations with sufficient enforcement mechanisms to protect the Puget Sound ecosystem, and companion non-regulatory programs to restore and enhance the Puget Sound ecosystem;
- Availability of adequate funding, which will be a particular challenge to maintain as the legislature grapples with the state's looming deficit; and
- Funding, institutional empowerment and effective coordination of local and grassroots protection efforts.

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DARLENE KORDONOWY, MAYOR  
Phone: (206) 842-2545 Fax: (206) 780-8600  
[mayor@ci.bainbridge-isl.wa.us](mailto:mayor@ci.bainbridge-isl.wa.us)  
City's Web Site: [www.ci.bainbridge-isl.wa.us](http://www.ci.bainbridge-isl.wa.us)

As a participant in and now chair of the Puget Sound Salmon Recovery Council, I believe strongly in a coordinated approach to identifying and implementing actions to restore and protect Puget Sound. I appreciate your efforts and those of the Partnership's talented staff team. Thank you for considering these comments. I look forward to reviewing the December 1 iteration of the Action Plan, and to working together in the future.

Sincerely,



Darlene Kordonowy  
Mayor of Bainbridge Island

DK/cec

cc: City Council

Joe Ryan, Salmon Recovery Program Manager

Kathy Cook, Director, Planning and Community Development

Peter Namtvedt Best, Associate Planner and Shoreline Stewardship Coordinator

Kathy Peters, West Sound Watersheds Council Coordinator

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DARLENE KORDONOWY, MAYOR

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**City of Bainbridge Island Staff Comments on Revised 11/13/06 Draft Action Agenda**

The following comments are brief in nature and largely focus on items that City staff felt need modification. Due to time constraints, we have not spent time identifying all of the sections of the plan and proposals that we support.

**General Comments:**

1. The Action Agenda would be greatly improved and more defensible if citations were provided throughout the text.

**Question 1**

1. Updated Provisional Indicator Chart (11/7/08)
  - a. Shellfish growing areas:
    - i. This target and benchmark should be related to all shellfish growing areas (recreational and commercial), not just commercial areas as presently written in the plan.
  - b. Land Cover:
    - i. The plan does not provide any substantive indication for how/why these targets and benchmarks relate to ecosystem function. It is very likely that these targets and benchmarks should be tailored to each action area and even each basin in Puget Sound, since in this case, geographical location and relative affect on ecosystem function matter
    - ii. The plan should perhaps consider "effective impervious area" as opposed to "impervious area" as the unit of measure.
  - c. Salmon and steelhead status and trends:
    - i. The target and benchmark appear to be only addressing chinook, not steelhead.
  - d. Eelgrass status and trends:
    - i. The plan does not appear to include the estimated amount of historic eelgrass or how much would need to be recovered or where it would need to be recovery by 2020 to achieve that goal.
    - ii. The target of historic number of acres may not be a realistic objective by 2020.
    - iii. Why not use kelp and marsh habitats as additional indicators and benchmarks? Both provide highly valuable ecological functions and both have been severely impacted throughout Puget Sound.
  - e. Percent exceedance of instream flows:
    - i. This target and benchmark does not address the many streams that do not have established minimum instream flow limits established.
  - f. Toxics in pelagic fish:

- i. Why not use the amount of toxics in marine mammals as a target and benchmark, since they are the top of the food web and indicators of cumulative pollutant loading?

**Question 2**

- 1. If not already included, the IEA should be a near term action. The plan should indicate when the IEA will be complete and state that the action agenda will be update when it is complete.

**Question 3**

- 1. We support the 5 strategies as outlined. City staff was unable to provide detailed comments on the Puget Sound wide priority actions before the 11/20/08 deadline.
- 2. Draft Action Area Priorities – North Central Action Area:
  - a. Unique Habitat Type and Ecosystem Processes:
    - i. Change “on Kitsap Peninsula” to “in the West Sound watersheds”
    - ii. Add coho and steelhead to the marine nearshore section
  - b. Community and Economy:
    - i. Change “Port Gamble S’Klallam Tribe” to “Squaxin Island Tribe”
  - c. Habitat Alteration
    - i. Marine Nearshore: add “loss of marine riparian habitat”
    - ii. Add “Freshwater: fish passage, riparian habitat, LWD, substrate
  - d. Invasive Species:
    - i. Add “Invasive tunicates in Eagle Harbor”
  - e. Artificial propagation:
    - i. Remove the words “potential” and “unknown” in the text related to the salmon net pens
  - f. Localized climate change impact:
    - i. Add “loss of marsh and pocket estuaries, increased shoreline armoring due to increased erosion rates”
  - g. Protect Intact Ecosystem Processes, Structures, and Functions:
    - i. In the parenthetical text related to Shoreline Master Program updates add “Bainbridge Island, Poulsbo, and Pt Orchard”
  - h. Restore Ecosystem Processes, Structures, and Functions:
    - i. Add under implement priority ecosystem restoration projects in existing plans: “Adopt and implement Bainbridge Island Open Space Plan”
    - ii. Remove “conduct outreach and assist property owners with replacement of hard bulkheads with soft beach protection” and replace with:
      - 1. Remove hard shoreline armoring
      - 2. Restore native riparian vegetation
      - 3. Restore marsh habitat
  - i. There are no proposed actions for priority E.

#### Question 4

1. The table of actions was formatted in a manner that cut off part of the descriptive text for many of the actions (e.g. A.2-1, A.2-4, A.3-1, etc), which limited City staff's ability to review and comment.
2. Are these listed in order of priority?
3. No actions are proposed for priority E.
4. Our review was limited to the proposed actions where local government was identified as a lead agency or partner, where the descriptive text of the proposed action was complete, and those tasks for which applicable staff were available to comment.
5. The City supports the following tasks:
  - a. A.2-5,6,7
  - b. A.4-1,3
  - c. B.3-1: The City has been operating a shoreline stewardship program since 2004 and has coordinated with WSU Extension, UW SeaGrant, and the Kitsap Conservation District on several aspects of that program.
  - d. C.1-9
  - e. C.2-3,4,6
  - f. D.4-1,3
6. We need more information about the following actions in order to comment:
  - a. C.1-7
7. The following are not applicable to the City of Bainbridge Island:
  - a. A.4-2
  - b. C.1-8
  - c. C.4-4

#### Acronyms

1. Missing Acronyms:
  - a. COE
  - b. CIG
  - c. NMFS
  - d. ORA
  - e. SSO
  - f. WCC
2. Suggest changing "Parks" to "WA Parks" or "State Parks" or "WPRC" (Washington Parks and Recreation Commission)
3. NOAA is duplicated
4. PSP should not include "Puget Sound Regional Council"

## Financing

1. The financing plan contains extremely limited information. Is there supporting documentation that details existing funding and where the PSP thinks funds can be refocused and where new funding might be found?
2. What will the proposed funding for the “short term funding gap” be used to fund?
3. Puget Sound Improvement District is not explained. City support for such an entity cannot be stated without further information.
4. Need to know more about the regional in-lieu-fee and water quality trading programs before we can comment on whether local governments should support such approaches.

Puget Sound Partnership  
our sound, our community, our chance



Office of the Mayor • Phone (425) 452-7810 • Fax (425) 452-7919  
Post Office Box 90012 • Bellevue, Washington • 98009 9012

November 18, 2008

Mr. David Dicks  
Executive Director  
Puget Sound Partnership  
P.O. Box 40900  
Olympia, WA 98504

Dear Mr. Dicks:

On behalf of the Bellevue City Council, I am pleased to forward the City of Bellevue's comments on the Puget Sound Partnership's Draft Action Agenda. Bellevue shares the Partnership's commitment to protecting and restoring the health of Puget Sound and welcomes the opportunity to comment on the Action Agenda. Many of the Partnership's recommendations are consistent with Bellevue's efforts to improve water quality, restore aquatic habitat, address climate change and recover threatened fish populations in our watershed.

The Draft Action Agenda is a very ambitious plan and creates a sense of urgency. However, the complex initiatives included in the draft face substantial political and funding hurdles. Given the experiences of clean-up efforts in other parts of the country, it is relatively easy to agree on the problems and propose solutions, and much harder to assemble the political will and funding to accomplish the goals. While we support the vision, a major concern is the manner in which the plan is implemented. We look forward to a set of clearly defined next steps, accountability measures, and a public process where stakeholders participate in developing achievable goals and clearly articulated objectives.

Our comments on the Draft Action Plan are listed below. We were pleased that many Action Agenda items closely align with Bellevue's interests, but have noted some concerns and suggestions for a few issues where we are not clearly in agreement. We understand that the Partnership is working on a very tight timeframe and must submit its Action Agenda to the State Legislature by December 1. However, the short time period between the release of the draft plan and the November 20 comment deadline has not allowed us to do as thorough a review as the draft warrants, and we may have additional comments as the process unfolds.

**Bellevue agrees with and supports these priority initiatives and urges the Partnership to move forward with initiatives consistent with the following proposals:**

**Overall Efforts:**

- Set priorities for initiatives and defining success so that limited resources and investments are focused on those actions that have Sound-wide implications and will make a measurable impact on the health of Puget Sound.

- Propose strategies that reduce conflicts resulting from the fragmented, overlapping and complex regulatory framework for resource management.
- Coordinate new initiatives associated with climate change with the Partnership's efforts.
- Support and build on existing efforts and investments cities are making in stormwater management, flood control, water and wastewater system upgrades and habitat restoration.

**Permits and Programs:**

- Propose a dedicated state funding source for cities implementing National Pollutant Discharge Elimination System (NPDES) Phase I and II municipal stormwater permits. The financial and programmatic challenges posed by the permit requirements are immense, and cities need assistance to meet these environmental objectives. Stormwater regulation should take place in the context of permit timeframes and cities should be able to implement their permits under the current requirements with changes occurring only in a new permit cycle.
- Take a leadership role at the state and federal levels to develop strategies and address persistent pollutants not under the control or regulation of local governments, that are not removed using current stormwater technologies. This unfunded and challenging problem cannot be solved by local governments alone through an NPDES permit.
- Assist local government efforts to develop an alternative water quality monitoring strategy that provides meaningful and useful results, is less expensive than Phase I permit requirements, can be used to meet NPDES requirements, and where possible, meets multiple objectives, such as Chinook recovery and Growth Management Act (GMA) directives. Local governments need monitoring and assessment information that can be used to inform management actions and promote a healthier Puget Sound.

**Infrastructure and Land Use:**

- Provide infrastructure assistance to help cities fulfill GMA requirements to direct growth and development to urban rather than rural areas. The Partnership has identified preservation of highly-functioning rural areas and restoration of high priority areas as target activities for restoring the health of Puget Sound. One of the greatest challenges to preservation is accommodating the projected 1.7 million additional people moving to the region by 2040. Although cities are doing their part to create dense, compact communities, inadequate funding for infrastructure to accommodate growth is a significant challenge.
- Select targets for purchase and protect those areas that have the greatest restoration potential and fewest conflicts rather than attempting to restore all areas at once.
- Establish criteria and a funding source for acquiring high value habitat that may be vulnerable to conversion or loss.
- Ensure that state and federal entities continue to fund and implement their portions of the Puget Sound Salmon Recovery Plan. The recovery plan is the result of a multi-year, grass roots effort to address habitat, harvest and hatchery impacts on salmon and needs the support of the Partnership to be fully implemented.

**Funding and Implementation:**

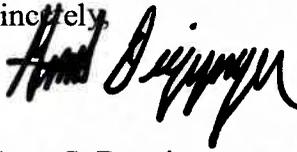
- Encourage federal support for funding for the Puget Sound cleanup similar to the funding for cleanup efforts for Chesapeake Bay, the Great Lakes and the Everglades.
- Build on successes by identifying and replicating successful efforts to restore areas within Puget Sound. Targeting resources for these priorities will make the best use of limited financial resources.

**Some areas of the Draft Action Agenda are of concern and we believe need additional discussion and refinement. We urge the Partnership to consider the following issues as it refines the draft:**

- Recognize that land use authority and associated regulations reside with local governments. The draft contains several elements proposing that watershed characterizations be used to set priorities for local protection and restoration work that are unrealistic under current statutes. Under these proposals, local governments would no longer be in charge of decision-making on land use actions and related activities within their borders, something we cannot support.
- Any proposed changes to the authorities for managing flows, water quality or land use, must be put in place in a way that ensures accountability without exposing local governments to greater liability.
- Avoid adding duplicative permits, such as requiring a conditional use permit for bulkheads and docks that already require permits at the local, state and federal levels. Improve existing permit processes to achieve environmental benefits, clarify expectations and streamline permit processing.
- Establish a means of giving credit for past investments made by local governments and other entities that have protected and/or enhanced the resource base. Recognize these past investments and existing programs when considering potential funding sources.
- Carefully balance natural resource preservation with the economic realities and pressures facing the public and local governments. Federal, state and county agencies relying on city action to protect the environment must adequately support cities with funding and technical support tailored to fit local needs.
- Review current Partnership public involvement practices and consider adopting processes that provide opportunities for meaningful stakeholder input similar to those used in the Salmon Recovery Planning Process.
- Policy decisions need to be informed by science and reflect a community consensus. However, science should not be the sole criterion for policy decisions. Some proposals that look good on their face may not be practical to implement due to economic concerns, cost/benefit issues, and/or historic development patterns. Balance in this area will be key to the success of the Action Agenda.
- Decide on a governance structure for monitoring by June 2009 to align with budget periods, and support efforts to inform NPDES permit requirements. The Partnership should seriously consider the “independent institute model”, based on the San Francisco Estuary Institute, that has a proven record for public and scientific credibility, direct representation for partners, and saving money on permit-mandated monitoring—all of which we support and believe are essential to a successful program.
- Provide incentives for urban areas receiving additional density, traffic and other impacts from rural protection programs.

We appreciate the opportunity to comment on the Draft Action Agenda. We look forward to working with the Partnership to refine the Action Agenda and building stronger relationships as we work to protect and restore Puget Sound. If you have questions or need additional information, please do not hesitate to contact Diane Carlson, Intergovernmental Relations Director, at 425-452-4225.

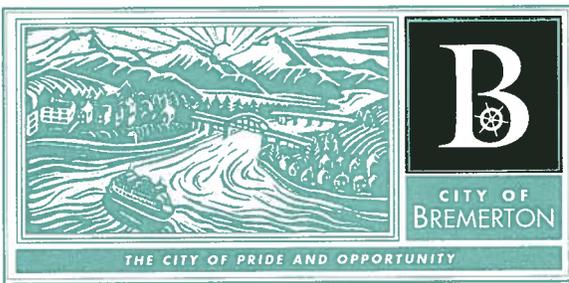
Sincerely,



Grant S. Degginger  
Mayor

Cc: Bellevue City Council  
Steve Sarkozy, City Manager  
Brad Miyake, Deputy City Manager  
Diane Carlson, Intergovernmental Relations Director

Puget Sound Partnership  
our sound, our community, our chance



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NOV 26 2008

PUGET SOUND PARTNERSHIP

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Puget Sound Partnership  
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RE: ACTION PLAN COMMENTS FROM THE CITY OF BREMERTON

November 20, 2008

To the Puget Sound Partnership:

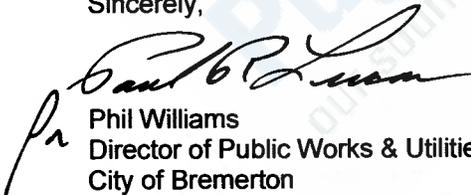
The City of Bremerton appreciates the opportunity to comment on the Draft 2020 Action Agenda for Puget Sound. As a city working diligently to restore our waterfront downtown, Bremerton recognizes the importance of a healthy Puget Sound. The citizens of Bremerton have already spent enormous resources over the past few years reducing combined sewer overflows, ensuring responsible wastewater treatment, and addressing the impacts of stormwater.

We understand the Action Agenda will prioritize cleanup and improvement projects, coordinate federal, state, local, tribal, and private resources, and make sure that stakeholders are all working cooperatively. Decisions will be based on science and the focus will be on actions that have the biggest impact.

This plan is important but quite ambitious. The current fiscal situation in our community demands the Action Agenda be carefully prioritized yet also provides an opportunity to maximize efficiencies in the approach to restoring Puget Sound. Communities such as Bremerton will require technical and financial support to effectively do our part.

The City looks forward to continuing our environmental stewardship efforts and working with the Partnership and others in the improvement of Puget Sound.

Sincerely,

  
Phil Williams  
Director of Public Works & Utilities  
City of Bremerton



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November 20, 2008

LINCOLN LOEHR  
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lcloehr@stoel.com

**VIA E-MAIL ACTIONAGENDA@PSP.WA.GOV**

Puget Sound Partnership  
P.O. Box 40900  
Olympia, WA 98504-0900

**Re: Comments re Draft 2020 Action Agenda for Puget Sound**

To Whom it may concern:

The comments on the following pages are submitted on behalf of the City of Everett. We appreciate the magnitude and difficulty of the task undertaken by the Partnership and its staff in a limited time. May the action agenda continue to evolve over time in response to new information and understanding. The guiding principles for ecosystem management in Puget Sound described in the action agenda are very good.

Please contact me if you have any questions about these comments.

Very truly yours,

Lincoln Loehr

cc: John McClellan, City of Everett.



Puget Sound Partnership

November 20, 2008

Page 2

Page 1. Introduction, bottom paragraph.

