

PugetSoundPartnership

our sound, our community, our chance

Draft Action Agenda Comments

Counties

Nov. 6 - 20, 2008

Set 3 of 8



King County

Ron Sims

King County Executive

701 Fifth Avenue, Suite 3210

Seattle, WA 98104

206-296-4040 Fax 206-296-0194

TTY Relay: 711

www.kingcounty.gov

November 20, 2008

Mr. David Dicks

Executive Director

Puget Sound Partnership

P.O. Box 40900

Olympia, Washington 98504-0900

Dear David,

On behalf of King County, we appreciate the opportunity to provide comments and offer suggestions on the Puget Sound Partnership's Draft 2020 Action Agenda. The document is well-organized and clearly written; the list of proposed actions offers a nice range and contains many good ideas. I commend you, the Leadership Council and the Partnership staff for accomplishing a lot in the past year.

The Partnership has worked hard to be collaborative and involve many people and interests in creation of the Agenda. King County appreciates the open and transparent process, particularly in the face of an extremely tight schedule established by the Legislature. As chair of the Ecosystem Coordinating Board, I also appreciate that there has been an important role for the implementers in the development of the Action Agenda. I encourage you to continue to use us and to further strengthen the Action Area structure and provide the support for Action Area liaisons throughout the Sound.

While the draft Action Agenda is a good start on our shared commitment to aggressively recover Puget Sound by 2020, we need to consider how we move forward with a bold implementation plan and build the compelling case for why Puget Sound needs to be recovered and why we must all work together now if the recovery is to succeed. Together we need to tell the story to the public and to the Legislature of what needs to occur and how we are all needed to make it happen. We have no choice but to create a sense of urgency to generate the public support necessary for this ambitious undertaking to succeed before it is too late for the Sound.

We would like to emphasize both the importance of using science as the foundation for selecting and prioritizing actions and the importance of recommending cost-effective, feasible solutions, as these will be important to gathering support as well as allocating resources. In addition, social equity and environmental justice should be weighed as part of any prioritization process.

In addition, King County scientific and technical resources as well as expertise developing performance management frameworks that we can offer to assist as needed if appropriate.

King County's comments contributed by members of our interdepartmental Puget Sound Team are organized in three main sections: (1) main themes, (2) general comments, and (3) specific suggestions. We understand you are tweaking and editing, so we are not offering any wordsmithing. Please contact Jane Lamensdorf-Bucher at 206-296-1907 or jane.lamensdorf-bucher@kingcounty.gov if you would like additional information or to discuss any of our comments.

Main Themes

- 1) Develop an implementation strategy: To complete the Action Agenda, King County recommends that the Partnership work with appropriate parties to call out who will implement specific actions, how they will be funded, and when they will occur. There needs to be accountability for actions, and this would be the first step. We recommend the Partnership follow the approach of the WRIA salmon plans, which have a 10-year focus and rolling three-year work plans that are updated periodically. Such a course helps assign accountability that addresses changing circumstances and knowledge. While it can be a challenge to prioritize actions because of competing interests, at a minimum we recommend the Partnership sequence actions, showing what needs to occur prior to another action. We also suggest the Partnership list actions the private sector can take, more than the brief list for citizens at the front of the document. Many businesses would like to do the right thing if given an explanation of what it is.
- 2) Create a performance management framework: The draft Agenda takes great strides forward in outlining selected Puget Sound conditions against which we can measure the success of the recovery effort. Indicators, benchmarking standards, and monitoring protocols are spelled out for key (ultimate outcome) areas, including human health, human quality of life, species, food web, water quality, water quantity, and habitat/land use. What is not well-addressed in this initial draft is an articulation of the specific expectations, roles, and responsibilities of the broader range of actors (particularly beyond the public sector) who have a contributing role in improving these conditions. Also missing are the intermediate outcomes and the attribution of responsibility for achieving these intermediate outcomes – the changes in practices and built environment characteristics that are precursors to moving the indicators in the right direction.

It is important to get the right list of provisional indicators and then to work back from those indicators to where we are now in order to outline the steps (that would name responsible parties and funding sources) to achieve the indicators. We suggest adding to the indicators chart a column of current conditions to set the context. It is not clear how the actions in the Agenda will get to the benchmarks or how the scientific monitoring will be connected to the performance management. King County staff with expertise in this area would be happy to work with the Partnership to develop a more comprehensive performance management framework. We have attached a few preliminary graphic depictions of key elements of such a framework. One of the important uses of a performance framework is to plan with the end in mind, rather than just consider inputs (e.g., budgets, employees) or just the tasks that must be done. By placing the focus on ultimate outcomes or results, planners can think backwards to establish a logic chain that helps identify how best to achieve the desired results.

- 3) Outline the pathway forward: What is the story to recovering Puget Sound? We recommend the Partnership lay out what is needed to get to where. This means linking

the four questions in the Action Agenda to one another and connecting the implementation strategies to the performance measures. This will allow us to better prioritize actions and connect them to outcomes. If we don't address the highest priorities, we won't recover Puget Sound. A key element here is how and when funding will be available to undertake the required actions to recover the Sound.

- 4) **Stronger public-private finance plan:** King County recommends the Partnership set out a short-term strategy and a long-term vision for attaining funding. Included should be roles for the private sector and the public – it is unrealistic to expect that government can pay for everything, and the private sector, community groups, and citizens are critical to the success of this effort. The finance plan outlines existing and proposed contributions of federal, state, and local government agencies, but does not include information about contributions of the various private and community actors who should be engaged in this partnership. To not repeat the mistakes that have resulted in failed attempts to improve the Chesapeake Bay and Great Lakes, the private and community sectors need to be engaged in implementing solutions.

One other point here is that if the Partnership pursues authority to establish a Puget Sound district, it needs to be just that – **a single Sound-wide district, not several smaller districts**. We must create one entity that includes the participation of all Puget Sound residents, and allows flexibility to fund the most important actions wherever they may be in the Sound.

- 5) **Set clear priorities for 2009:** What are the Partnership's immediate priorities for 2009? We have recommended development of implementation strategies that are linked to a performance management framework and a short-term strategy and long-term vision for funding. In addition, there may be specific actions that can or need to be started immediately before other actions can occur.

General Comments

Organization of the Agenda

- The Action Agenda needs a table of contents and more standard pagination.
- Who is the audience for the document? At the front is a brief recitation of what citizens can do, but it either needs to include more actions that businesses government and community groups can take, or it should be made into a separate brochure. It seems out of place in this prominent position in the beginning of the document.
- There is a need for some overall clarification of terms and concepts as they are used in this document, how they all fit together. For example, terms such as goals, strategic priorities, categories of threats, actions, near-term actions, outcomes, indicators, and targets can blur together. Are near-term actions the highest priority? A set of definitions or a chart or diagram on how the terms relate to one another would be helpful.

Additional information and analysis

- It would strengthen the Partnership's case to show how this endeavor will be different from other major clean-up efforts around the country, demonstrating what lessons the Partnership has learned and how it will avoid similar pitfalls.
- There is additional detail that could be included in the document – information on costs and effectiveness (mentioned below) but also dates for completion, how to ensure it will get done.

It appears that much of this information is coming (e.g., the workplan calls for accountability). In addition, there are many recommendations that appear quite general, such as implementing other plans (begging the question of what this includes), or implement other actions “in line with Action Area priorities” which also is unclear. Perhaps this type of work is left to future versions of the Agenda.