The paragraph says that,

“In 1958, the voters of the Seattle metropolitan area agreed to spend \$140 million to halt the flow of untreated sewage to Lake Washington that was discharged from Seattle and other communities surrounding the lake.”

The paragraph is incorrect. The sewage that was flowing to Lake Washington was treated with secondary treatment. There were eleven secondary treatment plants discharging to the Lake at the time. (See, W.T. Edmondson, 1991. *The Uses of Ecology Lake Washington and Beyond*. pp 10-11.)

Page 6, Paragraph labeled “Clean up!”

The paragraph says that

“The number one contributor to the decline in Puget Sound is all the harmful and toxic chemicals we add to the water running into Puget Sound through every day activities.”

How was this determined to be the number one contributor to the decline in Puget Sound? I am aware of calculations of loadings of various metals and chemicals from point and nonpoint sources, but for many parameters, including most all metals, the concentrations found in the water of Puget Sound are comparable to background oceanic conditions and are consistently well below applicable water quality criteria. Reducing loadings of these parameters would impress bean counters while producing no meaningful difference. Granted, there may be some site specific situations, such as a small urban stream, where existing loadings may cause exceedences of water quality criteria and/or cause environmental stress, and reductions in such situations would be meaningful.

The paragraph goes on to offer up a list of good things for people to do. One suggestion is to “use substitute for copper brake (sic) pads.” (Should be spelled “brake”) Good idea, but where are these products? If they don’t exist, then admit it and say, “...when they become available.” Even ceramic brake pads contain copper.



Puget Sound Partnership

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Page 3

The list of good things to do should include some steps to deal with unused pharmaceuticals, like turning unused pharmaceuticals back in to pharmacies for safe disposal instead of just flushing them down the drain.

Question 2, page 5

A statement is made that

“sewage treatment systems.....are pathways to rivers, lakes, and marine waters, and add concentrated nutrients, viruses and bacteria to this mix.”

There are no sewage treatment plants discharging to lakes, and sewage treatment plants all are required by permit to disinfect their effluent. Furthermore, sewage treatment plants discharging to marine waters of Puget Sound have off-shore, submerged outfalls and diffusers, further reducing potential for bacterial contamination of shellfish or people. Closures of shellfish beds around sewage treatment plant outfalls are required because of the potential for a failure of disinfection, not because the discharges are actually causing bacterial contamination.

A statement is made that

“Pollutants also result in.... high water temperatures in rivers and Puget Sound marine waters....”

There are no marine waters on the 303(d) list for temperature. Observed water temperatures in marine waters are associated with natural conditions and are not the results of pollutants discharged to these waters.

A statement is made that

“We have already experienced an 18% decline in freshwater flow entering Puget Sound over the past 50 years...”



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Page 4

Really? Where did it go? Recognize that freshwater diverted to municipal use still enters Puget Sound after receiving treatment, so it doesn't just go away. How is an 18% decline in freshwater flow entering Puget Sound explained?

Question 3, page 19

A statement is made in the first paragraph describing multiple different inputs of pollution to Puget Sound, and attributing harm to fish and wildlife and direct health risks to people. Treated municipal sewage is included in the list.

Some context is needed here. Treated municipal sewage discharges are well regulated and function to protect water quality and public health, and this should be acknowledged. The permitting process considers water quality standards, sediment quality standards, effluent data including effluent toxicity and receiving water characteristics (including dilution) to determine whether or not there is a potential to cause exceedences of aquatic life or human health criteria in the receiving waters. If so, then additional water quality based effluent limits are imposed which may necessitate further treatment beyond current technology based requirements and/or other preventive measures. Industrial discharges to municipal systems are subject to pretreatment source control programs administered by municipalities or by Ecology, and these are very effective. Direct industrial discharges are subject to similar evaluation and permit requirements. When a water body has a total maximum daily load developed for a particular pollutant, it may result in further limitations in the discharge permits for point sources.

Question 3, part C.3, page 24

A statement is made that

“Many wastewater treatment plants are outdated and lack advanced treatment technology.”

The statement is incorrect. All wastewater treatment plants are meeting secondary treatment standards which are the state's treatment technology requirement for AKART (all known, available and reasonable methods of treatment) in Chapter 173-221 WAC.



While it is true that there are advanced treatment technologies that accomplish nutrient removal, these are not required under the state's standards for AKART. Such technologies are sometimes appropriate and may be required for water quality purposes depending on receiving water needs, such as for discharges to areas with a TMDL for dissolved oxygen.

A statement is made in C.3.1 to

“Implement priority upgrades of wastewater facilities in urban and urbanizing areas to increase effectiveness of treatment, especially in nutrient sensitive areas of Puget Sound.”

The statement should be more targeted. Suggested wording is,

“Implement upgrades of wastewater facilities to achieve nutrient removal in nutrient sensitive areas of Puget Sound as determined through total maximum daily loads developed by Ecology.”

A statement is made in bullet 1 under C.3 Near-term Actions to

“Ensure that AKART (All Known and Reasonable Technology) or better standards are met in nutrient sensitive areas such as Hood Canal, South Sound and the Whidbey Basin.

The term “AKART” is actually “all known, available and reasonable methods of treatment” (See RCW 90.52.040) or as expanded in WAC 173-221-010 “all known, available and reasonable methods of prevention, control and treatment” .

Permitted municipal point source discharges to these waters are already meeting AKART, a fact clearly identified in the fact sheets accompanying their NPDES discharge permits. Treatment beyond AKART should not be imposed by the Puget Sound Partnership's action agenda, but should instead be left to Ecology to determine through the normal NPDES permitting process or the TMDL process. TMDL related studies are ongoing in Southern Hood Canal and South Sound, but no such studies have been performed for the marine waters of the Whidbey Basin.



The sentence in bullet 1 under C.3 Near-term Actions should be replaced with the following:

“Implement nutrient reduction strategies to comply with total maximum daily loads established by Ecology.”

Question 3, page 25, item C.5

A statement is made that

”There are 115 contaminated marine sediment sites in Puget Sound....”

Are there really? If this information comes from the 303(d) list that was submitted by Ecology to EPA for approval in 2008, then it is incorrect. Ecology listed sediment sites as contaminated when the chemical analysis showed non-detects for a parameter, but the practical quantitation level of the chemical analysis was higher than the numerical sediment criteria. (See page 27 in Ecology’s 303(d) listing guidance at

<http://www.ecy.wa.gov/programs/wq/303d/wqp01-11-ch1Final2006.pdf> )

Ecology has recently determined that they should not be listing such sites as contaminated and they are working on revising the list for sediments. (Chance Asher, personal communication with Lincoln Loehr September 23, 2008)

Draft Action Area Priorities page for Whidbey Action Area

Under local threats column, Pollution section, the threat of nutrient loading is identified and it goes on to say

“Eutrophication and dissolved oxygen impairments in Penn Cove, Saratoga Passage, Possession Sound.”

The problem is that this is presented as a factual statement, a cause and effect bullet. The waters are naturally density stratified, a phenomenon that naturally results in low dissolved oxygen in deeper waters in the fall. The seaward flow of the low density surface waters is impeded in the fall and winter by the winter wind pattern, thereby delaying the replacement of the deeper waters.



In the current 303(d) listing, Ecology listed these waters as impaired, but Ecology cycled through a number of different analyses claiming to support the listing decision, that appeared to demonstrate decreasing trends in dissolved oxygen, but were in fact showing the effect of changing the depths sampled over the years, and of changing the months that were sampled over the years. The data do not support a decreasing trend. There are also concerns about the quality of the data since Ecology used raw dissolved oxygen measurements from an instrument rather than calibrated or corrected values which were higher. Ecology only calibrated or corrected the raw data for a few years. Ultimately, the 303(d) listing is now based on “dissolved oxygen concentrations are lower in Whidbey/Possession Sound than can be accounted for due to low dissolved oxygen being advected from the main basin.” (Bob Cusimano, personal communication with Lincoln Loehr, September 16, 2008)

In deciding to put these waters on the 303(d) list, Ecology will need to do TMDL studies. Until such studies are done, it is premature to assert that there are dissolved oxygen impairments associated with nutrient loading.

Change the bullet to read:

“Low dissolved oxygen – low dissolved oxygen naturally occurs in the fall in the deeper waters within Penn Cove, Saratoga Passage and Possession Sound and there is concern that nutrient loading might exacerbate this.”

Under the Priority action area strategies column, Reduce Sources of Water Pollution section, it says,

“Develop and implement strategy to address low dissolved oxygen levels in Penn Cove, Holmes Harbor, Saratoga Passage, and Possession Sound using lessons learned in Hood Canal.”

Natural low dissolved oxygen occurs in these waters and our state’s standards allow for that. It is not clear that human factors are causing depressions of dissolved oxygen beyond that which is allowed by the state’s standards. By retaining these waters on the 303(d) list, Ecology is committing to conducting studies, including modeling, to see if a TMDL is needed. Consequently, the bullet should be changed to read:



“Evaluate the Whidbey Basin marine waters through modeling and field studies to determine if a TMDL is necessary, and if so, develop and implement the TMDL.”

Draft Action Area Priorities page for San Juan Action Area

Under local threats column, Pollution section, the threat of Bacterial contamination is identified and it goes on to say

“...potential problems from poorly treated wastewater from Victoria B.C. outfall that reaches islands.”

This should be deleted. The physics of dilution from a freshwater discharge at depth to salt water, with a good diffuser, coupled with the strong currents, the direction of currents, and the distance assures that the discharges from Victoria, B.C. do not, and can not pose a bacterial contamination threat to the San Juan Action Area.

Question 4, action table

The lead agency for actions C.2.8 and 9 should be DOE and not DOH.

A statement is made in C.3.1 to

“Ensure that AKART or better standards are met in nutrient sensitive areas such as Hood Canal, South Sound and the Whidbey Basin.

Permitted municipal point source discharges to these waters are already meeting AKART, a fact clearly identified in the fact sheets accompanying their NPDES discharge permits. Treatment beyond AKART should not be imposed by the Puget Sound Partnership’s action agenda, but should instead be left to Ecology to determine through the normal NPDES permitting process or the TMDL process. TMDL related studies are ongoing in Southern Hood Canal and South Sound, but no such studies have been performed for the marine waters of the Whidbey Basin.

The action table sentence in C.3.1 should be replaced with the following:



Puget Sound Partnership  
November 20, 2008  
Page 9

“Implement nutrient reduction strategies to comply with total maximum daily loads established by Ecology.”

(Note that this comment is consistent with the comment made regarding page 24 on the Action Agenda.)

Puget Sound Partnership  
our sound, our community, our chance



# **PLANNING AND COMMUNITY DEVELOPMENT**

Allan Giffen  
Director

November 19, 2008

Puget Sound Partnership  
P.O. Box 40900  
Olympia, WA 98504-0900

Re: City of Everett comments on Puget Sound Partnership Action Agenda

To Whom It May Concern:

Thank you for the opportunity to comment on the Puget Sound Partnership Action Agenda. These comments are offered from the City of Everett Planning Department. Other City departments may offer their comments separately.

You are to be commended for a massive amount of work in an accelerated timeframe to identify potential measures to clean up the Puget Sound. We support the overall goals to restore the health of Puget Sound. The proposed action agenda should be carefully reviewed to ensure that the recommended actions are effective, yet practical and realistic when considering implementation and costs upon both the public and private sector. It should be noted that Everett's shoreline master program provides for restoration opportunities through redevelopment by landowners. Restoration of shoreline resources would not occur in many cases without allowing for an economic use of properties. The action plan should not discourage redevelopment that can enhance and restore currently degraded environments and improve the quality of surface water entering the Puget Sound.

Everett is specifically concerned about actions that may have the unintended effect of reducing opportunities for appropriate growth in urban centers and creating pressure to develop more outlying rural or resource lands, especially in the form of low density, land consumptive patterns that have greater impacts upon water quality and other resources. We are also concerned about the cost implications upon local government without adequate funding support. Any mandates upon local governments should be accompanied with commensurate financial support to accomplish the objectives of the required action.

As you are aware, the City of Everett is surrounded by water. To the west there is the marine shoreline on Port Gardner Bay, to the north and east are the Snohomish River and delta. Your action agenda and subsequent regulations will directly impact how the city develops in accordance with its adopted land use and shoreline plans and provides and maintains its infrastructure. Everett is concerned about the ultimate costs of this program to both the city and state.

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NOV 21 2008

PUGET SOUND PARTNERSHIP

The City would like to provide the following specific comments on the Puget Sound Partnership Action Agenda:

1. Page 4, in the table dealing with Benchmark - interim milestones, there is a suggested benchmark of "Sites with increasing eelgrass area outnumber sites with decreasing area." The Port of Everett found with the installation of the rail barge facility adjacent to Mukilteo even though the project was designed to avoid surrounding eelgrass beds there appeared to be a net loss of eelgrass after completion of the project. This was after going to extraordinary effort by having divers transplant eelgrass around the project area. Could eelgrass growth be cyclical? What would the response of the Partnership be to an overall decline in eelgrass beds? Would there be a moratorium on future marine development?
2. Page 2, under Human Well-Being there is a statement "The 2020 target is to retain 90% of the low elevation forest acres measured in 2001 and to increase the impervious land area by not more than 20% from 2001 levels." Everett has experienced continual growth since 2001 with a population of 95,990 at that time and a population of 102,300 today. This growth has occurred in a variety of settings, but often as infill. Depending on your definition of forest, the City's ability to continue to grow may be impacted. Also, as a central city, Everett supports a variety of growth opportunities which will create substantial amounts of impervious area. How do you intend to track these changes (by jurisdiction, watershed, County, etc.) and if these limitations are exceeded, what steps will be taken to stop future development? Will cities be responsible for monitoring and reporting impervious cover changes over time? If a party is prohibited from developing their property, how will they be compensated?
3. Page 4, at the bottom of the page it states, "The act of putting in a dock or building a bulkhead could very well make it more difficult for our starving orca to find food." Is this language suggesting a ban on future development of docks and bulkheads? Docks are essential to public enjoyment of the water (a basic principle of the Shoreline Management Act) and bulkheads protect near shore development. Restricting the installation of bulkheads may result in making other water-dependent and water-related uses more difficult to permit. This is a significant change in philosophy and if taken to the next logical step, may also complicate maintenance of the shoreline bulkheads and docks with substantial adverse impacts on both public and private development.
4. Page 9, at the bottom of the page it indicates that Smith Island is nominated as a reserve. If the Smith Island site that is referred to is within Everett's jurisdiction (part of the Snohomish River delta) then it is designated on the City of Everett Comprehensive Plan as Heavy Industrial and on the Everett Shoreline Master Program as Urban Mixed Use Industrial. It is unclear what the Partnership's plans are for preservation of all or a portion of Smith Island. This is a substantial portion of the City of Everett's undeveloped industrial land and removing this area from our industrial inventory will have long term adverse effects. Whether or not the reserve is within the City of Everett, we recommend that it be more specifically identified.
5. Page 10, under Near-Term Actions, #7, modifying the Shoreline Management Act regulations to require shoreline conditional use permits for bulkheads is **not** supported by the City of

Everett. Bulkheads in Everett generally support the activities of the Port of Everett, Kimberly Clark, or the US Navy. In an urban waterfront setting the Conditional Use Permit process complicates the review procedure, causing unnecessary delay and effort, with virtually no benefit.

In rural areas bulkheads should also be reviewed through the normal Shoreline Substantial Development Permit process (not a Conditional Use Permit). If there are viable alternatives to the installation of bulkheads, the Partnership should develop a public educational program promoting these designs. If specific evaluation criteria for bulkheads would be helpful in local shoreline master programs, it would be helpful for the Partnership to identify such criteria for use as part of the normal shoreline permit review process.

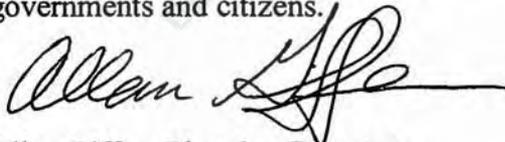
6. Page 16, at the bottom of the page there is a discussion funding the restoration of 400 acres of tidal marsh on Smith Island (see comment #4 above). A clear description of the proposed plan for this area would be most helpful.

7. Page 34, in section D.4.1.6 states, "Reconcile levee maintenance standards to address the ecosystem needs of providing habitat and protecting public safety. Collaborate with the Corps and other key stakeholders to develop modifications to standards or their application through the existing variance mechanism." The city is very concerned about any modifications to dike maintenance standards that would potentially reduce the stability of our dike system. One critical public facility located in the Snohomish River floodplain is the city's water pollution control facility on Smith Island, which is protected by an extensive dike system. Any dike breach in this area could have dire water quality impacts by flooding the city's sewage ponds, impacting lower reaches of the Snohomish River and Port Gardner Bay.

8. Page 34, in section D.4.2.3, Everett supports wetland banking and any other comprehensive mitigation techniques that are more effective than the current piece-meal, site by site mitigation approach.

9. We encourage the use of SEWIP (Snohomish Estuary Wetland Integration Plan), adopted as part of Everett's Shoreline Master Program, to identify potential restoration and enhancement sites within the lower Snohomish River estuary.

Thanks again for the opportunity to comment. We look forward to productive discussions to refine the Action Agenda and implement its goals without burdensome impacts upon local governments and citizens.



Allan Giffen, Planning Director

Cc: Mayor Stephanson  
City Council  
Pat McClain, Gov't Affairs Director  
Dave Williams, AWC

**From:** Peter Katich, City of Gig Harbor

**Comment:** To Whom It May Concern: The City of Gig Harbor has reviewed the Puget Sound Partnership's (PSP) proposed draft Action Agenda and commends your organization for its efforts to address the health of Puget Sound in a comprehensive and integrated manner. The strategies and actions set forth in the draft provide this region's best effort to date to address the health of Puget Sound and the actions necessary to restore it for future generations to enjoy. The City recognizes the need for this initiative and supports a balanced approach that consists of voluntary and regulatory measures designed to address the health and recovery of Puget Sound. To this end, the city has updated its Critical Areas Ordinance consistently with the state's Growth Management Act based Best Available Science requirement (WAC 365-190); is currently in the process of updating its Shoreline Master Program to comply with the new State Shoreline Management Act Shoreline Master Program Guidelines (WAC 173-26) without funding assistance from the State of Washington; and is implementing the requirements of its NPDES Phase II Municipal Stormwater Permit previously authorized by the State of Washington Department of Ecology in February, 2007.

Our review of the draft has found it to be well organized and written and comprehensive in scope. As an overall general comment, the City notes that many of the strategies and actions set forth in the draft will require significant funding at a time when many local jurisdictions, including our city, face serious financial difficulties and have to cut important services and functions in order to operate within budget. In order for the Action Agenda to be successfully implemented, adequate funding for local, state and federal regulatory programs must be provided on an ongoing basis going forward into the future. Historically, many legislative land use and environmental statutes have been adopted by state and federal government that have resulted in unfunded mandates on local government. These unfunded mandates have, over time, created a significant funding burden on local government and have contributed to the budgetary issues currently confronting many jurisdictions. The City would note that both "Priority A" and "Priority D" of the Action Agenda identify sustained funding (see strategies A.2.2.1 & D.3.1.3) for local staff for collaborate planning and implementation processes as a means to facilitate its implementation. Sustained funding for state and federal resource and regulatory agency staff is also imperative if proposed strategies that address improved state and federal coordination with local planning efforts and the provision of technical expertise to local staff (see strategies D.3.1.5 & D.3.1.6) have any chance at success. The need for sustained funding cannot be understated as any success of the PSP proposal is dependent upon it.

As a second general comment, the City would note Action Agenda includes strategies and actions that address both additional protective measures for such sensitive areas as nearshore environments (see strategy A.2.2.3), and the integration and coordination of existing plans and programs to improve their efficiency and effectiveness (see strategy D.1.2). The improved integration and coordination of existing and proposed plans, programs and regulations is very important and long overdue. The need to integrate and coordinate the review process is very critical as state and federal agencies often comment on the same issues and sometimes contradict themselves or provide conflicting direction based on agencies goals and policies that sometimes don't align. This results in delays to projects (public and private), many of which that are intended to provide positive environmental results. Just as important as the coordination, is the timeliness of the permit review. In a time of decreasing budgets, financial aid must be directed

to state and federal permitting agencies so they can be adequately staffed to address the challenges they face in reviewing permit applications.

The City also provides the following specific comments on the proposed draft Action Agenda strategies and actions:

#### Priority A: Protect Intact Ecosystem Processes, Structures, and Function

Strategy A.2.2.1-Assist local government in completing and implementing Growth Management Act, Critical Areas Ordinances, and Shoreline Master Program Updates on schedule and as written.

Comment: Assistance in the form of funding through the Department of Ecology grant program and technical assistance by state and federal resource agency staff, which will also require additional funding and staffing, should be made a high priority for the Action Agenda. Jurisdictions, such as the City of Gig Harbor, that have demonstrated leadership in matters affecting the environment, and have elected to go forward with the Shoreline Master Program update without grant assistance, should be eligible on a retroactive basis for grant funding to offset the financial impact of the update effort on general fund dollars.

Strategy A.2.2.3-Amend the Shoreline Management Act statutes and rules to be more protective of nearshore environments.

Near-term action #7-Change Shoreline Management Act statutes and regulations to require a conditional use permit for bulkheads and docks associated with all residential development; for all seawall/bulkhead/revetment repair projects; and for all new docks and piers.

Comment: All jurisdictions required to update their shoreline master programs pursuant to the requirements of WAC 173-26 are on a staggered schedule with Pierce County and all cities within the county required to adopted amended shoreline master programs no later than December 2011. A number of jurisdictions, including Gig Harbor, are in the process of amending their master programs and the proposed amendments addressed under this strategy places the city and other jurisdictions in a situation of first completing a costly master program update based on current requirements, only to face additional required amendments and cost to update them a second time. Funding, technical assistance and a reasonable deadline for completing any additional updates to local shoreline master programs should be a requirement of any new amendments to the State Shoreline Management Act to address PSP sponsored initiatives.

#### Priority B: Restore Ecosystem Processes, Structures, and Functions:

Strategy B.1-Implement and maintain priority ecosystem restoration projects for marine , marine nearshore, estuary, freshwater riparian and uplands.

Comment: Restoration Planning is a requirement of the State Shoreline Master Program Guidelines (WAC 173-26-201(2)(f) and all master programs must contain a restoration plan element. The PSP should support efforts to ensure that restoration plans adopted as part of updated shoreline master programs are generally consistent with other major restoration efforts

cited in the Action Agenda. Funding to implement the restoration plans should be provided, together with the technical support necessary to implement projects addressed by the plans.

Strategy B.2-Revitalize waterfront communities while enhancing marine and freshwater shoreline environments.

Strategy B.2.1-Restore urban water areas and communities in a manner which complements functioning shoreline ecosystems.

Strategy B.2.1.1-Improve the coordination of waterfront restoration and clean up efforts.

Comment: The City of Gig Harbor recently took a leadership role in the environmental remediation of a former marine boat yard site and its conversion into a public park and wooden boat interpretive center. While providing significant public benefit, the process was lengthy and costly. Improving the review process for such cleanups and providing additional funding for such actions would assist local jurisdictions in waterfront restoration and cleanup efforts consistent with the strategies set forth in the draft Action Agenda.

Priority D: Work effectively and efficiently together as a coordinated system to ensure that activities and funding are focused on the most urgent and important problems facing the region:

Strategy D.1.2-Integrate and coordinate implementation of existing Sound-wide and local plans and programs to improve efficiency and effectiveness in addressing Action Agenda priorities.

Comment: Mitigation and restoration requirements of local jurisdiction Critical Areas Ordinances and the Restoration Plan Element of local jurisdiction Shoreline Master Programs should be aligned with existing, overarching plans and reports such as the statewide Biodiversity Report, species recovery plans and salmon recovery plans to ensure that efforts aren't duplicated or conflict with each other. PSP technical support and oversight should be provided to local government to assist in this effort.

The City would note that it is currently working on a number of initiatives that are consistent with the strategies and actions set forth in the draft Action Plan. These include the following:

1. Implementation of water use efficiency goals (A.3).
2. Purchase and development of Austin Estuary Park (B.1).
3. Donkey Creek daylighting capital project (B.1).
4. Eddon Boat Park remediation and development (B.1 and C.5).
5. Implementation of the City's NPDES Phase 2 municipal stormwater permit (C.1, C.2 & E.4).
6. Design and construction of wastewater treatment plant improvements and expansion (C.1 and C.3).
7. Design and construction of wastewater treatment plant effluent outfall extension (C.3).

The City of Gig Harbor appreciates all the work that has gone into this effort and the opportunity to comment on this draft. Should you have questions or comments, please contact me.



**PUBLIC WORKS ADMINISTRATION**

Larry R. Blanchard  
Public Works Director  
400 West Gowe  
Kent, WA 98032  
Fax: 253-856-6500

November 17, 2008

**PHONE: 253-856-5500**

Puget Sound Partnership  
P.O. Box 40900  
Olympia, WA 98504

**RE: Comments on the DRAFT 2020 Puget Sound Action Agenda**

Dear Puget Sound Partnership:

Thank you for the opportunity to provide comments on the Draft 2020 Puget Sound Action Agenda. Please find the City's comments below:

**General Comments**

- 1) Given the nature, and potential far reaching implications of the document, the City of Kent is disappointed to have such a short time frame to provide comments to the Puget Sound Partnership. It seems inconceivable that the Partnership will be able to evaluate public comments that are to be submitted on November 20, carefully consider and analyze the comments and amend the Draft Action Agenda by December 1, 2008.
- 2) To help understand the document, it would be helpful to include a definitions section.
- 3) The reliance on salmon recovery plans as an indicator of Puget Sound health presents a significant concern. Clearly, great effort and expense has focused on this species and these sub-species. However, there are many factors that influence the relative health of these species. By virtue of the ESA listing, this species is vulnerable and the vulnerabilities are not limited to characteristics of Puget Sound. It is essential that a definition of Puget Sound health be developed that is broader than the health of salmon, and that does not rely so heavily on salmon recovery given additional variables beyond the Puget Sound region.
- 4) Question 2, page 4, first paragraph under the Heading "*What threatens the health of Puget Sound?*" includes a discussion of what is harmful to an ecosystem. "Water withdrawals from rivers and aquifers" should be moved to the following sentence as it is highly beneficial to people. Providing potable water sources protects the public health and safety of water users.
- 5) Question 2, page 5 and 6 – If analysis of Climate Change impacts on water supply is completed as a part of the Action Agenda, it is important to distinguish snow pack influenced systems vs. systems that rely on recharge of aquifers in the Puget Lowlands that are not impacted by the snow pack. Future predictions of climate change impacts are not universal for all aquifers in the Puget Sound Action Area.

**Priority A: Protect Intact Ecosystem Processes, Structure and Functions:**

- 6) Question 3, page 6 – A.1.2 identifies the need for a specific habitat protection decision-making framework to guide land use protection and restoration decisions. Would existing state and local regulations need to be amended to implement this framework? If so, please clarify which regulations would need to be implemented.
- 7) Question 3, page 11, A.3.2 - The City of Kent is extremely concerned about any reform to state water law, specifically with regards to water rights. It is important that water rights for municipal purveyors and their ability to provide water to their customers are respected.

**Priority B: Restore Ecosystem Processes, Structures, and Functions:**

- 8) Question 3, Page 16, B.1 - This recommendation places a disproportionate emphasis on salmon recovery plans as the determining factor for ecosystem restoration. While salmon recovery plans are a critical element, there are other significant stressors that impact these species beyond the Puget Sound ecosystem.

**Priority C: Reduce the Sources of Stormwater Pollution**

- 9) Question 3, page 21, C.2 - Kent is concerned that the reliance on LID as the principal stormwater management tool may not be realistic and may not accurately reflect existing conditions in cities given the diverse local geology and soil conditions. The NPDES Phase II permits require local jurisdiction to allow LID options as appropriate. The City is concerned that models upon which the expectations for LID applications are based are “suburban development” and do not reflect the extensive increases in density that cities will be asked to accommodate in the near future, particularly given the diverse geological substrate throughout the Puget Sound region. This issue needs further exploration.
- 10) Question 3, page 22, C.2.1.1 – Which agency would be responsible for the issuance of a watershed-scale stormwater permit? Does the Partnership propose to create a new agency to issue these permits, have the Partnership issue the permit, or some other method? The City of Kent is concerned about the potential implications to local jurisdictions being able to meet the requirements of the Phase II NPDES permit and potential TMDL requirements if another agency is issuing a watershed-scale stormwater permit. Specific to this action, please define watershed area.
- 11) Question 3, page 22, C.2.2.1 - The City of Kent appreciates the acknowledgement of funding needs for implementation of Phase II NPDES permits. It should be acknowledged that funds to meet the goal of this action for treatment and monitoring across the Puget Sound region are significant.
- 12) Question 3, page 22, C.2.2.6 – Who will be required to implement stormwater retro-fits in urban areas? How will these projects be funded?

**Priority D: Work effectively and efficiently together as a coordinated system to ensure that activities and funding are focused on the most urgent and important problems facing the region.**

- 13) Question 3, page 28, D.1.1 – While coordination of federal, state and local regulations would help efficiency in the permitting process, existing water

rights for municipal water purveyors, water supplies, water quality and land use control at the local level need to be considered and respected. The City of Kent is strongly opposed to any changes that would impact water rights for municipal water purveyors and their ability to provide water to present and future water customers.

- 14) Question 3, page 28, D.1.3 – In coordinating existing species recovery plans, existing water rights for municipal supplies should be respected and maintained during any coordinated planning approach.
- 15) Question 3, page 30, D.3 – Funding for requirements of the local jurisdictions to implement any Action Agenda items should be provided.
- 16) Question 3, page 33, D.4 – The City of Kent is concerned about the potential reform of the environmental regulatory system in the Puget Sound region. While it is agreed that the current process can be somewhat cumbersome, it should also be recognized that all jurisdictions do not share the same characteristics. It is important to include local policy development and government control if environmental regulatory reform is to occur.
- 17) Question 3, page 33, D.4.1.3 – Is the partnership proposing a new general permit under the Clean Water Act? If a regional general permit is issued, who will be the issuing agency? It is important to retain local control in the development review and permit issuance particularly for those jurisdictions that have been issued an NPDES Phase I or Phase II Municipal permit.
- 18) Question 3, page 34, D.4.1.6 – The City of Kent commends the efforts to develop levee maintenance standards that will provide habitat and protect public safety. Inclusion of native trees and shrubs on the levees for habitat functions is of particular importance to fisheries resources.
- 19) Questions 3, page 34, D.4.2.2 – The City of Kent has concerns regarding any potential watershed-based approach to mitigation that may have impacts to NPDES cities. It is important to maintain an avoidance, minimization and then mitigation approach for impacts to resources. For the purposes of watershed-based approach, it is important to define watershed. If a jurisdiction includes a stream with a listed TMDL for a stream, it may be most beneficial for the local jurisdiction where impacts occur to retain the resource within the jurisdiction and same sub-watershed, than relocate mitigation outside the sub-watershed to an estuary area an estuary for example of a larger watershed. By relocating a resource that may provide functions and values that could improve the water quality of the specific TMDL, it could leave a jurisdiction required to address a TMDL to expend additional fiscal resources than otherwise would have been required. More discussion of the practical applications of these strategies is needed to fully understand the implications, both positive and negative, of a watershed-based approach to mitigation. Unintended consequences to local water quality, flood storage, aquifer recharge and in-stream flows could occur with a larger watershed based mitigation approach and should be further analyzed.

**Priority E: Build and implement the management system to support the implementation and continual improvement of the Action Agenda.**

- 20) Question 3, page 39, E.1 – The City of Kent is concerned about the use of salmonid recovery as the indicator of accountability for implementation of the

- action plan. Too many factors beyond the Puget Sound could have negative impacts on salmonid populations.
- 21) Question 3, page 41, E.2.1.1 – While the City of Kent recognizes many important tasks are identified in the Action Agenda, the City Council will set priorities for local funding, particularly given requirements of existing programs. In the process of finalizing the Action Agenda, the Partnership should include an analysis of fiscal impacts to local governments, particularly given the current economic situation.
  - 22) Question 3, page 43, E.2 (7) – If Model Toxics Control Account funds are used as a bridge for longer term dedicated funds, funds from the account should be focused on cleaning up or purchasing sites that are impacted by hazardous waste.
  - 23) Question 3, page 44, E.3 – Several items throughout the draft Action Agenda imply a greater role for the Puget Sound Partnership upon adoption of the Puget Sound Action Agenda. For example, E.3.1 identifies the need for a monitoring program to be developed and overseen by the Partnership. If the Partnership proposes to evolve into a regulator, data collector, planning agency and/or proponent of the Action Agenda, the Partnership’s proposed role should be clear and transparent in the Action Agenda. Since many action items infer future involvement of the Partnership, the Partnership’s future involvement should be specifically identified so that the Partnership role in this regional effort is clearly identified.

#### **Draft Financing Chapter**

- 24) Page 5 – The Draft Financing Chapter identifies \$150 million to \$200 million per year to be expended in the 2009-2011 biennium. At this juncture, it is understood that any proposed budget will be based on estimates. However, data should be provided to identify where the money will be expended, how the revenue will be generated and how the Partnership identified these figures.
- 25) Page 5 – The Draft Financing Chapter states that \$15 million per year will come from local government match. It is important that local jurisdictions are given credit for dollars being spent or budgeted for programs that improve water quality, habitat or otherwise improve the health of the Puget Sound.

Thank you for the opportunity to provide comments on the Draft 2020 Puget Sound Action Agenda. The City of Kent is hopeful that comments will be analyzed, carefully considered and included in the Action Agenda to be finalized on December 1, 2008.

Sincerely,



Larry Blanchard  
Public Works Director

c: Tim LaPorte, P.E., Deputy Public Works Director  
Michael Mactutis, P.E., Environmental Engineering Manager  
Kelly Peterson, AICP, Environmental Conservation Supervisor  
File



November 18, 2008

Bill Ruckelshaus, Leadership Council Chair  
Puget Sound Partnership  
P.O. Box 40900  
Olympia, WA 98504

RE: Comments on Draft Action Agenda

Dear Mr. Ruckelshaus,

The City of Kirkland commends you and the Leadership Council on your efforts thus far to define the 2020 Action Agenda for Puget Sound. The agenda is an ambitious but achievable blueprint for improving the health of Puget Sound, which will improve quality of life for all its residents.