- While many recommendations in the document appropriately indicate careful targeting of actions and state that actions must be cost-effective, more work is needed to identify clear priorities. A key element – costs of actions – has not yet been identified in the draft, yet many actions identified have a hefty price tag and resources will be limited. Cost information is anticipated in the December 1 version along with an assessment of effectiveness, which may allow for a prioritization or ranking based on cost-effectiveness, among other factors. It is important that this analysis be defensible, as it will likely suggest potentially controversial decisions such as funding certain actions over others, and directing resources to specific geographic areas that cross jurisdictional boundaries.
 - To that end, cost-effectiveness is one element of research that appears under-emphasized in the science plan. In addition to cause-effect studies, the research plan should continue to research cost along with effectiveness of actions. This could be another role for the science group, finance team, or other entity. The public will demand that resources spent are spent effectively.
 - In some areas, it appears that the Action Agenda is built with the approach of determining what actions are needed (without thinking about cost) and then to ask how to fund them. A different way to look at it – which may help in the prioritization process – might be to ask the question what would be done first if limited funding were available.

Funding

- The funding strategy is described as “incremental”, but it is likely that to be effective at restoring Puget Sound, it will be necessary to build a case for a bolder or more comprehensive approach. While trading, fee-in-lieu, and targeted procurement are good ideas for helping to allocate resources efficiently, these may not generate the volume of resources needed. There are also significant transactions costs associated with trading programs, given localized impacts and the nature of the Clean Water Act.
- The cost estimates for the three categories of current spending are off – much more than \$150 million per year is spent on habitat, stormwater, water quality, and other environmental projects, particularly if wastewater treatment is considered part of this calculation. However, since these funds cannot be redirected, it is not a critical number. It does need to be made clear that the \$60 million figure in direct current spending refers only to the Partnership (or the state?) and not to direct spending by other entities, particularly local governments.
- King County supports the concept of providing technical assistance and incentives to landowners, farmers, businesses, and others to enable them to steward their land and to decrease pollution into Puget Sound. However, local governments and agencies will need funding to offer such assistance since these types of programs generally do not have a dedicated funding source to keep them running.
- One proposed element of short-term funding is of concern – the diversion of MTCA funding, to the extent that this displaces funds available for required toxic sediment cleanup actions. Using the MTCA fund as a bridge to long-term funding will have significant impacts on several key components of the Agenda down the line. There are already more long-term needs identified for the fund than projected revenues, so the appearance of a large amount of available dollars does not in fact exist. The fund currently implements several key

components of strategic priority C that are critical for the removal of contamination and ongoing sources to the ecosystem. Many of the actions are long-term commitments made by local jurisdictions that have to rely on that portion of funding coming from the MTCA fund in order to meet their commitments. If funds were limited in these financial times, many would not be able to meet those commitments (many of which are under order or consent decrees). Numerous key components would be severely curtailed over the near term. The tradeoff is not better for the ecosystem.

- Another avenue for federal funds that was not identified would be to fully implement the federally adopted Comprehensive Conservation and Management Plan (CCMP) under the National Estuary Program. Puget Sound was one of the first Estuaries of National Significance to get a CCMP adopted.

Other

- We commend the Partnership for building on the WRIA salmon plans that lay out recommendations for restoration and protection actions, are founded on good science, and have been vetted through local partnerships.
- The organizational next steps for the Partnership are not well articulated. Options or a preferred option for the priority strategy E (Build and Implement the New System) should be more clearly spelled out, including the role for the Partnership. It appears that the Partnership is envisioned to have a planning, coordinating/facilitating, and funding role. Whatever it is, a vision for, and a strategy to achieve, an appropriate organizational design (institutional and financial arrangements) is needed. It seems appropriate to build on the momentum of the Action Agenda process to try to make this happen. Perhaps this could be in the form of a single special purpose district with specific funding sources, which the Legislature and voting public could put in place.
- What happens if actions are not implemented? It is not clear from the Action Agenda what authority the Partnership has to ensure implementation and what actions it will take against identified parties if the actions are not implemented. This was a big problem for the Puget Sound Water Quality Authority that significantly affected its ability to oversee recovery of the Sound. Implementers need to know what the consequences are of their decisions.
- There are a number of actions, particularly in strategic priorities D and E that include the phrase “in a way that is consistent with the Action Agenda”. This is too vague to provide much guidance to the identified parties. More detail should be provided in these cases as to specific objectives that are intended to be addressed under a particular action.

Specific Comments

Question 1

One of the weaknesses of the Chesapeake, Everglades, and Great Lakes work is that tracking just the environmental conditions is inadequate to help inform managers in a relatively short period of time as to what activities to implement. Environmental indicator data are critical to ensure the long-term recovery of these complex ecosystems, but we also need a much more robust performance management system that tracks dollars raised (inputs), projects put on the ground and work done (outputs), and some initial or intermediate result (outcomes) that can be identified and measured along the way, well before we can ascertain that orca populations are rebounding or shellfish beds are safe for harvest. It would also help the reader and force more systematic thinking if each of these “provisional indicators” could be graphed to show their current status, interim milestone target, and achievement of the full 2020 target.

Target dates and percentages should be set for achieving the “benchmark-interim milestones.” Demonstrating progress on the indicators will require many years of concerted efforts. An alternate, possibly more successful strategy would include identifying initial and/or intermediate outcomes that are not merely reduced percentages of the ultimate target to be obtained but that will lead to the achievement of these provisional high-level indicators. For example, measure “percent of eelgrass sites that have an active revegetation plan in place and are fully funded” (initial outcome) or the “eelgrass one-year survival rates after initial planting” (intermediate outcome) to indicate whether our intended strategies and approaches are in place and working.

Pages 3-4 Indicators, provisional targets, and benchmarks

- There is a tension between the desire to provide a short, simple, understandable list of indicators and the longer list of indicators really needed to reflect both the variety of the Puget Sound ecosystem and the range of recovery actions that might be taken. A solution that has been used by King County and also Ecology has been the use of synthetic indicators. Ecology has developed a fresh water quality indicators, and both King County and Ecology use or are developing synthetic marine indicators. In freshwater biota, the broadly used IBI is another example.
- Selection of PCBs and PBDEs in Chinook may not be the best water quality indicator, given that these pollutants may be provided more by atmospheric deposition and thus not as likely to be controlled before more direct water quality problems.
- Add a measure for rural and resource lands in preservation.
- Eelgrass as an indicator is probably too narrow for all of Puget Sound; some areas of the Sound don't have large areas of eelgrass as a result of the natural physical conditions such as bottom type and tidal range.
- The goals for forest cover are too modest to support a viable Puget Sound. We recommend a higher target and inclusion of upland forests as well.
- What is the science behind increasing the impervious surface area? How much have we already added since 2001? To allow an increase of 20 percent impervious surface when stormwater run-off is one of the top problems does not make sense.
- Need to clarify that Question 2 is based on the indicators in this table, not on others in the Indicator Appendix.
- The weakest indicator is the use of minimum instream flows in wet years instead of focusing on establishing healthy patterns of flow variability (e.g., environmental flow setting). Minimum instream flows is an increasingly outdated approach that often fails to provide important ecosystem services and benefits resulting from patterns of flow variability. Accordingly, an emphasis on minimum flows contradicts near-term strategy A.3.1.1. “...ensure instream flow rules are based on the most complete and current science pertaining to hydrologic processes.”
- Invasive species could have a potentially devastating impact on each of the six goals expressed in Question 1 and therefore need to be considered in a more fundamental way. Consider adding invasive species as a provisional indicator; target could be something like “Populations of invasive species are kept below the threshold of significant impact.” Benchmark could be “Existing populations of invasive species continue to decline; new infestations are eliminated through early detection and rapid response.” Consider involving the Washington State Noxious Weed Board in the mix of organizations working with the Partnership.

Question 2

Consider separating the discussion of the status of the Sound from the threats to the Sound – each deserves its own section.