The Draft Action Agenda mentions land use planning as a measure to protect remaining high quality areas of Puget Sound (Item A.1 in the Implementation Table). In the past this has been accomplished through the State Growth Management Act. This act seeks to concentrate growth in urban areas in order to preserve rural and forested areas. Alterations to this act are needed to further preserve and protect the ecology of urban watersheds that are vital to the health of Puget Sound, yet this is in some sense in direct conflict with the need to accommodate growth in these areas. For example, low impact development (LID) techniques require green/open spaces (beyond green rooftops) in order to successfully reduce and treat stormwater runoff, yet growth targets are such that it is challenging to set aside such areas that are outside of environmental sensitive streams and wetlands. As the Partnership moves forward with efforts to address conflicts such as these, it will be important to have local cities at the table to develop workable ways that we can have both a healthy environment and dense urban centers. The successful balance of these two needs will provide important responses to both climate change, and the need to provide walkable and vital communities that promote human health.

The Draft Action Agenda does not currently include specific actions to monitor and increase forest cover although this is a provisional indicator that will be used to measure performance. Although forest cover is addressed in many other items such as growth management planning and restoration, it may also need to be addressed directly.

Table 1 provides comments on the Implementation Table that is part of Question 4. In general, Kirkland supports creation of incentives for those who are already providing a high level of environmental protection to go above-and-beyond in restoring and protecting natural resources. This is something that would spur innovation and environmental protection at a time when this is economically challenging.

Kirkland is looking forward to participating in PSP efforts to protect and restore Puget Sound. This City has long held environmental preservation and restoration as a value, and has taken important steps through creation of a Surface Water Utility in 1998, adoption of the *2005 Surface Water*

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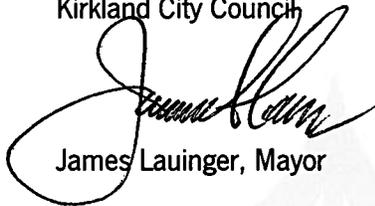
**Table 1. Comments on Implementation Table**

<b>Item</b>	<b>Comment</b>
A.1.3	Make sure that the scale of maps is matched to the level at which actions will take place. For example, the WRIA scale may be too large to guide habitat protection actions of local jurisdictions.
A.1	To accompany alterations to the State Growth Management Act or other land use regulations, provide funding for urban infrastructure to support implementation of GMA density targets.
A.2	Suggest moving item A.2.2.7 "Use development incentives to increase and improve redevelopment within urban growth areas..." to the implementation table, as significant opportunity will be lost if redevelopment occurs without stormwater management and restoration. Tools are available now to do this work at the local level.
A.2.5-7	Strongly support funding and technical assistance for Shoreline Master Program updates, guidance on no-net-loss, and clear regulations on residential development.
A.5	Develop regional (WRIA-level) approach to control of aquatic and terrestrial invasive species. Planning for such coordination should be included in the near-term action list.
B.3.1	Include incentives for urban landowners to vacate and restore riparian and shoreline areas.
C.1.1	Strongly agree that education and awareness are needed. PSP should take the lead on overall awareness, then work with local jurisdictions on specific behavior changes.
C.2.1	Strongly agree that coordinated regional monitoring is needed.
C.2.2	Add incentives for Phase II communities to go beyond the NPDES permit requirements. Although it is important to bring everyone up to the basic level of permit compliance, there are those jurisdictions that can provide leadership on ways that the permit should be modified in the next permit cycle by implementing and evaluating pilot programs.
C.2.2	Put LID language into the Growth Management Act to strengthen local jurisdictions' ability to implement? Provide funding for jurisdiction-level feasibility analysis.
C.2.3	Especially needed in areas where it may not be possible to use LID to completely eliminate the need for more traditional flow control facilities.
C.2.6	Strongly support stormwater retrofits. Retrofits should be conducted as part of overall watershed planning and analysis such as that being done for the Juanita Creek watershed by King County and Kirkland under an Ecology grant.
C.3	Include speedup of efforts to provide sewers to areas within the Urban Growth Boundary.
C.6.1	Strongly support. Also provide funding to trace and eliminate sources of bacterial pollution that are impacting swimming beaches (Juanita Beach)
D.4.1, D.4.3	Strongly support. Permit process is a hindrance to restoration progress in its current state.
D.5.3	Concerned that local jurisdictions should not be asked to pay more in permit fees – that money is needed for permit implementation at the local level. Find other sources of funding to support much-needed staff at Ecology.
D.5.4	Strongly support.

*Master Plan*, creation and implementation of the *2003 Natural Resources Management Plan*, efforts to comply with the NPDES Phase II stormwater permit, our ongoing update of our Shoreline Master Program, and participation with King County in an Ecology grant project to develop stormwater retrofitting guidelines and projects for the Juanita Creek Watershed among other projects. It is our sincere hope that these efforts will create a strong base for continuing projects and programs to achieve a healthy and vibrant Puget Sound by 2020.

Again, thank you for your efforts thus far. Should you have questions about these comments, or wish further information about Kirkland's programs, please contact Jenny Gaus, Environmental Services Supervisor, at (425) 587-3850 or [jgaus@ci.kirkland.wa.us](mailto:jgaus@ci.kirkland.wa.us).

Sincerely,  
Kirkland City Council



James Lauinger, Mayor

Cc: Daryl Grigsby, Public Works Director  
Paul Stewart, Deputy Planning Director  
Jenny Gaus, Environmental Services Supervisor  
Erin Leonhart, Intergovernmental Relations Manager

November 20, 2008



Puget Sound Partnership  
PO Box 40900  
Olympia, WA 98504

Subject: Draft 2020 Action Agenda for Puget Sound

Dear Puget Sound Partnership,

I am writing on behalf of the City of Lake Stevens and Mayor Vern Little to thank you for the opportunity to comment on the Draft 2020 Action Agenda for Puget Sound. We recognize the importance of the health of the Sound and support goals towards its recovery. While we support this as a key to the quality of all life in the region, we offer the following comments regarding the draft plan specifics.

1. Funding Support:

The City of Lake Stevens agrees that new population and employment growth should be concentrated in urban areas. Financial support for the necessary infrastructure to ensure that growth pattern can continue to reasonably occur should not only come from new development but must include other federal, state, and local funding resources. This is also true for addressing the upgrades and improvements to existing sewer treatment plants and septic systems. The City and Lake Stevens Sewer District spent the past several years planning, designing, and securing the funding for a new state of the art bio-membrane wastewater treatment plant. The first phase of the treatment plant will support the City's 2025 growth allocation. The funding comes from years of saving, grants, and low interest state loans. It is planned and constructed in a way for expansion phases to accommodate future population. Continued funding sources will be critical to accommodating further urbanization. The City must balance its ability to provide the services with associated costs. Funding support for these issues should be clearly reflected in the Action Agenda.

2. Planning and Regulatory Coordination:

While it is necessary to coordinate planning efforts, there has already been so much work accomplished at the local government level. The goal of the Action Agenda should be to assist and support jurisdictions with implementation of our plans and programs but not to embark on new planning efforts. Duplication of good work already completed may not be the best use of our limited resources.

3. Education:

Community education is crucial to any successful program. This element of the Action Agenda should be further emphasized.

The City's main concerns relate to how we will accomplish any new mandates with limited or no additional resources. We ask that you consider this as you put forward the Action Agenda for a successful outcome. You may contact me at my email [ableman@ci.lake-stevens.wa.us](mailto:ableman@ci.lake-stevens.wa.us) or phone (425) 377-3229 if you have any questions.

Sincerely,

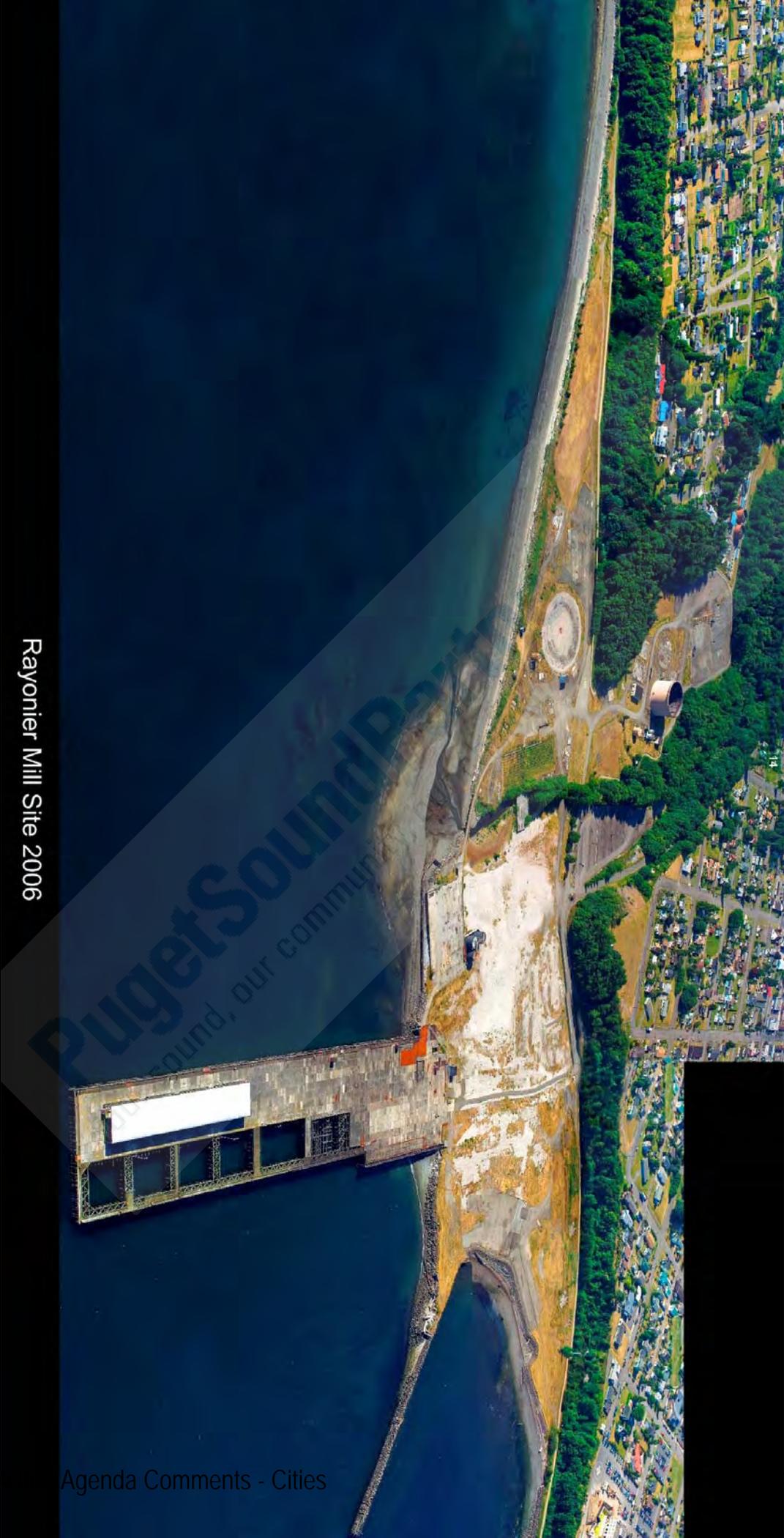
A handwritten signature in black ink that reads "Rebecca Ableman".

Rebecca Ableman  
Planning Director

cc: Mayor Vern Little  
City Council  
Dave Williams, Association of Washington Cities

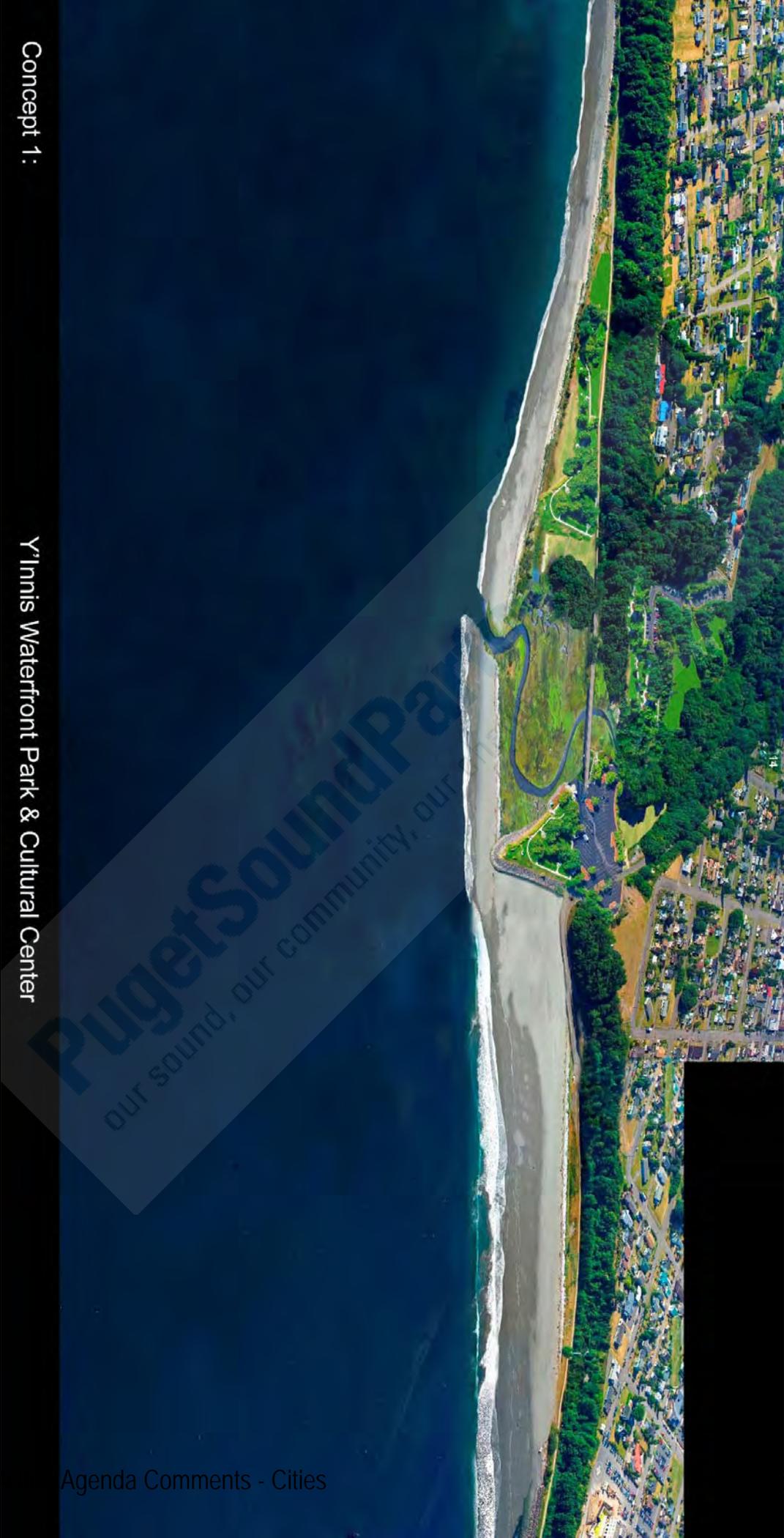
1812 Main Street / P.O. Box 257 • Lake Stevens, WA 98258-0257 • (425) 334-1012 • Fax (425) 334-0835

Rayonier Mill Site 2006



Concept 1:

Y'Innis Waterfront Park & Cultural Center





November 19, 2008

Mr. David Dicks  
Executive Director  
Puget Sound Partnership  
Post Office Box 40900  
Olympia, Washington 98504-0900

SUBJECT: DRAFT PUGET SOUND PARTNERSHIP ACTION AGENDA

Dear Mr. Dicks:

The City of Mill Creek would like to provide a few comments on the above referenced document. The fast-track review schedule has not allowed sufficient time for this document to be formally reviewed by the Mill Creek City Council. The comments below represent informal discussions with individual councilmembers, limited staff analysis of the draft document, and communication with AWC.

The City of Mill Creek generally agrees with the recommendations within the four strategic areas identified in the draft Agenda, namely to:

- A. Protect critical working forestland, farms and shoreline.** Mill Creek encourages compact, transit and pedestrian-oriented mixed-use development to help reduce infrastructure needs, improve quality of life, and provide employment, recreation and social opportunities.
- B. Restore land that has been degraded.** Identifying which lands to restore and protect and how to fund this activity requires careful consideration.
- C. Reduce water pollution.** Everyone supports this goal, but how it is achieved and funded is a major concern for the City of Mill Creek. In particular, financial and technical support for NPDES Phase II implementation is probably the single area that would yield the most results for Mill Creek. Mill Creek established a Surface Water Utility in 2000 in anticipation of the additional local funding needed for NPDES compliance. The city is currently working on developing LID guidelines to incorporate into our development regulations through a PSP grant. Our primary concern with this effort is to ensure that LID techniques are not so onerous to design and install that there is great resistance from the development community. Since the adoption of the Ecology Stormwater Manual in 1994 and the updates in 2001 and 2005, the surface water pollution from new developments has been significantly reduced. But most storm runoff in Mill Creek comes from developments constructed before these standards were adopted. The cost of retrofitting every development to fully meet current standards

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SUBJECT: DRAFT PUGET SOUND PARTNERSHIP ACTION AGENDA

would be extraordinarily expensive and that prospect is truly frightening to Mill Creek, and probably most other cities. Mill Creek is taking actions to significantly improve the runoff from these developments, but full compliance with current standards for both the *rate* and *quality* of runoff is not feasible. The incremental cost to go from “significant improvement” to “full compliance” is huge and that money would produce significantly greater pollution reduction if invested in a “worst first” strategy across the entire region. For the PSP Action Agenda to achieve the greatest possible impact with the limited resources available, it is essential that the final document as well as any legislation resulting from the document take a common sense approach to issues like this.

**D. Coordinate efforts to restore Puget Sound.** As mentioned above, regional coordination is probably the only way that the greatest benefit can be achieved with the limited resources available. Funding is the key to successful coordinated efforts. Many municipal budgets are being reduced, with less funding available for these types of regional projects. Consider alternative methods for municipalities to provide assistance, maybe via citizen volunteer efforts or limited, dedicated staff time.

Thank you for the opportunity to comment.

Respectfully,



Bill Trimm, FAICP  
Community Development Director  
City of Mill Creek



Tom Gathmann, PE  
Public Works Director  
City of Mill Creek

Copy to: Mayor and City Council  
City Manager  
Dave Williams, Association of Washington Cities

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**From:** Doug Osterman, City of Normandy Park

**Comment:** I just had the chance to quickly review the revised AWC comments in which you attempt to weave in several of the comments of the coalition of all of the cities in King County—the WRIA salmon recovery planning and implementation process. I appreciate that you wove in direct recognition of our issues in some places, such as in A2 (urban habitats and habitat forming nearshore processes), A3 (restoration and recovery efforts of the WRIAs), and A4 (salmon is a critical element for measuring Puget Sound health).

However, disconnects and conflict remain between the AWC comments and the perspective of cities that have invested huge amounts of resources and money in salmon recovery science, planning, and action over the past 10 years. Specifically:

A4 and BQ2: While we agree that Chinook salmon do not represent the biodiversity of Puget Sound and that they are not the only indicator of a healthy Puget Sound, we do believe that this keystone species does represent a very significant component of Puget Sound's biodiversity and healthiness. Moreover, the actions to recover the Puget Sound Chinook salmon stocks are based on conservation biology and ecosystem management science and management. In other words, implementing both the programmatic and capital improvements that are recommended throughout Puget Sound to recover salmon ARE ecosystem actions—many, many ecosystem benefits are achieved that go far beyond the recovery of Puget Sound Chinook salmon. Indeed, studies done in WRIA 9 (a human population of over 700,000 and growing) demonstrate that improvements in habitat conditions for Chinook salmon recovery and other salmon species also restore a very large basket of associated ecosystem services which are of significant financial value, such as natural storm water regulation, flood protection, drinking water production, recreational opportunities, aesthetic value, waste treatment, and a wide variety of other identified highly valuable ecosystem services. Thus, achieving the habitat plan goals within the salmon recovery plans of Puget Sound both secures salmon viability and contributes to economic prosperity and security for present and future generations of people in Puget Sound (certainly of strong interest to the AWC). This concept should be stated in the AWC comments of A4 and BQ2.

THE BOTTOM LINE: The greatest socio-economic implication of salmon habitat recovery is securing healthy ecosystems, which provide vast public and private benefits. Making capital habitat improvement expenditures and instituting regulatory protection, such as tightening down on marine shoreline armoring that dramatically degrades nearshore ecosystem processes, are justified in terms of the high value of ecosystem goods and services produced (again, that far exceed the benefits to Chinook salmon alone) by these actions which are very clearly listed and prioritized in salmon recovery plans that are supported by every city in King County and many in Snohomish and Pierce Counties through the WRIA recovery processes.

Priority A, A.2 Permanently protect the significant intact areas of the Puget Sound ecosystem  
To put it simply and straight forward: If the Shoreline Management Act is not changed to expand jurisdiction through the use of conditional use permits and close other loopholes to significantly slow down or stop converting Puget Sound into a bath tub, Puget Sound WILL NOT BE RECOVERED. The current AWC position on this issue is in DIRECT CONFLICT with salmon recovery and all information we know about the nearshore of Puget Sound. The AWC comment

takes our efforts a significant step backwards. This is not just about salmon—bulkheads hurt beaches and shallow water environments upon which nearly every single creature that lives in Puget Sound depends. Per the Seattle Times of May 13, 2008, front page coverage: “Every year the wall around Puget Sound keeps growing. On beach after beach, barriers of concrete and boulders are erected to keep the Sound from washing away valuable real estate. Stretched end to end, the barriers would already reach more than 800 miles—enough to line both sides of Interstate 90 from Seattle to Spokane, with plenty to spare. In the past two years alone, that wall has grown at least another five miles. For more than 30 years, we have been promising to change and passing laws to protect the Sound’s 2,500 miles of shoreline.....Yet the walls keep going up.”

Priority B, B Implement and maintain priority ecosystem restoration projects...

The recommendation DOES NOT place a disproportionate emphasis on salmon recovery versus broader ecosystem recovery. Per the statements above, SALMON RECOVERY IS ECOSYSTEM RECOVERY. We do not argue that there are other elements than listed salmon species, but the habitat management strategies and policy actions to recovery salmon seek to achieve the future conditions to not only accelerate habitat recovery for Chinook salmon, bull trout, and other salmon species but to restore and protect the Puget Sound ecosystem. Moreover, these actions are “ready to go”. They should not be stopped or slowed down as we study the other components of Puget Sound—they should be viewed as critical first steps to take on the road to Puget Sound ecosystem recovery. The huge amount of community support (much of it from within cities) for the salmon recovery efforts should also not be discounted nor underestimated.

Commenting on the Puget Sound Action Agenda is a huge, complicated endeavor. Thank you for giving us the opportunity to review the AWC comments to ensure congruity between the AWC and many of its cities that have worked long and hard on salmon recovery and Puget Sound health over many years.



November 20, 2008

Ms. Martha Neuman  
Action Agenda Director  
Puget Sound Partnership  
P.O. Box 40900  
Olympia WA 98504-0900

Dear Ms. Neuman:

**SUBJECT: Puget Sound Partnership Action Agenda Comments**

We welcome the Puget Sound Partnership's draft Action Agenda and the opportunity to participate in your work effort. With the Partnership, the City of Olympia will provide meaningful solutions to South Sound problems.

The five Puget Sound management strategies forwarded by the Partnership will involve Olympia at varying levels. We will pay special attention to the strategies aimed at restoring ecosystem processes, preventing water pollution, and working together to improve regional coordination.

We feel that the protection of Puget Sound will require strong and dynamic leadership from the Partnership. Problems in the Sound abound; solutions are less apparent. While City staff has worked to change human environmental behaviors for some time through both education and regulation, we remain challenged to implement effective measures to improve the Puget Sound's condition. The draft Action Agenda suggests a strong connection between "all of us as citizens" and the Sound. We agree and look for your leadership at the regional level.

We appreciate the Biennial Science Work Plan drafted by the Partnership's Science Panel and through it support significantly increased scientific research and technological advancement. As a municipality, we are especially interested in research focused on stormwater management. We understand the importance of stormwater management to Puget Sound's health and suggest that the existing science of managing stormwater is grossly inadequate. Even with our longstanding and ambitious stormwater utility, stormwater and water quality management in Olympia remains very challenging. As stated in the Action Agenda, "insufficient resources have been devoted to stopping pollutants before they reach our rivers, beaches, and species." We hope that the Science Panel can help bring increased scientific rigor to the field of stormwater management. We are willing to help.

**COUNCIL**

Doug Mah  
Mayor

Jeff Kingsbury  
Mayor Pro Tem

Craig Ottavelli

Rhenda Iris Strub

Karen Messmer

Joan Machlis

Joe Hyer

**CITY MANAGER**

Steven R. Hall

While Olympia's shoreline jurisdiction is relatively limited, we offer both redevelopment opportunities for degraded and contaminated areas as well as an interest in participating in broader efforts to protect regionally-important high priority habitat. These efforts could take the form of City-sponsored projects or efforts led by other jurisdictions with support from Olympia. There are existing opportunities for improving and protecting shoreline habitat in the South Sound that warrant high priority action. We seek the Partnership's support in these efforts.

Many of the social, legal, and technical issues revolving around land use and environmental protection can not be resolved locally. The Partnership needs to play a key role in defining regional approaches, institutional and legal constraints, and likely environmental outcomes. The Science Panel's proposal to develop basin-wide models depicting land use futures will be helpful. Additionally, current assumptions regarding future conditions, available technologies, and potential solutions need to be more rigorously tested. For example, the low impact development techniques have not been subject to either scientific scrutiny or on-the-ground validation. Some of us that have aggressively fostered low impact development techniques consider the field to be in its infancy and likely to encounter continued difficulties.

Low impact techniques remain very challenging to implement due to social, legal, financial and technical issues. We encourage the Partnership to aggressively pursue the social and scientific refinement of low impact techniques and their environmental performance in urban settings. Until this work is advanced, implementation of the techniques will be based on good intents and blind faith. Environmental outcomes could be disappointing and valuable time and resources may be lost. Local jurisdictions including Olympia can play a valuable role in vetting this work.

According to the draft Action Agenda, habitat alteration, especially land conversion, is one of the most significant threats to Puget Sound recovery. We agree and suggest that the Agenda does not go far enough in resolving the day-to-day decision-making challenges faced by local jurisdictions.

Municipalities can not accommodate increasing human populations as we improve environmental conditions without appreciable changes in social and legal institutions. The draft Action Agenda suggests that improved implementation of various State and Federal requirements such as Salmon Recovery Plans, NPDES and SEPA will lead to our preferred environmental outcomes. We do not have evidence that these tools will lead to meeting the Partnership's goals and performance measures. Preferably, the Partnership will play a more dynamic role than proposed in resolving land development and environmental protection conflicts.

As accurately identified in the Agenda, the South Sound region has specific environmental challenges. We seek to address these challenges. The following South Sound issues are important to the City Of Olympia:

Ms. Martha Neuman  
November 20, 2008  
Page 3

- Stormwater runoff and its more effective management.
- Puget Sound-wide dissolved-oxygen modeling and its application to Budd Inlet.
- Implementation of State strategies and actions including the Deschutes TMDL.
- High priority habitat preservation including Budd Inlet's Gull Harbor.
- Revitalizing waterfront while enhancing shoreline environments and correcting historical contamination.
- Onsite sewer system oversight and management as well as conversions to sanitary sewer systems.
- A focused outreach campaign addressing the vital need for individual responsibility and action.

In general, we ask that in the future the Partnership work to refine and further prioritize its recommendations in order to provide clear direction on Puget Sound efforts. Thank you for the opportunity to comment on the draft Action Agenda. We look forward to working with the Partnership.

Sincerely,



**ANDY HAUB**

Planning and Engineer Manager  
Public Works Water Resources

AH/hr

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cc: Steve Hall, City Manager  
Keith Stahley, Community Planning & Development Director  
D. Michael Mucha, P.E., Director of Public Works  
Rich Hoey, P.E., Director of Water Resources



November 20, 2008

Puget Sound Partnership Leadership Council  
P.O. Box 40900  
Olympia, Washington 98504-0900

Subject: **Puget Sound Partnership Action Agenda**

Dear Leadership Council Members:

Thank you for the opportunity to comment on the Draft Action Agenda for Puget Sound. The City of Port Angeles has invested a significant amount of time and resources in an effort to closely follow and become involved in the Puget Sound Partnership effort. It is important to note that I represented the City as a member of the Straits Action Area Work Group. Many of the goals behind the Puget Sound Partnership align nicely with ongoing City programs and projects. I greatly appreciate the recognition and inclusion of multiple community programs and priorities in the Action Agenda. I have had an opportunity to conduct a preliminary review of the Agenda and have a number of concerns that I would like to reiterate regarding those plans and how the Partnership arrived at those decisions. As the appointed City staff representative to follow the partnership, I would like to provide the following comments.

Of primary concern is the pace at which things are moving. I recognize that this pace is a direct result of the time limitations placed upon the Partnership by the Legislature. I do not fault the Leadership Council for these constraints, but, I am afraid they have resulted in a process that is less than equitable. Though some activity began in 2007, the Partnership began its very aggressive schedule in 2008. This was not a schedule the City could plan for but one to which we had to react. Every effort was made to become involved and participate at the highest level possible. Unfortunately, it has been difficult if not impossible to keep up. In 2008, I received over 700 emails directly from or related to the Puget Sound Partnership. Many of those emails required comment, review, or response. As a small, local jurisdiction with very limited staff resources, these unplanned responsibilities were not possible to keep up with. On multiple occasions, the City was forced to respond requesting extensions or by indicating we were not able to comment considering the time allowed for response. In some cases, extensions were granted, but, in most instances I was informed that due to the Partnership's schedule, extensions could not be granted. Unfortunately, I have watched as special interest groups and other agencies with better resources available to them dominate the process. The pace of the Partnership limited the City's ability to be an active participant in the process.

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Concerns regarding the rapid schedule are again apparent in the short time period for review of the Draft Action Agenda. The two week comment period was simply not enough time for City staff to review this 94 page document and the other multiple documents associated with it. I hope that the Leadership Council is also aware that during the same comment period we were asked at the local level to review a very large packet of other documents for the Strait Action Area workgroup. Any extension of the Action Agenda comment period would be helpful to enable the City to conduct a thorough review as well as a review of the associated downloads. Again, I recognize the the Leadership Council is confined by the Legislature in this regard.

Following preliminary review of the Action Agenda and recent decisions made by the local Puget Sound Partnership representatives, I am concerned about how the Partnership interacts with existing City projects. I do not believe that the intent of the Partnership was to undo or change projects and/or programs local jurisdictions already had ongoing. As noted previously, we have multiple projects aligned with the goals of the partnership, but, I will provide one specific example.

Since 2005, the City of Port Angeles has been working with local community members on a Harbor Resource Management Plan effort led by the Washington State Department of Natural Resources (DNR). DNR was concerned that they did not have the resources to continue to lead the effort and felt that the City should take the lead considering the jurisdiction over the planning area. On November 2, 2007 the DNR Aquatic Lands Steward made a trip to Port Angeles to request that the City take the lead in drafting the new Harbor Resource Management Plan. As a follow up to this meeting, DNR presented a request to the Port Angeles Forward (PA Forward) City Council subcommittee that the City of Port Angeles assume the role of the lead in updating the plan. The Committee unanimously passed a motion in support of that request. On March 3<sup>rd</sup>, 2007, Council considered the PA Forward Committee recommendation along with the recommendation of the Assistant Regional Manager of Aquatic Lands David Roberts. The Port Angeles City Council agreed to take the lead on the update per the DNR request and PA Forward Recommendation. The recommendation entailed developing a harbor plan using a phased approach.

In March of 2007, the City of Port Angeles entered phase I of that harbor planning effort which was completed in February of 2008. The City continues to work on tasks and efforts related to phase II of that effort with completion of the Harbor Resource Management Plan being one of the primary deliverables of the phase. This plan was submitted to the Partnership as one of the City's ongoing programs. To our surprise, the write up of this action agenda item was assigned to the Lower Elwha Klallam Tribe. Presently the Action Agenda under Priority B.B2.1 indicates that the lead entity responsible for this item is the "Port." I suspect that this is simply a typographical error. I contacted a Puget Sound Partnership representative to verify that to be the case. I was advised and disappointed to learn that two Puget Sound Partnership representatives had made an executive decision to indicate a steering committee as the lead rather than the City maintaining that lead and that this committee would replace the typographical error

on this Agenda priority. It is very disturbing that any representative of the Partnership feels modification of a pre-existing project is appropriate. More importantly one of the key lessons learned from the Bellingham Bay process is that one good leader is critical to the success of the project. As you may be aware the City has partnered with the Port of Port Angeles to create the Port Angeles Harbor Works Development Authority for the purpose of undertaking harbor planning and cleanup efforts. It was intended that this Authority inherit the lead for the plan from the City once equipped to take on such a responsibility.

In light of the history, and above mentioned circumstances, the City adamantly objects to any assignment of lead on this item that contradicts the above mentioned history. I can further assure the Leadership Council that the City is committed to a process that involves all interested parties within the community. However, it is not appropriate for the Partnership or representatives of the Partnership to take away and reassign lead on local community projects already underway. I would encourage you to leave this item as a priority action with the knowledge that the existing leadership of the City, Port and Harborworks Development Authority will ensure that all local political issues are addressed.

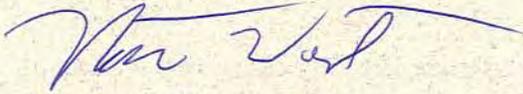
Another item of Concern is Priority Action C2.2.5 related to Combined Sewer Overflows (CSOs). While it is nice to see CSOs as a priority, the City of Port Angeles has immediate funding needs associated with their CSO project which is being mandated by a Washington State Department of Ecology Agreed Order. Based on time requirements, and the fact that we are well into our design process, the proposed action does not suffice. We are well beyond the needs of a focus group to evaluate the technical and programmatic solutions. Considering the importance of this project in relation to the Port Angeles Harbor, a more proactive approach to CSOs would be appropriate at this time.