Consider developing a draft scorecard to describe the health of Puget Sound. Such an exercise would encourage systematic thinking about what is to be tracked/measured, what threats need to

be abated, what data are needed, and what appropriate targets are. It would help focus the discussion of what is a measure, what is its current status, whether there is currently a target or benchmark, and what the key things are that will be improved, measured, and reported. This entire section could be strengthened by the presentation of graphs and maps to help tell a more persuasive and clearer story of the health and threats to the Sound.

Include a discussion of what the most important threats are, or even the threats that this Action Plan suggests we attack first. Provide a timeline for availability of the risk assessment mentioned at the end of this section.

King County science staff agrees that habitat alteration and loss, pollution, flow alterations are the three primary threats to the health of Puget Sound.

Measures (pages 2-4):

- Human well-being – Why are we using the amount of forest acres and impervious land area from 2001? What changes have already occurred since then? What about the upland forests – those are critical to maintain as well. What is the science behind allowing 20 percent additional increase in impervious surface? This is not acceptable when stormwater runoff is one of the main problems for Puget Sound.
- Species and food webs – Important food web species are not covered by recovery of Chinook salmon populations. How is this an appropriate measure of the health of marine or freshwater food webs? A dominant factor in this species' decline is loss of habitat, as well as things outside our control such as ocean conditions and ocean harvest. Chinook populations do not represent and are not an adequate indicator for terrestrial-based and non-migratory Puget Sound based species and food webs. More reasonable indicators would be populations of resident species – which are affected year-round by the Puget Sound environs. Other species, such as forage fish, particularly herring, are critical to the Puget Sound food web. Lower critical trophic levels, such as zooplankton, are also not mentioned.
- Freshwater resources – Is this measure adequate? Are meeting flow targets only in wet years the best we can do?
- Water quality – While this measure is admirable, bioaccumulation modeling being conducted by King County is demonstrating that there is likely to only be a 15-20 percent reduction in tissue levels even with 50 percent reductions in loadings (which would be more than we are likely to see by 2020). Northern stock accumulations are low due more to the influence of ocean water than by local loadings that the southern stocks will never have.

Page 4

- On page 4, it is stated “The magnitude of these threats is amplified by large-scale processes such as weather, volcanoes, earthquakes, ocean circulation patterns, population growth and climate change.” Yet climate change (which we can and do affect, both positively and negatively) and population growth are not addressed.
- Clearly define land conversion and discuss threats associated with it.

Page 5

We would prefer that sewage treatment facilities be termed wastewater treatment systems. Note that septic systems can be a source of loading even if they are functioning properly. Note that surface water runoff also adds fecal coli form bacteria – bird droppings, pets, etc. Note that vehicle emissions should be mentioned prior to other vehicle sources (e.g., oil spills) as they are a pathway for many chemicals. Is there evidence supporting the assertion of “harmful diseases”? It does not seem accurate that pollutants result in high temperatures in Puget Sound marine waters. (Could higher temps be due to climate change?)

Page 6

- The issue of harvest is inadequately addressed; current harvest and management practices may also be leading to species declines in addition to historic harvest practices. Multiple Puget Sound rockfish species are depleted due to overfishing. Recreational fishing of salmonids is also not addressed. Although fishing is discussed under “Other threats...” no actions are presented.
- Artificial propagation – text only calls out salmon, what about shellfish? Harvest refers to marine life, what about other resources such as timber?

Page 7

Will the integrated ecosystem assessment also look at effectiveness of actions, or just current threats and elements? What is the timing of the IEA and how does it fit into the strategy for moving forward next year and beyond?

Question 3

A goal to shoot for: listing the actions in order of priority or effectiveness.

Page 1

- Strategies should be the more specific approaches that will be taken to protect, restore, prevent, collaborate, and build the system. Strategies imply an explicit theory of change about how efforts will have an impact on the desired result.
- The five priority strategies are useful but may be misnamed, in that they are not priorities but rather categories of actions. The term priority implies ranking. Most all actions could fit under these categories.
- The strategy “prevent water pollution at its source” is good, but perhaps it is more appropriate to think of it as preventing water pollution as close to the source as possible, wherever it is most cost-effective. This could include preventing pollution from being generated in the first place (best), to stormwater controls (better), to discharge point solutions.

Page 2

As indicated at the outset, the document somewhere should more clearly articulate options for E (Building and Implementing the New System), so that the groundwork can be laid in the next several years. What is the vision for the Partnership as an agency?

Page 4

Guiding principles – The concepts are good. While a, c, and e rely on knowledge concerning effectiveness in order to focus on actions that are most effective, there is little information shown that allows us to know which actions have the most significant effect. While we need to move forward, we need to be sure we don’t spend significant resources on actions that are not demonstrated to have much effect. Need to build this understanding as we move forward.

Page 5

Protect working resources lands – does this include shellfish?

Page 6

- Watershed study of changes in land use patterns – there has been a lot of study on this already; isn't there enough to link land use and water resources planning?
- A.1 – change “vital rural communities” to “a rural economy.” Not sure what “vital” means in this context – focus should be on rural economy, which will indirectly protect rural area.
- Add another action: A.1.1.4 Support/encourage state legislation that seeks to direct development growth out of rural/resource areas and into cities (CTED Land Use Climate Change Committee and the CTED TDR Committee are expected to propose such legislation this year.)

Page 7

- A.1.3 – Stormwater retrofits should be defined.
- A.1.3.4. – Incorporate findings into permit reviews as well as plans, policies and regulations.

Page 8

- Near-term actions A.1.1 – What is the regional planning forum? Isn't this the Partnership?
- A.2 – Under resource lands, again no discussion on shellfish beds – are these considered in same way as farms and forests?
- A.2.1 – Include less than fee-simple strategies.

Page 9

- A.2.2 – Need to add language to modernize development vesting rights. This means applying better science used in more current land use policies and zoning to new developments (46 others states have more progressive vesting regulations than WA State). Any rules changes should not allow delay of essential public facilities; also need to ensure some level of certainty for applicants.
- A.2.2.6 – Insert the word “legislative” so that the text reads “Resolve legislative barriers that currently limit density and infill development . . .”
- Near-term action A.2.2 – Why is the wild and scenic designation being limited to just one river? The Partnership should follow the Oregon model where all rivers that met the criteria were pursued for designation as a single package.
- Near-term action A.2.4 – Add Maury Island to the list to be protected as an Aquatic Reserve.

Page 11

- Indicate somewhere what basin flow protection and enhancement programs are in the Puget Sound Chinook Recovery Plan.
- A.3.3 – State law refers to reclaimed water, not recycled water. Use consistent terminology.

Page 12

The term “graywater” (greywater) should be defined somewhere.

Page 16

- What are examples of large scale restoration projects that are envisioned/proposed as experimental designs?
- Emphasize importance of long-term stewardship of projects, encouraging ideas such as establishing an endowment-based program where projects pay into a fund as part of construction costs, which then can be tapped by volunteer groups to ensure that maintenance is established.

- Should define what the Puget Sound Nearshore Partnership and its General Investigation is.
- B.2 The problem of pending natural resource damage claims under NRDA is a disincentive to conduct any habitat improvements during cleanup actions. May be worthwhile to convene a process to investigate how this can be ameliorated. The Elliott and Commencement Bay restoration programs are working on proposals to develop an endowment- or annuity-based program where the projects pay into the fund as part of construction costs to ensure that the maintenance is conducted. The fund then works with volunteer groups to provide annual assessments and maintenance to get the sites established. This program is also consistent with Priority E. We request that the approach is supported in the Action Agenda. Near-term action would be to set up the fund, develop costing for maintenance needs so that projects can develop the capital costs for long-term maintenance, and encourage existing sites to opt into the program once established to get it started.