On a positive note, I would like to commend the partnership for recognizing the funding needs local governments have in fulfilling obligations of newly required NPDES Phase II Permits. To date, limited funding has been provided for this federal mandate and achieving stormwater improvements and requirements are extremely costly. I am grateful to see this item listed as a high priority.

In closing, I would encourage the Leadership Council to seek additional time from the legislature to provide those with limited resources the ability to more thoroughly review the Action Agenda and associated documents. Additionally, it is important to recognize that the Agenda and associated actions have primarily been developed by those entities that had time and resources available to them. Unfortunately, some small jurisdictions such as Port Angeles have very limited resources and cannot afford to immediately divert attention from the multitude of obligations and requirements already required of them by law. A planned approach that was inclusive of resources would have helped to ensure small jurisdictions and entities such as ours had a fair opportunity in defining the actions required for Puget Sound.

I greatly appreciate the leadership and large number of hours provided by the Partnership volunteers and staff dedicated to the vitality of Puget Sound and the Strait of Juan de Fuca. I am hopeful that you consider positive changes that address concerns identified in this letter. Thank you for the opportunity to comment, and should you have any questions do not hesitate to contact me at your convenience.

Sincerely,

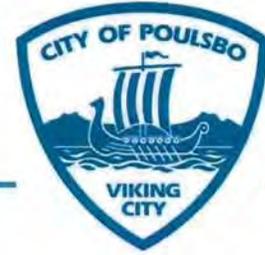


Nathan A. West, AICP  
Director of Community and Economic Development

CC: City Council  
City Manager, City of Port Angeles  
Glenn Cutler, Director of Public Works and Utilities, City of Port Angeles

# City of Poulsbo

Office of Mayor Kathryn Quade



November 20, 2008

Mr. David Dicks  
Executive Director  
Puget Sound Partnership  
P.O. Box 409000  
Olympia, WA 98504-0900

Re: Comments regarding P.S.P. Draft 2020 Action Agenda for Puget Sound

Dear Mr. Dicks:

The City of Poulsbo has participated in Puget Sound Partnership's meetings throughout the planning process and in general supports the broad goals of the Action Agenda. However we are very frustrated with the lack of substantive documents until October and, after October, the lack of any opportunity for meaningful discussion, explanation or information. Given the complexity of the 96 page document, the multiple revisions and different numbering systems, we believe that adequate review or even clear understanding of the Agenda is not feasible in a 14 day time frame. Clearly there has been inadequate time to review the Draft Action Agenda and it lacks essentials such as clearly ranked priorities, integrated funding proposals and a clear plan of action. If this is to be a partnership and if the Action Agenda is to succeed, we believe strongly that there needs to be far more effort to communicate with and work with your partners in local government

Local governments are struggling with reduced operating revenues, which are becoming increasingly insufficient to meet existing expectations, regulatory requirements and levels of service. If the Action Agenda is to succeed it needs to arrive with funding and technical support for local government, as cities simply do not have the ability to provide additional services without additional revenues. We found the concept of a Puget Sound local improvement district that could provide additional resources intriguing, but how this would actually work is not clear.

The following are comments regarding specific proposals and issues that we believe are important:

1. Support is needed (including funding) for cities' efforts to implement the NPDES Phase I & II Municipal Storm water Permits and updates for Shoreline master program.

2. Cities need assistance with infrastructure if we are to build dense compact communities. With storm water being a top priority, we need assistance (funding and technical support) in dealing with existing infrastructure issues. How do we retrofit existing storm water problems and who pays for them?
3. Different regulatory expectations/priorities are appropriate in dense urban areas vs. rural areas. Local environmentalists are fighting growth in urban areas and opposing annexation of UGAs. The public doesn't understand or perhaps accept, the distinction between roles of urban vs. rural areas w/ density and protection. Cities need high level support and assistance in managing expectations for environmental and habitat protection as it is unrealistic to expect urban areas to simultaneously accommodate density and achieve the same level of environmental protections as rural areas.
4. Cities need clear effective relationships with the Partnership for effective implementation and leadership. We likely will need to see one consistent lead throughout the Puget Sound, as multiple organizations and process are not working. There are tremendous inefficiencies in applying for and administering multiple grants and we would like to see an integrated process that supports integrated solutions.
5. The goal to protect intact ecosystems is important but clearly needs to be prioritized and integrated with the funding discussion. Most entities have approved new Critical Area Ordinances; the next focus should not be on property acquisition alone, we need to look at other more cost-effective options to stretch available funding such as conservation easements, TDRs, regulatory incentives and tax incentives. In general we should focus on protection offered by CAOs, and additional protection should be focused in rural areas. We also need to focus attention on non-regulatory incentives to motivate private property owners to do the "right thing". We believe that a property tax incentive to improve lands (ie replant stream buffers) in private ownership has the potential to have significant impact and leverage limited dollars.
6. We need to increase funding to monitor, repair and replace failing septic systems. Kitsap Health Departments' PIC program is a great success but despite Poulsbo's Liberty bay being designated as a Marine Recovery Area, due to lack of adequate funding, our Health Department will take many years to track down the sources of pollution. The PIC program has demonstrated great success, it needs to be invigorated and enhanced with additional funding.
7. The issues of water conservation and rainwater harvesting are important to focus on. We need to encourage DOE to allow rainwater harvesting and remove the regulatory obstacles for broader use. We need to explore the possibilities for increased use of reclaimed water for irrigation and other uses while proceeding with adequate caution regarding how to release tertiary treated water.
8. The opportunity for mitigation banking needs to move to the forefront. We need to be smart about how and where limited dollars are spent so that we are as effective as possible. Spending dollars thoughtfully at key locations so that we get the most value for that money

is essential. We are squandering opportunities by investing vast sums in locations with minor value while simultaneously ignoring extremely important opportunities for lack of funding. A local illustration of this is the lack of funding for Chico creek, the most valuable salmon stream in Kitsap County, while providing WSDOT funding for smaller and less vital projects throughout the County. The challenges of developing a viable program for mitigation banking to benefit high priority projects, should be a top priority of the Partnership.

9. Several of the actions that are proposed we simply do not know enough about. We need more information about the differences/distinctions between MMAs, MRAs and water resource designations and are also not clear on the implications to urban areas of instream flow setting and flow protection requirements. Related issues need to be addressed and understood before implementation.
10. We are supportive of increasing the opportunities to utilize LID for stormwater treatment but are wary of the assumption that it is universally applicable. We need to remove the existing obstacles to the use of LID but given the realities of variable soil conditions, requiring LID in all locations will likely lead to failure and undermine the use of LID in appropriate locations. Kitsap Home Builders Association has been extremely effective in taking the lead in promoting LID; we would encourage their lead on pilot programs and projects throughout Kitsap County. Again the effectiveness of LID measures in different densities and in urban areas vs. rural areas needs to be considered when setting priorities.
11. Obtaining adequate funding is going to be a huge problem, especially in our current economic situation. We should examine the potential of utilizing the Federal Economic Stimulus package for "ready to go projects" with ideas such as;
  - Expand Kitsap's PIC program. Provide funding to speed up and increase monitoring of septic systems and provide low cost loans to owners to fix problems.
  - Providing funding for improvements for existing infrastructure; both sewer and storm water.
  - Tertiary package plant technologies.
  - Other ideas: education campaign, net removal, boat pump out facilities.
12. The Public Works Trust Fund and Clean Water State Revolving Trust Fund are currently the best source of low-cost financing for clean water projects. Any proposed changes need to be considered carefully, since these programs have been working and are critical to the goal of keeping projects moving forward.

We appreciate the opportunity to comment and hope that there will be further opportunities to work together to develop an effective strategy for the betterment of Puget Sound.

Sincerely,



Kathryn H. Quade  
Mayor

**From:** Jon Spangler, City of Redmond

**Comment:** The City of Redmond would like to commend the Partnership staff on the exceptional work in creating the draft Action Agenda for Puget Sound. We are encouraged by your efforts and your inclusionary approach. Redmond agrees that yes "We can do this work" as we did in the late 50's treating sewage to Lake Washington and we are doing now to protect the Chinook salmon. The Draft Action Agenda is a great start. However, as with many of these types of efforts there is often agreement with larger scale concepts but working through the details tends to be where things get hung up. We will need to be diligent in continuing to keep people focused on the goal as we work through the fine points together.

The City of Redmond would like to submit the following Action Agenda comments for your consideration:

Do not create additional bureaucracy - It is already difficult to move environmental protection efforts forward under the current regulatory framework, please do not add another layer of regulation which may intend to align efforts but may likely slow progress. If anything, help simplify regulatory requirements so that protection efforts can move more efficiently.

Maintain the WRIA Efforts – The WRIA structure and relationships took a long time to secure. Disruption of the WRIA's would be a significant setback for salmon and Puget Sound protection. Redmond recommends that we build on WRIA success and strengthen alignment with the Puget Sound efforts rather than creating a new or additional structure.

Do not hold star performers back - Redmond has a long standing reputation for exceptional environmental protection efforts. Do not create a structure that limits the work of jurisdictions on the forefront.

Reward good behavior - Redmond has initiated retrofitting of stormwater management in our urban centers. The cost is expected to be nearly 60 million dollars. We have increased our local utility rates and developer connection charges to help fund this effort. However, regional funding support would help greatly. Although some jurisdiction will need support for initiating basic programs, some funding support should be directed to jurisdictions that are leading the way and fully committed to contributing local dollars.

Leveling the playing field is essential - Many jurisdictions have demonstrated their commitment to the environment and Puget Sound through current actions. However, others have been slow to adopt and fund basic protection efforts. Redmond feels strongly that some base level of local commitment from all jurisdictions should be required in order for them to receive significant funding support from the Puget Sound wide efforts.

Whenever possible push funding and support down to the local level - Local governments are the implementers for most of the on the ground actions. Give them the guidance; funding, permission and support while removing the obstacles so the local governments can act.

Retain local control of land use decisions. - Having exceptional livable Cities will continue to support denser growth and help prevent sprawl. This can have a major positive impact on

minimizing impervious area, reducing adverse impacts from cars, improving efficiencies of urban utilities and many other positive environmental benefits. Local land use control (with guidance from the Puget Sound partnership) is an essential element to allowing each City to create a great urban experience that will attract and retain the bulk of the population which will greatly support the protection of Puget Sound.

Flexibility is critical - Most regulatory standards are prescriptive in their approach to compliance. This approach is helpful for some jurisdictions but can be very limiting for jurisdictions looking for greater and more created approaches. Allow for innovation that is consistent with the larger goals of the partnership.

Recognize special circumstances in cities and provide for a balanced approach to meet objectives. Infiltration of stormwater is widely recognized as necessary to stabilize the flow in local creeks/streams. However, Redmond has shallow drinking water wells in its downtown and infiltration may pose an unacceptable risk of contamination. Partnership efforts should provide for and recognize the risk and allow for acceptable alternatives that meet local and Puget Sound area objectives.

Monitoring is a significant key to success – Development of consistent monitoring standards, methods and reporting are critical to understanding conditions and learning from our actions. However, we must recognize that there are jurisdictions reluctant to monitor because they feel unable to address potential problems they may find. We must find out the scope of the problems that exist but create a supportive structure for jurisdictions to address what might be uncovered.

Fully support current regulations – strengthen the ability of existing agencies to enforce the current regulations before creating new requirements.

Comments specific to education and outreach:

Focus on social marketing - The overall goal of an outreach program should be to foster a change in personal behavior by cultivating a change in social norms. The method of reaching this goal is through the use of social marketing techniques that include:

- Using this foundational research to develop messages and programs that address barriers to behavior changes
- Using pilot projects or other evaluation techniques to field-test programs and messages
- Adaptively managing the program based on this evaluation

Stress both short-term and Long-term education - K-12 education is great for long-term change and should be view in this light. Shorter term actions are necessary in conjunction and while we are educating kids.

Support volunteer programs but recognize limitations - Volunteer programs can support and re-enforce behavioral changes of those that already hold a good deal of concern about the environment. Likewise, information and awareness—while necessary—will not in and of themselves promote and sustain the desired behavioral changes.

Build on current outreach efforts - The action plan should recognize, coordinate and commit

support to Outreach and Education programs that local jurisdictions are implementing as part of Salmon conservation, NPDES, and TMDL processes. In particular, the plan needs to coordinate with the regional groups that have outreach programs; groups such as STormwater Outreach for Regional Muncipalities (STORM), and the WRIA's.

Thank you for considering our comments. We look forward to continuing our collaboration in support of protecting Puget Sound.

**Puget Sound Partnership**  
our sound, our community, our chance



Gregory J. Nickels  
Mayor of Seattle

November 19, 2008

Bill Ruckelshaus  
Chairman  
Puget Sound Partnership Leadership Council  
P.O. Box 40900  
Olympia, Washington 98504-0900

Dear Chair Ruckelshaus and Leadership Council Members:

I am pleased to support the Puget Sound Partnership's Draft 2020 Action Agenda (PSP Action Agenda) and offer the City of Seattle's recommendations. I strongly support the creation of a strategic action plan to guide us to the 2020 goal of a clean, healthy Puget Sound. I congratulate you, the Ecosystem Coordination Board and the staff of the PSP on this work.

It is important that the PSP Action Agenda clearly communicate the dire threats facing the Sound and the urgency of acting now. The PSP, the Governor, and the Legislature must provide strong leadership and guidance to state agencies, counties, cities, tribes and the public. Given the extraordinary funding challenges we face, the PSP Action Agenda should help jurisdictions set clear priorities for action and recognize that different strategies are needed in our urban and rural areas. The PSP must narrow this list of actions to focus resources on those most critical priorities and cost-effective solutions. The next step is developing a clear implementation strategy that includes very specific roles, timelines, and accountability measures.

As the State's largest City, Seattle has a central role in taking on these challenges. We're investing significant resources and delivering innovative solutions to improve water quality, protect habitat, and restore ecosystems. From Seattle's perspective, improving water quality is of paramount importance to protecting Puget Sound. While habitat protection is critical, ecosystem health will continue to be threatened unless water quality is significantly improved.

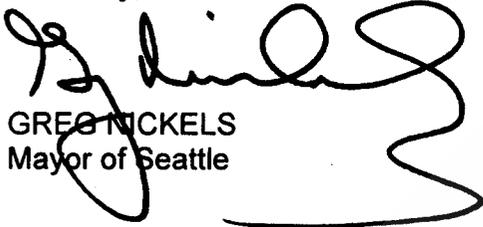
As the most urban and built-up area of Puget Sound, pollution from stormwater is clearly the most critical issue for Seattle to address. I am pleased that the PSP Action Agenda includes a proposal to evaluate the benefits of shifting funding from mandatory CSO improvements to more cost-effective stormwater management activities. The regulatory regime should allow local governments to focus on delivering water quality results and making sure that money is being used efficiently to achieve the greatest pollution control possible. This is a top priority for the City of Seattle and we look forward to working with you as this effort moves forward.

The direction of the PSP Action Agenda is consistent with key components of Seattle's Environmental Action Agenda, complementing our Climate Change, Urban Forestry, and Restore Our Waters Initiatives. Through Restore Our Waters, Seattle is taking actions and promoting partnerships that protect and improve our creeks, lakes, the Duwamish River and Puget Sound. Seattle's past success and continued commitment to building compact, livable communities will play a crucial role in handling the anticipated population growth of the Puget Sound region, consistent with the PSP Action Agenda.

The City's detailed comments on the draft PSP Action Agenda are attached. These comments note our support for key elements of this effort, particularly for those issues that are critical to Seattle, as well as some concerns and suggestions. The City of Seattle looks forward to partnering with you, the Governor and our government and community partners around the region to help implement these recommendations.

Again, thank you for the opportunity to comment and for your efforts on behalf of Puget Sound.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Nickels', with a long horizontal flourish extending to the right.

GREG NICKELS  
Mayor of Seattle

Attachment

We appreciate the opportunity to comment on the draft Puget Sound Partnership Action Agenda. These comments reflect the opinions of professional staff with scientific, policy and programmatic expertise in these subjects. In reviewing our comments, please feel free to contact Susan Saffery if you have any questions, need clarification, or would like more information at [susan.saffery@seattle.gov](mailto:susan.saffery@seattle.gov) or 206-684-8268.

## **GENERAL COMMENTS**

The City of Seattle fully supports the efforts of the Puget Sound Partnership (PSP). Our greatest successes with respect to ecosystem protection, restoration, and salmon recovery have been attained through close working partnerships with federal, state, and local governments, tribes, conservation organizations, and members of the public. We believe our future successes in protecting and restoring the Puget Sound ecosystem will be directly related to the strength and durability of the partnerships formed to attain these goals. The PSP can play a critical role in reinforcing existing partnerships and building new ones.

We think you've done an admirable job portraying the complexity of this issue and distilling it down into this document; however, we hope the final document will better convey the urgency of the problem. While the key elements are there, the document needs to provide the clear, concise, and inspirational messages needed for the Partnership to motivate others towards success.

We agree with PSP that the greatest threats to the health of the Puget Sound over the long-term are related to managing population growth and climate change. Most of the threats to ecosystem health will be driven by these two factors. The draft could be strengthened by better relating the lengthy list of actions to ecosystem health, describing how the actions would be implemented, and providing a clear rationale for why these particular actions were included and how they will measurably be part of the solution.