General comments on strategic priority C

- Treated municipal wastewater should be put into a separate category from other sources of pollution because it is permitted to comply with water quality standards such as not harming fish and wildlife or not causing direct health risks to people.
- Text perpetuates misconception of “new” pollutants. Many or most of these are not new as much as our recognition of them is new, due to new testing methods; these are not newly discharged so much as newly discovered. It is probably more appropriate to say that “we are beginning to recognize that additional pollutants...” While it is important that we address this issue (and source control appears to make the most sense) – we should not be unduly alarmist.
- Strongly support the adaptive, tiered approach to Priority C as there are many data gaps to our knowledge on cause and effect and the relative effectiveness of many of the identified actions. Such an approach will be critical in prioritizing many of these very resource intensive responses.
- Please consider the application of the existing state antidegradation law in the implementation of strategic priority C. It has not been consistently considered or applied in the implementation of water quality programs in the state.

Page 20

- Include personal care products along with pharmaceuticals.
- C.1.1 – Add an action to work with Ecology, EPA, and Drug Enforcement Agency to allow and encourage pharmaceuticals takeback programs. King County has a pilot program under way.
- **C.1.2.3 – Clarify that “no discharge zones” pertain to discharges from vessels.** It would be incredibly expensive and not possible to turn Puget Sound into a no-discharge zone by 2020.

Page 21

- C.1.3 – Need to integrate water quality objectives into land use regulations and decisions. GMA does not do this currently.
- Near-term action C.1.1 – Would outreach program include personal care products in addition to pharmaceuticals?
- **C.1.5 – Again, clarify that EPA no discharge zones pertain to vessels.**
- C.1.7 – Not sure what Shellfish Protection District Plans and Marine Managed Area Plans are. Consider providing a brief description of what these include or a link to an appropriate website.

Page 22

- C.2.1.1 – King County supports watershed-scale stormwater permits. We are currently doing a pilot study in Juanita to look at this.
- **C.2.2.1 – This implies that implementation of the NPDES municipal stormwater permits will result in water quality standards being met. This is a fatal flaw that needs to be corrected in this Agenda for several reasons, the most key being that these permits only regulate discharges from municipal-owned and operated stormwater systems and not from private systems or other sources. As a result, the permits do not control all discharges that may contribute to a violation of water quality standards. The verbiage should call for the permits to be implemented so that the discharge of pollutants from municipal stormwater systems is reduced to the maximum extent practicable in order to achieve compliance with water quality standards.**
- C.2.2 – There should be an action that calls for improving the NPDES municipal stormwater permits in the next permit term, which starts in 2012, to include required basin/ sub-basin planning to identify waterbody-specific actions (e.g., retrofits, development standards, education, etc.) necessary to remove or prevent impairments of beneficial uses caused by stormwater discharges. The 2012 permit should also include requirements for municipalities that share waterbodies to collaborate on such planning efforts and subsequent implementation of identified actions. Finally, the 2012 permits for Phase I and Phase II should have the same requirements, so that stormwater is managed consistently across the region and is more coordinated.
- C.2.2.2 – Not sure whom this includes
- C.2.2.4 – The last sentence should be revised to require LID where feasible per the Pollution Control Hearing Board's ruling on the Phase I permit appeal.
- **C.2.2.5 – Support looking at CSO from a watershed perspective. However, a focus group (page 23, C.2.5) is not the appropriate forum for this. Rather, the group convened should consist of regulating agencies and regulated parties.**
- C.2.2.6 – The word “pollution” should be inserted before “prevention strategies” in the last sentence. Also, although not a fatal flaw, the first sentence should add the following: “and in suburban areas with the highest quality water resources.”

Page 23

- Near-term action C.2.6 – We suggest that the second sentence be revised to start with: “Begin identifying and implementing projects . . .”
- **C.3 – Prefix discussion of wastewater with Untreated wastewater. Should read: “Untreated wastewater is a source of a broad spectrum of pollutants...”**
- Add septic system in second sentence: “Wastewater treatment removes or transforms many but not all contaminants, and treated municipal and septic system sewage contains small amounts of personal care products...”

Page 24

Add to last sentence indicating that septics have limited effectiveness on emerging contaminants, e.g.: “Well-designed, sited, and constructed on-site septic systems are effective at removing pathogens and indicator bacteria from wastewater, though they are less effective at removing *nutrients and trace organics such as personal care products or pharmaceuticals.*”

Page 25

Near-term Action C.4.1 – This is an important action, but who will do it? The general funding of local health departments is inadequate currently.

Page 26

- C.5 – Near-term actions: Refine Ecology near-term prioritization criteria – does this incorporate sites identified in all CERCLA actions in Puget Sound? How is it coordinated?
- C.6.2 – Could develop a “real time” website (like King County CSO notification).
- D.1.2 – Agree with need for coordination, particularly consistency in shoreline management plan program regulations.

Page 29

- D.1.6 – Include shellfish hatcheries and farming in artificial propagation methods.
- Near-term action D1. – Add another action (#8) to start working towards explicit watershed-based coordination for the 2012 permit cycle for municipal NPDES permits. This could also go on p.32 under D.4.
- D.2 – King County supports this action related to climate change.

Page 30

- D.3 – This section appears overly general and not cognizant of the limitations on resources. Many of the recommendations are to fully fund, or provide adequate capacity, or increase coordination. Many recommendations lack specificity and could be developed further.
- D.4 – Agree that regulations can be better coordinated and streamlined to focus regional resources on environmental priorities. Interjurisdictional and geographic coordination of effort is needed as well.

Page 37

D.5.4 – Should include training for jurisdiction permit review staff (along with contractors, design professionals, and developers).

Page 38, strategic priority E

This gets at next steps, including establishing a performance management system and continuing to engage the leadership council, ecosystem coordination board, and science panel. It also calls for providing sufficient, stable funding. However, it does not articulate next steps toward building the regional institution nor a vision for the agency’s role. For example, should some sort of regional special purpose district be authorized, with the possibility of going to a public vote to establish a funding source?

Page 39

Section E appropriately discusses communicating to the managers, stakeholders, and interested public. Consider using the Association of Government Accountants’ Performance Measure Reporting Guidelines, found at: <http://www.agacgfm.org/performance/sea/seaguidelines.aspx>

There is no explicit linkage to the Governor’s Government Management Accountability and Performance (GMAP) program. Although it is clear many other actors will be participating in implementing the Action Agenda, it should note how actions and results coordinated and implemented by the Partnership will be included in the GMAP process. This is an additional form of accountability that the Partnership should see as a benefit to its own internal processes.

On that same page, the adaptive management/performance management system will have to be based on the Agenda’s overall strategy. The more clear, concise, and strategic the Agenda, the

more likely that the measurement system will be able to track its efforts and effectiveness. The types of measures are not clearly delineated but we strongly suggest measuring all of the following types of performance measures: outputs, initial and intermediate outcomes, and environmental outcomes. One type of measure should also address threat reduction, which is not specifically identified in the current draft.

Page 40

E.1.2.2 describes having a performance measure for “all actions.” While this is important, more important but missing is a sense that there will be an overall strategic map that shows how performance measures for these actions are related, roll up, or support the plan’s overall strategic intent. It is easy to create a measure for every action, but it is much more difficult to develop a set of nested, cascading measures that show progress towards achieving a complex, long-range goal such as ecosystem recovery. This should be one of the Partnership’s top priorities. Such a strategy map could take the form of a logic model (used by federal, state, and local governments), an ecosystem stress/response model (used by The Nature Conservancy among others), or some other standardized theory-of-change approach. Such a framework would make more explicit and apparent:

1. environmental outcomes
2. threats
3. actions to improve the environment or decrease threats
4. measures to track both implementation of actions (outputs) and initial outcomes (impacts/results).

A critical addition in the next iteration is a clear articulation of, and accountability framework for, the highest value and most critical contributions of a broad array of private and community actors – those residents, churches, car dealers, nurseries, farms, office complexes, and others who need to shoulder land management and behavior adjustments that will allow human settlement patterns and activities in the Puget Sound basin to fit within the constraints of our ecological setting. Intermediate outcomes could be structured to attribute responsibilities to associations of organizations (clusters of actors) whose membership is mostly based in Puget Sound watersheds. Possible examples are:

- Puget Sound Building Owners and Managers Association
- Real Estate Association of Puget Sound
- Puget Sound Environmental Organizations
- Puget Sound Homeowners Association
- Rental Housing Association of Puget Sound
- Puget Sound Shipbuilders Association

Question 4

This section is not yet developed. It seems that this prioritization – based on cost and other factors, is very important and hopefully will be thoughtful and defensible. Costing out such actions will take time to do accurately.

In the table, it appears that much of the role the Action Agenda suggests for the Partnership is to assist in planning, facilitating/coordinating, and funding. This is somewhat similar to the French model of large basin agencies.

Local governments, such as King County, devote substantial resources to and play an essential role in actions listed under Priority B, warranting mention in the master table.

King County has invested substantial resources in prioritization efforts, typically using criteria that are similar to the generalized priorities of the Partnership. We recommend building from and integrating existing prioritization efforts rather than starting from scratch, which would nullify prior investments.

Draft Funding Strategy

- The strategy appears to call for an incremental, strategic approach that emphasizes cost-effectiveness. Such an emphasis is appropriate, and the actions need to be ranked and evaluated with this in mind (this is apparently in process). However, while market-based approaches can work (to a limited extent, given regulatory and other constraints) to focus on cost-effective solutions, it may be appropriate to craft some sort of vision for an organization that will generate sufficient resources to make a difference.
- Addressing the gap (page 5) – The cost estimates suggesting a total of \$200 million are not clear, but the level of this not surprising. The major element of this is the \$100-\$150M in state general obligation bond appropriations. This should be supported (although given the current economic climate, state financial position and limits on general bond obligations, it is not clear if this will be successful). The short-term proposal to use MTCA funding is problematic because it would divert funds anticipated to assist jurisdictions making long-term commitments to clean-up actions (e.g., removal of toxic contaminants) that would benefit the ecosystem.
- A key element of the funding strategy that should be highlighted is the likelihood of needing to transfer resources across jurisdictional or even programmatic areas to allow for focus on the highest priority problems. Trading shows some (but arguably limited) potential for this, given the nature of water regulations and local concerns (political and otherwise). Because existing entities have limited ability to do this for legal or jurisdictional reasons, it suggests the need for some sort of special purpose district.
- Dedicated funds can limit flexibility in applying them where most needed and to highest priority actions.
- Another option to consider is cost-sharing among participants to provide coordination and to achieve highest priority actions. Use of cost shares should be tied to regulatory compliance.

Action Area Profiles

The South Central Action Area profile is fine, as it does suggest appropriate priorities (i.e., what is included on the one page sheet). The table appears to be a good synopsis of efforts that are planned or under way. However, few new ideas or initiatives are presented, beyond expanded integration and coordination of regional efforts and updates of existing regulations.

First column of the table:

- Revise statement about hatcheries as food resource to say that they provide harvest opportunities. Statement about hatcheries providing “population stability while wild populations rebuild” is inconsistent with statement that they may have “negative ecological and genetic impacts on natural salmon.” Evidence for hatcheries providing stability is poor. Include the acquisition of high priority habitats in Middle Green River and Vashon in Priority Action Area Strategy A.
- It is important to note value of Alpine-Lakes Wilderness and Mt. Baker-Snoqualmie National Forest.

- The only “unique species” mentioned are salmonids. Salmonids are as unique to Puget Sound as species such as marbled murrelets and northern spotted owls; all these species are in decline, but none are endemic to Puget Sound. King County is home to two endemic species of beetles, both of which rely on bog habitats. We also have the remnants of one of the largest populations of Margaritifera mussels in the state. These and other species should be mentioned as well.
- In terms of unique habitats, there are glaciers and alpine lakes in our Alpine Areas - these are the headwaters of some WRIA 7 streams. It is presumed these habitats will be affected by climate change, and it is presumed that things such as pollution may also affect them and the unique species that rely on our alpine areas. This is just one example of the types of habitats that are ignored in this salmon-focused agenda but that add to the region's biodiversity.

Third column of the table:

- Under A, 2nd big bullet on Protect and Conserve Water Flows – **delete reference to “regional water supply planning process”**, but keep the rest of the sentence.
- Suggest adding Lake Union MTCA site to the sites that need priority. Lake Union is a major thoroughfare for migrating salmon, which often temporarily suspend their migration in Lake Union and the ship canal while they equilibrate to salinity changes. In addition, a number of resident species use Lake Union as habitat.
- Reduce Sources of Water Pollution: Work with Puyallup Tribe, Public Health—Seattle and King County, and homeowners to restore shellfish beds in Quartermaster Harbor. This is not the only place within the South Central Action Area with prohibited shellfish beds; see link for PS view: <http://www.doh.wa.gov/ehp/sf/Pubs/ai-map.pdf>; specific data on Quartermaster Harbor: <http://www.doh.wa.gov/ehp/sf/Pubs/gareports/qtrmstr.pdf>
- Reduce Sources of Water Pollution: Add language to promote and encourage reclaimed water as a pollution prevention strategy.

Biennial Science Workplan

Frankly, we did not have sufficient time to review this document. Here are a few preliminary comments.

Chapters 1 and 2 – Content appears to be satisfactory.

Chapter 3 – The Science Plan suggests that substantial modeling and indicator development are needed in order to "understand" Puget Sound. This may be true for select areas like the impacts of emerging chemicals and to create ongoing benchmarks of success or failure. However, the real threats to Puget Sound – overfishing, habitat and flow alteration, toxic stormwater, and toxic sediments – are well known. These issues are typically well documented, although those efforts are often not well known outside the responsible agency.

Direction from the RCW is to “restore Puget Sound”, however, to date, there has not been sufficient funding of integral components such as implementation of the salmon recovery plans. The Science Plan's education, training, outreach, and communication efforts need to be placed front and center to develop and integrate the existing knowledge into a compelling story worthy of the expensive, politically challenging investments required of the public, governments, and business to restore Puget Sound.

Programmatic SEPA Checklist

King County staff did not have time to review this document and do not offer any comments.

We appreciate the opportunity to comment on the draft Action Agenda and apologize for the volume of detailed comments and edits. Because of limited time between now and December 1st, we have concerns about how much input you are able to incorporate. Therefore, we consider this document to be a dynamic one that will become more bold and clear as we move forward with details and direction on implementation and clearly defined short-term and longer-term priority actions.

King County is committed to continuing to provide expertise and resources to our shared commitment to Puget Sound. We look forward to working closely with you and the Leadership Council in 2009 as we get down to the detailed and hard work of aggressively recovering the Sound. We also look for more direction from the Partnership on the legislative agenda and support from local governments in Olympia. We all face daunting budget challenges but we can and must prioritize the recovery of Puget Sound. The public counts on us to ensure that this national treasure will be there for future generations and we must communicate the sense of urgency and make them a partner in this effort to recover and protect the Sound.