Ecosystem protection and recovery can best be achieved from the bottom up, not top down. The PSP should focus on building partnerships that can achieve results and not hindering progress with too much process. The PSP should concentrate on supporting and improving the ecosystem research, restoration, pollution prevention and treatment, and habitat protection projects efforts.

We share PSP's vision for a future where the citizens of our region and healthy ecosystems can co-exist. This vision can be realized through the development of sound resource management practices that have been and will continue to be established through the best available science.

## **WHAT CAN PEOPLE DO TO HELP?**

Under "Soak up!" we suggest that after "rain gardens" you add: "soil building with compost and mulch". After native plants add "and trees".

Under "Clean up!" you should change "Herbicides" to "Pesticides (Herbicides, Insecticides etc.)" and add this sub-bullet: "Think twice before using any pesticide (weed or bug killers) – try alternatives. Search *Natural Yard Care* on the internet to learn more." The Department of Ecology is now loading a statewide version of Seattle and King County's *Natural Yard Care* guide to its website.

This section lists the proposed action: “Change copper brake pads for hemp.” While there is research on using hemp fiber in brake pads, the technology is not to a point where it is available commercially. There are ceramic alternatives but in most cases they still contain copper and there is little to no data on their impact on the environment. A collaborative team of brake manufacturers, government agencies, municipalities and environmentalists has formed in California to study the impact of copper in brake pads on the environment. Rather than ask people to replace their brake pads, at this point a better action is for the PSP to support this partnership in its efforts to study the problem. This support could help to make sure that PSP is informed of their results and be ready to support or propose alternatives, treatments or a legislative fix.

We also feel this is a good place to directly encourage water conservation. The web site of the Saving Water Partnership ([www.savingwater.org](http://www.savingwater.org)) has actions that may be appropriate for this section.

### **QUESTION 1**

The indicators and benchmarks proposed as accountability measures need to be sharpened and strengthened. It is unclear whether the provisional indicators are just those identified in the table. If they are the only indicators, the six identified are inadequate to assess success at meeting the rather broad and all inclusive goals identified in this section. For example, forest cover should be used to assess upland habitat for integrity of hydrologic cycles. Integrative biological indicators like salmon runs are very useful in describing success, but not in identifying failures. This provisional indicator list should be expanded to include bottom-of-the-food-chain organisms (similar to the B-IBI used in streams), and key water quality parameters such as biological oxygen demand, nutrient loadings, and priority pollutant levels. With respect to the table, it would be helpful to identify which of the goals the provisional indicators are being used to measure; for example, eelgrass = habitat goal.

### **QUESTION 2**

While you’ve portrayed a number of the problems that face Puget Sound, this discussion is still quite narrow - the document should provide a sense of the full scope of what is included in a healthy Puget Sound. Focusing simply on indicators, such as Chinook salmon, misses critical pieces and connections, like how a healthy food web is critical to not just Chinook salmon, but all species using the Sound, including ourselves. It would help to provide a richer picture of what is encompassed in a healthy ecosystem.

The Human Well-Being measure discusses land cover – shouldn’t this be included in the provisional indicator table in Question 1? Are indicators and measures the same? If not, what is the difference? Also, we think the impervious surface area reduction measure needs to better recognize the differences amongst the more urban and rural Action Areas and communities.

The PSP should consider describing the current rates of decline for ecosystem elements e.g., acres of riverine channel lost each year due to floodplain development and bank armoring; percent decline in Chinook spawning abundance per year. These would provide a better description of the current level of threats to the Puget Sound ecosystem.

### **QUESTION 3**

#### **Overall Comments**

A significant piece generally missing from this document and particularly from this question is information about the costs of these actions; which ones will be prioritized given available and expected revenue, and how will these proposals be paid for. In order to achieve the 2020 goal, the need for revenue to pay for this important effort must be addressed directly.

Often actions discuss implementing/assessing/integrating recommendations and plans for various initiatives, committees and agreements. For example, on page 29, D.2.1 mentions the Lake Use and Climate Change Advisory Committee. While it is good to build on this previous and existing work, many readers will be unfamiliar with some or most of the groups, agreements, etc. mentioned. It would be good to add some details about what the recommendations, initiatives, agreements, and other external efforts say so a reader can understand what is really meant by these statements.

#### **Priority A**

Seattle strongly supports the goal of focusing population growth in urban areas to protect undeveloped lands in our region. One of the greatest challenges to preservation is accommodating the projected 1.4 million people expected to move to the region by 2040. Population growth and how we manage it is a fundamental issue. Although cities are doing their part to create dense, compact communities, inadequate funding for infrastructure to accommodate growth is a significant challenge. The Federal and State governments should provide infrastructure assistance to help cities fulfill GMA requirements to direct growth and development to urban rather than rural areas.

The long-term actions match the direction the four PSRC counties that participated in formulating Vision 2040 have already adopted. These include focusing growth in existing urban areas in order to preserve more natural areas and developing regional approaches to habitat protection in order to efficiently analyze and consistently implement these actions. Building on the PSRC framework, these same concepts could be expanded to the other Puget Sound counties.

We must manage growth in a way that prevents further damage from current/changed land uses, including reducing impervious surface area and prohibiting or greatly limiting new shoreline armoring and implementing plans to restore currently armored shorelines. This priority should also include protecting and restoring upland ecosystem/hydrology/water quality functions in existing developed areas.

We support the recommendations to do a watershed scale study of changes in land use patterns as related to the condition of aquatic habitat, and using watershed characterizations to set priorities. This is consistent with Seattle Public Utilities urban watershed strategy approach.

A.2 This is a very high priority for the recovery of the Sound. Especially critical will be the criteria for prioritizing habitats most in need of protection. The PSP should select areas for protection with the greatest restoration potential and establish criteria and a funding source for acquiring high value habitat that may be vulnerable to conversion or loss. We need to protect (and restore) contiguous parcel connection to provide corridors. Clear, specific criteria for choosing projects

needs to be established. We believe that a process needs to be set up to evaluate the relative importance of potential acquisitions on a broad scale. Seattle will continue to protect and restore ecosystem process in watersheds affected by our water and electrical-production systems (Cedar, Tolt, Skagit rivers).

A major impediment to acquisition is completing sales agreements with land owners at fair market prices at a time when non-conservation buyers are purchasing land above fair market value. Large conservation purchases require several years to complete, and the PSP needs to create a flexible program that can address these issues. Other conservation purchases are opportunistic purchases that require funding on short notice. Funds should also be available for once-in-a-lifetime opportunities for acquisition. These opportunities are often unsuccessful because adequate funding (often several million dollars) cannot be obtained in a short amount of time.

A.2.2.1 Local governments need coordinated, consistent support and recommendations from the State. This should read "Work with DOE and CTED to assist . . ."

A.2.2.2 Model planning policies from the state for local governments need to be integrated among state agencies and regulatory frameworks (SMA, GMA, etc.). Guidance should be provided by DOE (for SMA) and CTED (for GMA). Should read more like, "Work with the DOE and CTED to provide . . ."

A.2.2.4 A concern is the need to map floodplains accounting for projected floodplain impacts from climate change. We understand that FEMA currently isn't willing to address this. If more intense rainfall occurs in future years, floodplains would increase, with development once outside of the floodplain being impacted. We recommend "...in current and projected floodplains."

#### A.2 Near-term Actions:

1. It will be important to consider the effects of sea-level rise when identifying currently functioning habitat areas for acquisition to ensure that the acquired sites will continue to be high functioning.

5. It is not clear what it means for the Partnership to "encourage consistency with . . . priorities", how local governments might achieve consistency with priorities, or what the process or criteria might be for determining consistency. We understand this recommendation is at a "high level," however, invoking "consistency" raises many questions. We would recommend something like: "Create a process and criteria for determining consistency of local plans with Action Agenda priorities".

6. and 7. We strongly support no-net loss requirements. We need to preserve what remains (including wetlands) and seek to restore shoreline in areas critical for fish. Ecological protection and enhancement is a challenging new role for Shoreline Management plans, so local jurisdictions should be prodded to take these goals seriously. PSP should look at creating a program to help fund implementation of the shoreline recovery plans which are part of the revised SMPs. On another note, the state needs to find a way to remove the disincentive to restoration that is inherent in the SMA. If the Partnership intends to develop further guidance for defining 'no net loss' of habitat, the sooner the better. Many jurisdictions are working toward a 2010 deadline for adopting revisions to their Shoreline Management Programs and will need to be factoring in provisions regarding preservation of habitat

functions well before that deadline. For information to be integrated into these complex programs, having guidance in mid-2009 would seem necessary.

A.3.2 We previously proposed adding an initiative focused on implementing strong water conservation programs sound-wide. Water efficiency is an important tool in freshwater resource management. It has a very high regional potential, and unlike many other management tools, can be quickly implemented at a cost competitive with other options. The Saving Water Partnership [www.savingwater.org](http://www.savingwater.org) is a group of local utilities in Seattle and King County. This effective program could be replicated Sound-wide. Incentives and removal of barriers to implementing programs will make these approaches more accessible to other utilities and municipalities. We recommend the following additions (underlined):

A.3.2.2 Use demand management strategies including pricing structures to discourage inefficient and unnecessary use of municipal water, particularly in flow limited areas or low flow periods.

A.3.3 Expand opportunities to increase water use efficiency, reuse, reclaim, and recycle water resources.

A.3.3.1 It is unclear if recycled water includes rain, grey, storm and wastewater. If recycled is only referring to reclaimed wastewater, then we think A.3.3.2 should go first, then define recycled to include all of the above.

A.3.3.2 Identify and address barriers to improve water use efficiency, and use and reuse of rainwater, graywater, stormwater, and wastewater.

Regarding 3. 2: Do "instream flow rules" include instream flow prescriptions established by federally approved Habitat Conservation Plans and Federal Energy Regulatory Commission Hydropower Licenses?

We appreciate the inclusion of efforts to enhance water conservation (item #7) under the Near Term Actions.

## **Priority B**

We strongly support the recommendations in this section, particularly B.1, B1 Near Term Action 1, B.2.1, and B.3.

Many of the major successes that have been accomplished to date in protecting and restoring Puget Sound habitats critical to sustaining and restoring biological diversity and productivity have been achieved through watershed partnerships. The City has been a long-term supporter of the watershed-based organizations formed to protect and restore the riverine, estuary, marine nearshore, and upland habitats in the Skagit, Snohomish, Lake Washington, Snohomish, and Green/Duwamish watersheds.

We believe that the goal of protecting and restoring Puget Sound ecosystems can best be achieved through the "grass-level" efforts of watershed-based organizations, and support the watershed lead entity process established by the State of Washington for salmon recovery. Key areas of support that can be provided to the watershed groups by PSP include: 1) developing and overseeing integrated grant funding (i.e., developing multiple grant sources for projects); 2) reducing the grant and permitting paperwork that presently taxes ecosystem recovery efforts at the watershed level; 3) developing common GIS and database "toolboxes"

that can be shared by all organizations within a watershed; 4) facilitating public outreach and engagement processes.

However, we note that some of the actions important to restoring ecological function in more urbanized environments are missing, such as removal of fish passage barriers. Seattle is well-positioned to demonstrate what is possible in restoring urban creeks and their wildlife – we are a good “pilot” area for a number of innovative efforts and research that could be applicable in other urban areas and where we could partner with the PSP.

We also recommend that the PSP consider funding a series of smaller long-term pilot watershed restoration projects in both rural and urban areas around the Sound over a number of years in order to demonstrate what effective restoration looks like and provide a model for other areas. Restoration projects should include effectiveness monitoring that includes establishing a baseline and continues after construction. A top priority should be on developing and securing long-term sources of funding for related projects or projects along a stretch of river or shoreline.

The ecosystem recovery goals of the PSP will require the completion of many large and complex protection and restoration projects that exceed the capabilities of the individual organizations that serve as project sponsors. These large-scale projects will require multiple sponsors, and will need to target multiple species. PSP can expedite the recovery process by helping the watershed groups transition from a single-species approach (e.g., Chinook salmon) to a complex multi-species effort.

B.3 We support this initiative as a priority in order to help citizens implement restoration projects on their property. It is imperative to do all we can to keep private ownership economically viable where there are owners willing to do the right thing, particularly in the urban areas along creeks and shorelines where critical habitat can be restored on adjacent properties. Seattle has a model grant program, and is preparing a design manual to help shoreline residential property owners identify low-impact landscape designs for their property. Tax incentive programs should be expanded, such as the Public Benefit Ratings System in King County and conservation easements but are in need of a dedicated funding source in order to more effectively provide technical and financial assistance to property owners for stewardship of restored areas.

## **PRIORITY C**

Clearly, for Seattle and other urban areas, this area is the key part of the Action Agenda. We must succeed in addressing water pollution if we are to succeed in our efforts to save Puget Sound. We believe this priority needs even more emphasis.

C.1 We recommend taking a serious look at stopping pollution at the source i.e. the manufacture and sale of priority pollutants, such as unnecessary pesticides, soluble fertilizers, and persistent bioaccumulative toxins (PBTs). Local governments are banned under state statute from regulating toxins. The PSP needs to take a leadership role at the state and federal levels to take part in ongoing efforts around the country and develop new strategies that will address persistent pollutants not under the control or regulation of local governments and that are not removed using current stormwater technologies.

PSP could be a key player in product control/management to reduce the pollutant loads. For example: copper in brake pads e.g., Brake Pad Partnership in San Francisco <http://www.suscon.org/brakepad/details.asp> and recent legislation related to elimination of PBDEs

(endocrine disruptors) <http://www.watoxics.org/issues/pbde> As part of this effort, we also suggest support for research and monitoring into endocrine disrupting compounds (EDCs) and other persistent organic pollutants (POPs) so that protection thresholds and control measures can be developed.

C.1.1: Add: Identify priority pollutants present in commercial products (e.g. pesticides in combination pesticide/fertilizer products, soluble/quick-release fertilizers, persistent bio-accumulative toxins [PBTs] like pesticide trifluralin) that are either unnecessary or have less toxic alternatives. The PSP could consider pursuing state and federal regulatory authority governing the sale and use of these kinds of chemicals.

C.1.1.1 We support a focused public outreach campaign to teach people about their role in contributing to toxics and how they can change their behavior/actions to reduce the use of these substances. We recommend partnering with the private sector to market the importance of cleaning out household hazardous waste and taking it to collection sites.

C.2.2.1 stresses implementing the NPDES permits. We appreciate PSP support for our NPDES requirements. However, it is important to recognize that the permits are very output driven (requiring specific number of business inspections, for example) and do not stress outcomes. This may limit the usefulness of this proposed action in reducing pollution.

An important role for the PSP is to coordinate messages to the public about actions they can engage in to improve stormwater quality. PSP could supply resources and a coordinated regional effort on outreach that local governments are already required to do, but lack the resources.

The major emphasis of the NPDES municipal stormwater permits is source control. The permit requires municipalities to have laws that regulate activities, manuals that prescribe best management practices and programs that educate and determine compliance. These elements are listed in Priority C and E but are not listed in the Question 4 "Where do we start" table of prioritized actions.

We recommend creating a regional source control coordination group under the stormwater work group. This group could investigate the impact of existing source control methods, research emerging source control activities and provide technical assistance to municipalities. The group could also coordinated efforts for communication, outreach and education to increase public awareness about source control techniques.

C.2.2.3: We believe this is a very high priority. PSP should work with the legislature and Ecology to prioritize staff and funding to interpret the PCHB ruling and draft LID language for Phase I & II permits. The Phase I municipalities, including Seattle, are very interested in helping DOE/PSP draft the language.

The PSP should strongly support the use of LID technologies to the maximum extent feasible in new and retrofit development and infrastructure projects of any size, in rural, suburban, and urban environments. Many of these methods, such as compost-amended soils, bioretention swales, stormwater planters, pervious paving, and tree preservation/planting are cost competitive.

There are three components that are of particularly high value to the City of Seattle. These are 1) seek changes to state law to allow rooftop rainwater collection, 2) the development of guidance

including technical information - specifications, installation and maintenance recommendations, helping define feasibility limitations for LID, etc., and 3) public education materials. SPU has done a lot of work toward these products (guidance manuals, specifications, details) that we hope the PSP will be able to use as a base when they initiate the next round of work on these products.

Near-term Actions: Include "Prioritize and cooperatively fund urban and road infrastructure retrofit projects to use bioretention swales and other soil/plant-based BMPs to treat road runoff throughout the region."

C.2.2.5 As was mentioned in the Mayor's cover letter, this proposal is a major priority for the City of Seattle in the context of the PSP effort. We feel it is important to evaluate the most effective allocation of pollution-related funds to highest pollutant generating sources and pathways. One concern: under Near-Term Actions, it suggests that the PSP "convene a focus group" to evaluate the technical and programmatic solutions. We assume you mean a work group of professional staff/experts rather than what is generally considered to be a "focus group", and suggest that the wording be changed.

C.2.2.6 We believe this is a very high priority if we are to be successful in addressing stormwater entering Puget Sound. Built areas with low percentages of redevelopment need to be retrofit. We would note that this is not just a local issue, but that the state, particularly WSDOT on state roadways, has an important role to play in retrofitting existing structures.

C.3.2. This action gives priority to wastewater projects that develop alternative supplies. This seems to dilute the focus on water quality. We question whether this is an appropriate criteria under this category for prioritizing projects.