Warmest regards,



Ron Sims
King County Executive

Cc: Teresa Jennings, Director, KC Department of Natural Resources and Parks
Puget Sound Team

Attached are several graphics depictions of key elements of a more comprehensive performance management framework for the Action Agenda:

- Graphic 1 is a modified Pressure-State-Response Model, which sets the context for a logic model
- Graphic 2 is a Logic Model Mock-up, showing which elements are currently included in the draft agenda and those that are missing
- Graphic 3 is a Performance Management and Adaptive Management Process Overview
- Graphic 4 is a Cross-Sectoral Collaboration and Attribution Model

Puget Sound Partnership
our sound, our community, our chance

Graphic 1: Mock-up of PSP Action Agenda Modified Pressure-State-Response Model



- Built environmental configurations (e.g.: stormwater controls)
- Behaviors of residents and businesses (e.g. yard care practices)
- Demographics
- Land use patterns
- Vehicle Miles Traveled
- Imperviousness and forest cover loss
- Septic systems
- Agriculture

- Human health
- Human Q.O.L.
- Species/ food web
- Water quality
- Water quantity
- Habitat and land use

Who's doing what, when, and what do we know about the effectiveness, duration, and sustainability of these actions?

Inventory, categorize and assess the lifecycle **'recovery value'** of potential actions in terms of their spatial catchment, intensity, duration of action and context relevance

- Priority actions by various sectors, sub-sectors and organizations that address:
- agreed upon level of effort
 - performance targets
 - monitoring and reporting mechanisms
 - transparency agreements

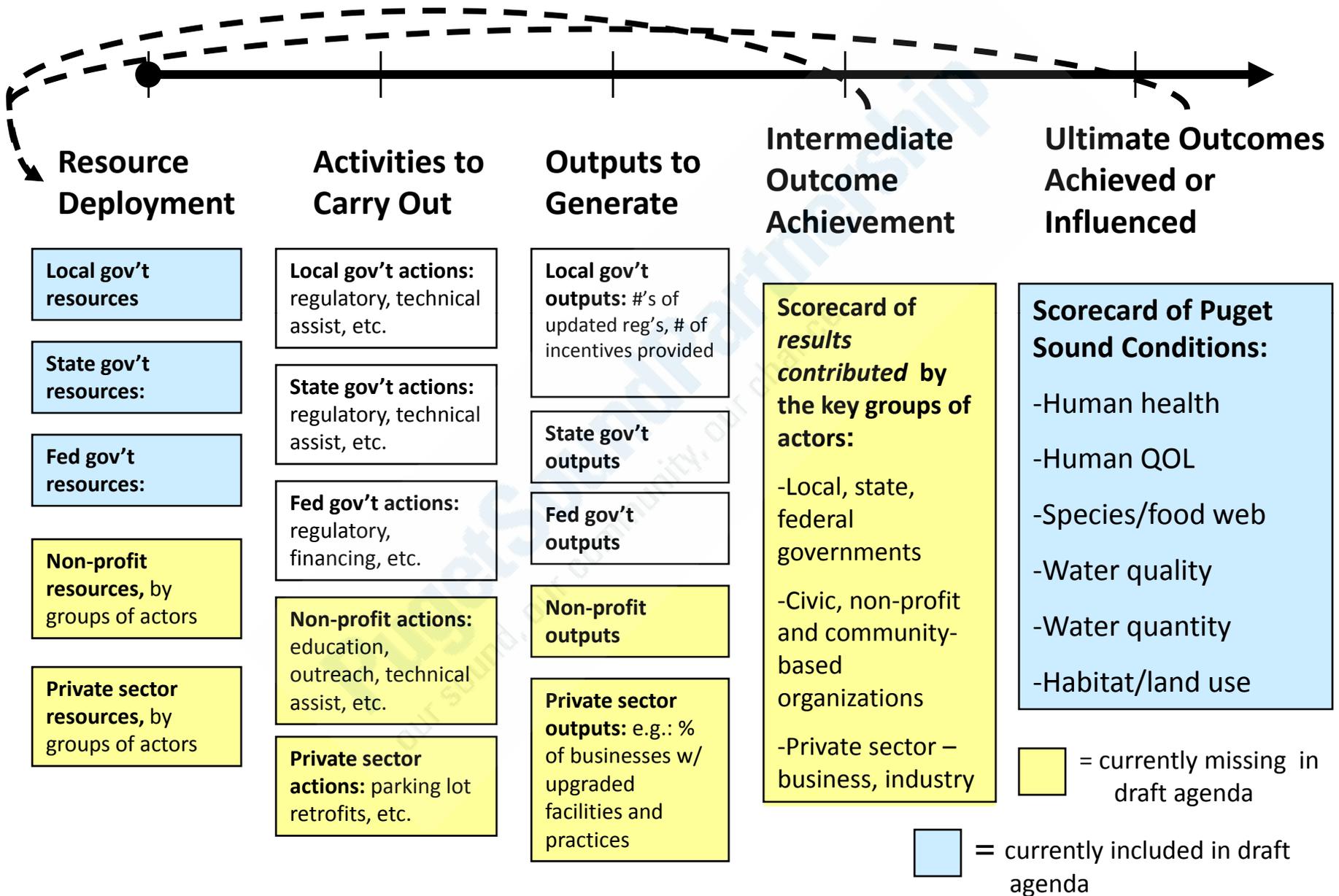


= currently included in draft agenda

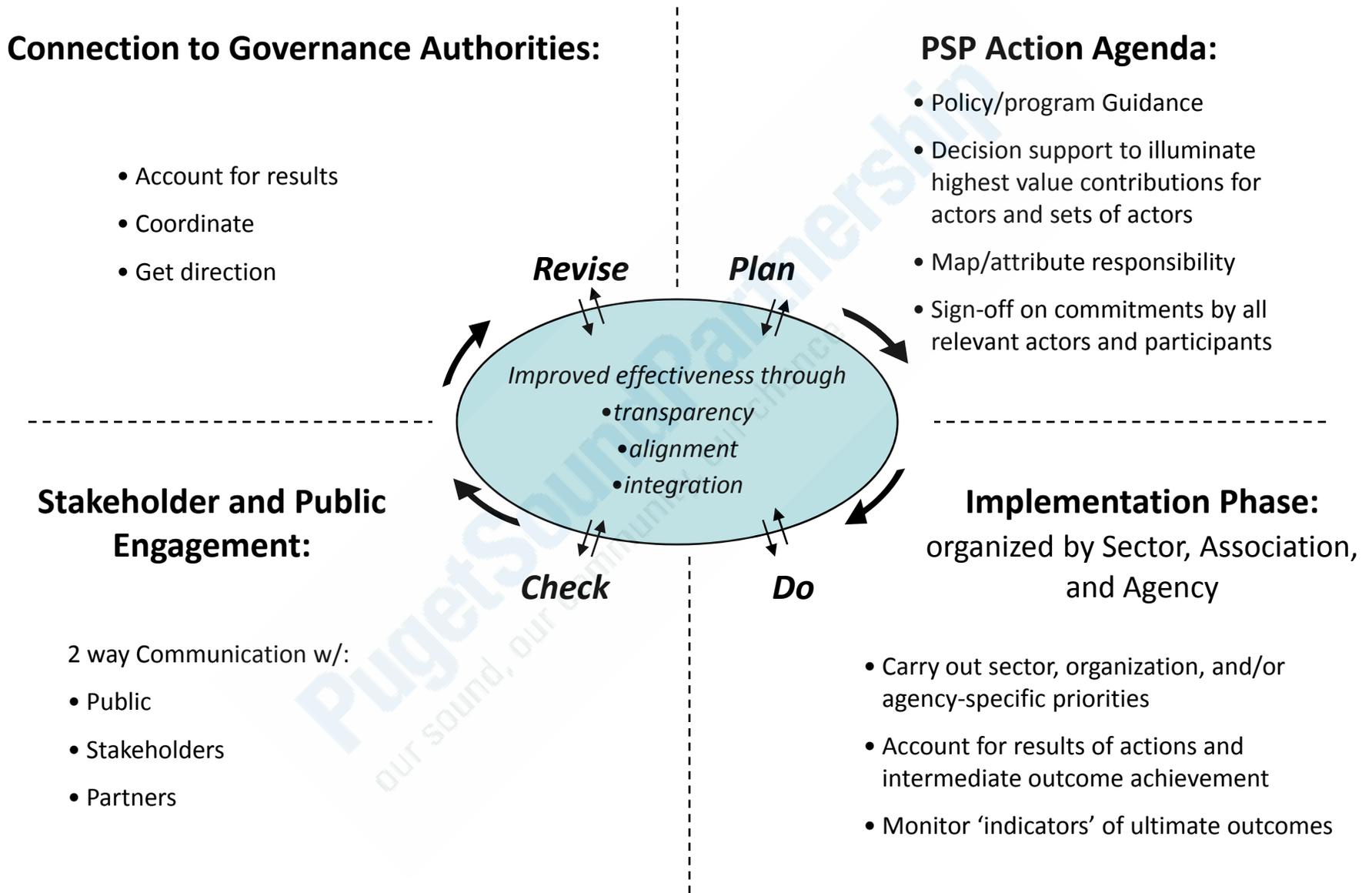


= currently missing in draft agenda

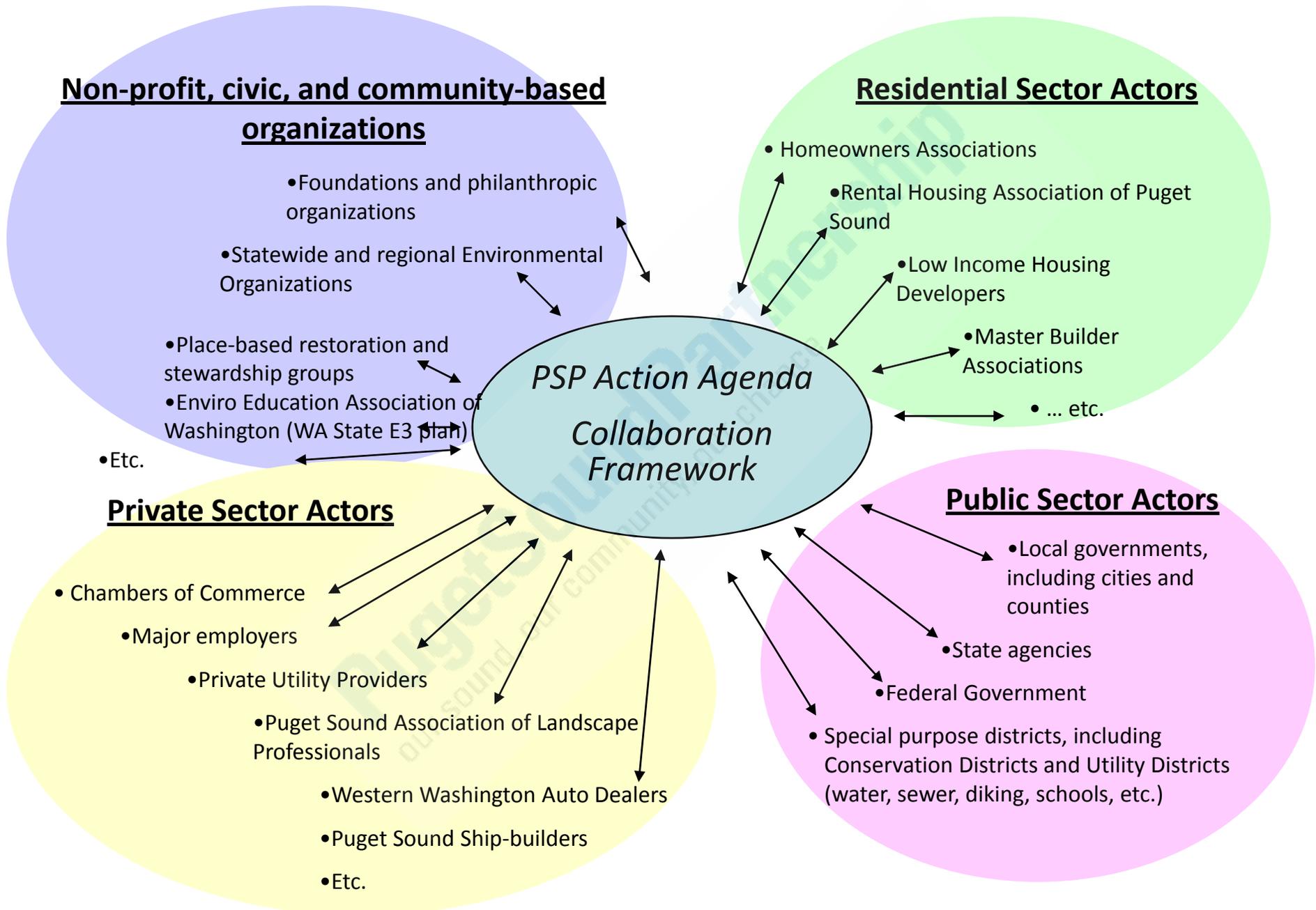
Graphic 2: PSP Action Agenda– ‘Logic Model’ mock-up



Graphic 3: Mock-up –PSP Action Agenda Performance and Adaptive Mgt. Cycle



Graphic 4: Mock-up –PSP Action Agenda Cross-Sector Collaboration/Attribution Framework



From: Nancy Hutto, King County Agriculture Commission

Comment: To Whom It May Concern:

As Chair of the King County Agriculture Commission, I have been directed by the Commissioners to comment on the PPS draft action plan.

The King County Agriculture Commission has spent years educating urban leaders and environmental activists about the value of farmland for the environment, water resources, and fish. We have argued that the mission of saving farms and protecting fish runs go hand in hand. We applaud your recognition of the value of working resource lands in protecting Puget Sound.

Over the last two decades, local farms have made many improvements to better protect resources. In the Snoqualmie Valley Agricultural Production District, we have voluntarily planted over 5 miles of river banks and 5 miles of stream banks. Some of us have visited Whatcom County where farmers have enhanced many miles of streams in the Nooksack Valley.

Our only comments are that the plan needs more specificity, and that the viability of agriculture needs to be highlighted. We face many environmental regulatory requirements that threaten our viability at the same time that we are doing more than many to improve and restore habitat. Please act on your stated objectives of providing collaboration to address conflicts, to streamline or coordinate local, state, and federal permits, and to conduct mitigation on a watershed wide basis.

Medicine Return Program in Washington State

Safe Collection and Disposal of Unused Household Medicine

130 Nickerson St., Ste. 100
Seattle, WA 98109
206-263-3089 
info@medicinereturn.com
www.medicinereturn.com

Coalition Members:

*Interagency Resource for
Achieving Cooperation (IRAC)*

*Local Hazardous Waste
Management Program
in King County*

*Northwest Product
Stewardship Council*

*Pacific NW Pollution
Prevention Resource Center*

*Public Health -
Seattle and King County*

*Snohomish County
Solid Waste Division*

*Washington Citizens for
Resource Conservation*

*Washington State
Department of Ecology*

Project Advisors:

*Washington State Board
of Pharmacy*

*Washington State
Department of Social
and Health Services -
Aging and Disability
Services Administration*

Pharmacy Partners:

Bartell Drugs

Group Health Cooperative

November 20, 2008

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

Dear Chairman Ruckelshaus:

On behalf of members of the Medicine Return Program in Washington State, a diverse coalition of health groups, environmental organizations, local governments, and pharmacy partners, we are writing to comment on the draft 2020 Action Agenda for Puget Sound. We fully support the Puget Sound Partnership's identification of pharmaceuticals as a priority pollutant to be addressed in Puget Sound and commend the Partnership's recognition that implementation of a pharmaceuticals take-back program is a key part of the solution to this problem. In this letter, we also provide comments about ways to ensure a take-back program is most effective in reducing the amount of pharmaceuticals entering the Sound.