C.2 Near Term Action #2. In addition to supporting cities and counties, we suggest adding "and adequately fund Dept. of Ecology staff for permit oversight and implementation".

C.5.2 We support the acceleration of priority clean up projects. We would note that projects such as the Duwamish and Gasworks Park make use of MTCA funds and believe those funds should be used for the projects that already meet eligibility criteria. We have serious reservations about shifting MTCA funds to other uses; there are more than enough projects that need this funding – and that meet the goals of the Action Agenda.

#### **Question D**

Under the Priority D objectives, you should consider replacing the duplicative 4<sup>th</sup> objective at top of this page with: Resolve legislative and regulatory barriers, and establish laws that support and require effective actions.

D.2.1 What is the Land Use and Climate Change Advisory Committee? On a related note, we think climate change deserves more emphasis in this document.

D.2.3: We support local climate adaptation strategies, and can offer our experience. We question the inclusion of the last phrase "...development of innovative water storage projects, ." which presumes it is the best strategy without showing the justification. It could make a great deal of sense, particularly if reduced snowpack means we have less mountain storage, but there are other realms where adaptation may be better or equally served (e.g. conservation). Rather than strike the language, we suggest revising the sentence to read

"...sea level rise analysis, and strategies for enhancing the locale's capacity to cope to the impacts of climate change, which could include structural approaches, such as innovative water storage projects".

D.3: We support the proposals in this section; we should think about more than structural approaches, including our institutional capacity and better alignment amongst everyone.

D.3.1.6 We think this proposal could be a good idea and feel that it deserves further consideration and development.

D.4.1 We support efforts to better align regulatory programs. There needs to be more emphasis on coordinated research and monitoring and identifying issues where science can help.

D.4.2. Seattle has developed a program that could provide a model for watershed-scale mitigation. The Shoreline Alternative Mitigation Program, designed for the Lake Union and Ship Canal areas, devised a method for quantifying impacts from various development-related actions and for calculating the benefits that mitigations can produce across the entire area. Project proponents can now see how much mitigation is expected for their proposals, and the system allows for easier identification of equivalent off-site mitigation. The values for certain habitat features and impacts may be different in different watersheds, and we will be adapting this model to other shoreline environments in Seattle as part of our SMP update. But this approach could provide a more consistent approach around the Sound for assessing and mitigating impacts to habitat functions.

D.5 We support efforts to improve compliance with existing rules and regulations to increase the likelihood of achieving ecosystem outcomes.

D.5. Near Term Actions #2-#4. This section advocates for additional Dept. of Ecology staff for inspections. This should be expanded to advocate for support for Ecology's existing Water Quality Program more broadly. Ecology's Water Quality program is losing funding and positions and is unable to meet the regulatory and support needs associated with program. For example, here in Seattle our Ecology Stormwater Permit Manager has very limited time to support, coordinate, and oversee the implementation of our stormwater NPDES permit since her workload over the past year has increased from managing three to managing over 20 permittees, due to Ecology staffing decreases

### **Question E**

E.2 To be successful in our effort to clean up Puget Sound by 2020, new revenue will be needed, along with assuring existing funding is put to the best use possible. The PSP should help ensure that state and federal entities continue to fund and implement their portions of the Puget Sound recovery effort, including the Puget Sound Salmon Recovery Plan. While a regional funding effort should be considered, it should not be in lieu of a reliable new state funding source. Any new revenue source should have a strong nexus to the problem. We also suggest that there is a need to conduct an economic analysis to help prioritize projects to get the "best bang for the buck".

E.2 Near-Term Action # 7 proposes that funds in the Model Toxics Control Account be used during the 2009-2011 biennium to fund PSP projects. We have significant concerns about this proposal. The MTCA Account was specifically set up to fund toxics cleanup, and cleanup of contaminated sediment sites in the Puget Sound basin is important to the recovery of Puget

Sound. As more MTCA-eligible sediment clean up projects get to the construction phase, there will be a huge demand on this account and it is important to allow those funds to build up in preparation for that need. In Seattle alone, we have several projects - including the Duwamish (estimated at \$250-700 million), East Waterway, and Gas Works Park - that will be eligible for \$10s of millions of MTCA funds. If the MTCA funds are limited it may affect local governments' ability to fund toxics cleanup projects and/or other PSP priority actions. This item needs further consideration and discussion.

E.2 Near Term Action #16 says "Develop proposals for the 2011-13 Biennium to improve or expand the use of ecosystem markets". We suggest rewording to be more explicit that this action relates to ecosystems SERVICES valuation: "Develop proposals for the 2011-2013 Biennium to establish, improve or expand the use of ecosystems services markets."

E. 3 This is really important and has not been a large part of the materials presented to date. We would also suggest including an evaluation of how science is being used to inform decisions and to identify actions that can be taken to promote greater use. Scientific, research and pilot project/study capacity needs to be enhanced and PSP should look to partner with Seattle and other local governments in these areas. Along with taking action to address known problems, there is a need to develop a better understanding of cause and effect relationships between human impacts and the biota in order to guide prioritization of future actions. We would recommend including a strategic priority centered on learning or adaptive management.

E.3.1 There are many monitoring programs underway in the Puget Sound. They all have one thing in common: lack of long-term funding. Without long-term funding certainty, these monitoring programs typically become short-term "before and after" snapshots of ecosystem health. There is a need to develop a more comprehensive and cohesive strategy to collect, analyze and apply information. We have reservations that a monitoring program conducted by many entities can achieve the efficiency and effectiveness of one conducted by a single, qualified entity. We believe that we need an independent, scientific group to oversee all monitoring in Puget Sound. The Southern California Coastal Water Research Project (SCCWRP) <http://www.sccwrp.org/> is a very good model.

E.3.2 Priority Investigations: add new sub-action and Near-term action:  
Review data on priority pollutants such as pesticides and PBTs for chemicals/products that have highest long-term impacts and are unnecessary or have effective alternatives. Develop the science base for the governor, PSP, and legislature to push for banning/restricting sale and use of those products in the Puget Sound watershed.

E.3.4 We support the capacity to conduct science, but it needs to include the capacity to conduct science that is useful and informative for decision makers. This requires models of collaborative partnerships between the research community and the user community, which implies that the user community helps to frame the research by identifying what information they need. Absent that we could have plenty of capacity to conduct science, but no capacity to use it because it was framed and conducted without input from the users of the science. This is an issue the water sector is grappling with here in the US and apparently internationally as well.

E.4. Education and outreach needs to be a high priority – implemented in a meaningful, coordinated fashion at a significant scale, focused on issues that can have the biggest impact. The PSP need to find an issue(s) related to the state of the Puget Sound that captures attention and compels action. Outreach and education should create broad community support and

significant action. PSP should develop programs to combine efforts and pool resources to help implement these programs. This would help make sure that public receives a consistent message on how they can change their behavior/actions to reduce the amount of pollution in stormwater.

Residents of Puget Sound must accept ownership of the problem; government action is only part of the solution. It is critical that we create a paradigm shift in willingness of society to change behavior – we must figure out how to preserve and restore environmental integrity in face of significant population growth and human impact.

E.3 Near Term Action: We suggest adding an action that fits current NPDES phase I and II permit outreach requirement: “Work with Department of Ecology and local government NPDES managers to rapidly identify and fund outreach materials and regional campaigns that meet their NPDES permit requirements”.

### **Draft South Central Action Area Priorities**

Overall, the City of Seattle supports the list of priorities as consistent with the direction the city is headed, particularly with it’s Restore Our Waters (ROW) Initiative, one of the Mayor’s four Environmental Action Agenda priorities. Through ROW, the city is taking science-based actions and promoting partnerships that protect and improve our creeks, lakes, the Duwamish and Puget Sound. The focus is on slowing the flow of stormwater, pollution prevention, and replanting and restoring habitat.

Also, as noted elsewhere in our comments building local capacity through regional or state dedicated funding sources and technical assistance as well as through collaborative partnerships will be key to successful implementation.

Specific comments:

### **Ecosystem Benefits**

Under “Community and Economy”- Please add “natural drainage systems” or “green infrastructure approaches” to the 8<sup>th</sup> bullet on low impact development.

### **Priority Action Area Strategies**

#### **A. Protect High Value Habitat**

Why does acquire high value habitat only identify watersheds in Pierce County? We suggest including examples from each of the large watersheds in the area, such as in the upper Cedar River Watershed.

Fourth bullet – add King County Public Benefit Ratings System program.

#### **B. Please add Cedar River restoration projects to the list of specific projects.**

#### **C. We think the pharmaceuticals take-back program should be in the Sound-wide section, not just in this Action Area.**

## **FINANCING**

The top of page 2 of the Financing chapter makes the common mistake of confusing "funding" with "financing." Funding is a source of money to do something. Financing is a set of tools to generate money now that must be paid back later. Financing is worthless without funding: you need the funding to pay back the amounts you financed. Thus, "enhancements to public loan programs" are not a source of funding. This should be corrected. The confusion between funding and financing appears again on page 5. For example, "infrastructure loan programs" are not a form of funding.

Page 5 mentions "local government match." It is not clear what this is matching (the MTCA grants, for example?) or where it is supposed to come from (wastewater fees? general funds?). This needs elaboration.

The "improvement district" on page 5 also needs elaboration. Is this something like a big Local Improvement District that assesses property owners? Or is it something more like Sound Transit with its own tax sources? Local governments are asked to support this. While we are happy to discuss this further, it is hard to support something that isn't defined.

The "dedicated state revenue source" is meaningless unless defined. The PSP Finance Committee included a number of possible revenue sources that should be seriously considered for implementation in the near term.

The concept of an ecosystems market is a good idea. We support moving forward with this proposal.

**From:** Dennis McDonald, City of Shelton

**Comment:** I am an Action Agenda participant and I push awareness of Shelton's regional plan - a visionary process since 1994 to improve infrastructure to connect state facilities and deal with growth in an environmental way. We are putting pipes in the ground in Phase I. Phase II is for wastewater treatment plant improvements in Shelton. People in same situation – met permit requirements (small towns). We appreciate that you added a fifth priority. Thank you for moving the Shelton plant up to C.

Financial strategy – be aware that there are mechanisms for implementing infrastructures – there are state and fed mechanisms for giving that money to.

I applaud your efforts for adaptive management and I agree with the emphasis. Improvements and measurement tools – regulations on Wastewater treatment plants are more stringent. You have a good vision for zero discharge into the Sound. We are supporting reuse in Shelton and Class A reuse. The price is going up for sewers and we hope to have loans to make it more affordable for people. I'm excited to work with you.

Puget Sound Partnership  
our sound, our community, our chance



City of Tacoma  
Public Works Department

November 19, 2008

David Dicks, Executive Director  
Puget Sound Partnership  
P.O. Box 40900  
Olympia, Washington 98504-0900

Dear Mr. Dicks:

Thank you for your diligence and vision in completing the Draft 2020 Action Agenda for Puget Sound. The draft agenda represents a monumental effort to begin the essential activity of sustaining the health of the Puget Sound. Tacoma wholeheartedly supports the efforts of the partnership and the five priority strategies of the action agenda.

Tacoma's 45 miles of Puget Sound shoreline intimately involve us with the health of this great water body. At the same time, our urban landscape and the work we have already accomplished in Commencement Bay, provides us the understanding of the complexities of the task ahead.

Our work in the Thea Foss Waterway (Commencement Bay) watershed includes a ten year water quality monitoring and source control effort and is unique in the Puget Sound basin. This effort was coordinated with EPA and Ecology in cleaning up the Thea Foss Waterway superfund site and was intended to prevent recontamination of the clean sediment cap. The good news is that Tacoma's monitoring data shows source control efforts will reduce contaminant loading to Puget Sound. It also shows that source control and local efforts can only go so far and will not achieve stormwater that is in compliance with water quality standards.

In Tacoma, we are looking at other program areas to continue to improve the quality of stormwater that is ultimately discharged to the Puget Sound. However, many programmatic actions are beyond the City's control. Our hope is that the Puget Sound Partnership can be the leader both on the state and national level to compliment local efforts, particularly in the following areas:

- Develop effective technologies to treat stormwater – New viable methods to manage and treat stormwater need to be developed. A protocol to review and approve technologies for use as BMPs is also crucial.
- Fund and strengthen state investigation and enforcement agencies – these inspectors and agencies are critical to our work in source control.
- Promote changes to products to prevent release of toxic chemicals to stormwater; and,
- Control air pollution and associated deposition which is an important source of pollutants to our waterways.

Federal and state legislation can be a barrier to necessary work and should be reviewed to identify barriers and to reduce or eliminate conflicts. For example, septic tanks are a source of contamination in Puget Sound, yet sanitary sewer extensions are limited under the Growth Management Act. We would like to see an effort to harmonize the limitation on sanitary sewer extensions included in the Growth Management Act with the need to provide sanitary sewer to areas with septic tanks.

Successful restoration of the Puget Sound ecosystem will require integration of federal, state and local statutes all aimed at improving ecological health. In our opinion this can only be accomplished in a coordinated fashion on a watershed basis. The partnership has a unique opportunity to work with all levels of government to facilitate either changes in statute or regulation that allow watershed protection through the most efficient and effective means possible.

Land use is a pivotal element of restoring Puget Sound and a major element in the action agenda, but it is unclear by what jurisdiction these land use decisions and actions will occur. We will need a clear framework or direction for this element of the agenda to succeed.

Finally, we encourage you to take full advantage of the expertise contained in local jurisdictions that have already spent years struggling with these issues. Regional consortiums and boards established to advise the partnership need to include jurisdictional staff that have valuable, practical experience with implementing these practices on the ground.

There is a challenging road ahead as the details of the action agenda take form and priorities are established. The agenda is a great start, but careful stewardship is required to ensure that good science is the basis of our actions and that this opportunity is not squandered.

Again, thank you for all your hard work and leadership. We look forward to the challenges ahead.

Sincerely,



Dan C. Thompson, Ph.D.  
Asst. P.W. Director/Environmental Services

cc: Lorna Mauren, P.E.  
John Taylor-Cocker, Fenneseey

**From:** Pete Kmet, City of Tumwater

**Comment:** Dear Puget Sound Partnership:

We at the City of Tumwater have reviewed your report and would like to offer the following comments for your consideration.

**Vesting Rights.** The report indicates several areas where development needs to be done differently if we are going to reduce impacts to Puget Sound. Recommendations are made regarding land use patterns, transportation modes and stormwater. However, the report fails to address a fundamental legal problem that needs to be addressed to effect these changes within the plan lifetime--the State's vesting doctrine.

A couple of years ago the Thurston Regional Planning Council engaged in a study evaluating whether the vision in the comprehensive plans adopted by the various Thurston County jurisdictions under the Growth Management Act matched the reality of actual development patterns (vision reality task force report--<http://www.trpc.org/library/planning/growth+management/understanding+public+vision+and+marketplace+realities+in+the+thurston+region.htm>). What was found is that in part because of the legacy of vested subdivisions and lots approved before GMA, we had not yet seen a significant shift in development patterns even 10 years after adoption of those plans and regulations.

If the Partnership expects your recommendations to change how development is done, you are going to have to advocate a change in this vesting doctrine. Otherwise, you will not achieve the desired changes within the plan lifetime. We recognize this is controversial but failure to address this issue will result in the plan being a failure.

**Role of Fish Hatcheries.** In Tumwater, we have been approached by the State to partner in developing a new salmon hatchery on the Deschutes River. The role of hatcheries in restoring salmon runs in Puget Sound is unclear in the plan. And more specifically, this hatchery is not even mentioned in the plan recommendations. We request the plan address the Partnership's view of the role of hatcheries in general, and the proposed Deschutes River hatchery specifically, in restoring salmon runs in Puget Sound.

**Funding.** In Tumwater we have taken aggressive steps to addressing stormwater issues, including establishing a stormwater fee on all residents and businesses. We use the revenue from this fund for street sweeping, catch basin cleanout, stormwater plans, public education, monitoring and capitol projects. But in spite of raising over \$1 million in funds every year in our modest sized community, this fee is insufficient to address our many needs. We have tried to supplement these funds by applying for grants but have been largely unsuccessful.

For example, we have been applying for funding to replace a fish blocking culvert on Percival Creek for many years but have been unsuccessful in securing grant funds. We whole heartily agree that there needs to be some sort of greater regional funding source to supplement local stormwater funds and pay for needed retrofits on state highways. We

strongly recommend the Partnership strengthen and emphasize this issue in the plan.

Land purchases. We've noted that the plan cites specific land purchases needed in some central Puget Sound communities. Yet little mention is made of funding needs in the south sound. In Tumwater specifically, we need funding to purchase a highly unstable bluff overlooking Capitol Lake and adjoining wetlands. We also have a long range plan to acquire sensitive bottom lands along the Deschutes River. There are numerous other opportunities to preserve wetlands and corridor lands in the Percival Creek watershed. Several of these purchases would not only protect these areas from development but also open up the potential for public access and regional bike/pedestrian trails. It is not clear to us why specific purchases were called out in some instances and not in others. If possible, we would like these needs acknowledged in the plan and can provide more detail upon request. If it is not feasible to address these funding needs in this level of detail at this stage of the plan, the plan should at least identify a clear process for future identification and prioritization of such purchases.

Thank you for the opportunity to comment on your plan. We know many people have worked many long hours to get the plan to where it is today. We hope these comments are helpful as you finalize the plan and look forward to working with the Partnership in the future.