Pharmaceuticals and over-the-counter medications are a diverse set of biologically active chemicals that are now routinely detected in streams and waterways, including Puget Sound. Residents of the Puget Sound area and all Washingtonians need to be educated not to flush unwanted medications and provided with a safe, secure, and convenient medicine return program as a method of disposal that reduces risks of accidental poisoning, drug diversion, and environmental contamination. Our experience with the PH:ARM Pilot (Pharmaceuticals from Households: A Return Mechanism) in Washington State has demonstrated that demand for a safe and secure way to dispose of medications is high and that pharmaceutical take-back programs are viable. Launched in 2006, this pilot program established a replicable model for collecting unwanted drugs from the public via both retail and managed-care pharmacies. It currently includes 25 clinic pharmacies, 12 retail pharmacies and two boarding home/assisted living centers in six counties, including the Puget Sound region. With limited locations and essentially no advertising, the pilot program has already collected and disposed of 15,000 pounds of unwanted prescription and over-the-counter medications. (For more program information, please visit www.medicinereturn.com.)

To provide the greatest toxics reduction for Puget Sound, we encourage the Partnership to specify that pharmaceuticals collected through a take-back program should be disposed at a hazardous waste facility, rather than at municipal solid waste facilities. Disposal of medicines at solid waste landfills merely postpones pollution of surface and ground waters and soil. Landfill leachate has been found to contain trace levels of pharmaceuticals. In modern lined landfills in the Puget Sound area, the leachate is collected and pumped to wastewater treatment systems. For example, during the rainy season, the Cedar Hills landfill in King County pumps one million gallons per day to one of its wastewater treatment plants which discharges treated wastewater to Puget Sound. Wastewater treatment plants are not designed

to remove pharmaceutical compounds, and early studies show that many of these compounds remain in treated effluent. In Washington we also have nine active older landfills that are not lined, allowing leachate to directly enter the ground water. Finally, the Department of Ecology has determined that most waste pharmaceuticals designate as either federal hazardous waste under the Resource Conservation and Recovery Act (RCRA) or as dangerous waste under WAC 173-303-100. We therefore encourage the Partnership to specify hazardous waste disposal as a requirement for a pharmaceutical take-back program to protect the Sound. We also encourage the development of new technologies that provide even greater protection to human health and the environment than current hazardous waste disposal technologies.

The Action Agenda lists "implement a pharmaceuticals take-back program" as a "priority action area strategy" only for the South Central Action Area. The problem of pharmaceuticals in our environment is a concern throughout the entire Puget Sound area, and the entire state. We support creation of a producer-provided statewide medicine return program to provide convenient and secure service to all residents of the Puget Sound Region and throughout the State.

A statewide, sustainable medicine return program is an important and viable near-term action to reduce pharmaceuticals loading into Puget Sound. The majority of pharmaceuticals, however, likely enter the environment after being excreted from the human body. Development of new technologies to remove pharmaceuticals and other organic contaminants from wastewater is needed to address this problem. We therefore support strategy C.3.4 "Continue to investigate and invest in technologies that reduce nutrients, pathogens and emerging chemicals."

We thank the Puget Sound Partnership for its emphasis on addressing the problem of pharmaceuticals in our environment and your efforts to restore water quality in Puget Sound. The Medicine Return Program supports creation of a statewide medicine return program - financed by drug manufacturers, not taxpayers - to provide convenient and secure service to all residents of Washington State. Legislation to authorize this program will be introduced during the 2009 session.

Sincerely,



Dave Galvin
Program Manager
Local Hazardous Waste Management in King County
King County Department of Natural Resources and Parks
dave.galvin@kingcounty.gov
206-263-3085



Debra Taevs
Interim Executive Director
Pacific Northwest Pollution Prevention Resource Center

From: Scott Moore, King County

Comment: From the King County Noxious Weed Control Board

Thank you for the opportunity to comment on the Action Agenda draft. We hope that you will more carefully consider the role of invasive species in the overall health of the Puget Sound region as the project progresses. We would welcome the opportunity to work more closely with the Partnership on these issues.

The Action Agenda does not adequately address the potential impacts of invasive species. Below are the questions posed in the Action Agenda and how we would like invasives included in each.

Question 1: What is a Healthy Puget Sound? Invasives could have a potentially devastating impact on each of the six goals expressed in Question 1 and therefore need to be considered in a more fundamental way.

Question 1 goals with examples of how invasive species affect each:

(a) A healthy human population supported by a healthy Puget Sound that is not threatened by changes in the ecosystem; Noxious weeds such as giant hogweed are directly toxic to humans, while others, such as Eurasian watermilfoil and fragrant water lily, are the cause of several drownings each year. Dense stands of submerged or floating noxious weeds also increase mosquito habitat.

(b) A quality of human life that is sustained by a functioning Puget Sound ecosystem; Numerous invasive species have a direct impact quality of life. They affect recreation by clogging waterways (reed canarygrass) or fouling boat motors and fishing gear (Eurasian watermilfoil, zebra mussels); they directly affect agriculture (tansy ragwort, Canada thistle); and they impact the economy (millions of dollars spent each year controlling noxious weeds).

(c) Healthy and sustaining populations of native species in Puget Sound, including a robust food web; Invasives outcompete native species in many ways, from the tunicates smothering shellfish to purple loosestrife, knotweed and butterfly bush pushing out valuable riparian species or garlic mustard interfering with mycorrhizal fungi and associated trees. It is not only rare and endangered native species that are affected by invasives.

(d) A healthy Puget Sound where freshwater, estuary, nearshore, marine, and upland habitats are protected, restored, and sustained; Many invasives directly alter habitat. For example, Spartina species will eventually turn mudflats to high marshes by trapping sediments; invasive knotweeds can form monocultures along riparian systems affecting the food web, stream water quality (temperature) and woody debris recruitment; and nutria are known to devastate wetlands through herbivory and erosion due to burrowing activities.

(e) An ecosystem that is supported by ground water levels as well as river and stream flow levels sufficient to sustain people, fish, and wildlife, and the natural functions of the environment; Aquatic noxious weeds such as reed canarygrass, Eurasian watermilfoil, Brazilian elodea, purple loosestrife, etc., clog streams, altering water flow and affecting fish passage.

(f) Fresh and marine waters and sediments of a sufficient quality so that the waters in the region are safe for drinking, swimming, shellfish harvest and consumption, and other human uses and enjoyment, and are not harmful to the native marine mammals, fish, birds, and shellfish of the region. Submerged and floating aquatic noxious weeds, if allowed to form dense stands, alter water quality by increasing water temperature, decreasing surface mixing, and changing the nutrient balance.

Conclusion: We would like to see invasives added to the Provisional Indicators list, with an entry such as the one provided below. The existing state and county noxious weed boards have an abundance of data on noxious weed population levels and their control. These data make at minimum the control of invasive plants easy to measure. Provisional Indicator Target -"desired condition for 2020 (unless other date specified) Benchmark -"interim milestone Invasive species Populations of invasive species are kept below the threshold of significant impact Existing populations of invasive species continue to decline; new infestations are eliminated through early detection and rapid response

Question 2: What is the status of Puget Sound and what are the biggest threats to it? Again, we'd like to see invasive species as an indicator. Salmon recovery is of vital importance to the region, but the health of the Chinook population is not a good indicator of all of the habitats (including upland) covered by the Action Agenda. Including invasive species as an indicator of Species and Food Web health would balance that out. Also, although it is good that invasive species are listed as one of the major threats, we would like to see the issue included under the subheading "What are the biggest problems that we need to begin to address?" as well.

Question 3: What actions should be taken that will move us from where we are today to a healthy Puget Sound by 2020? Although the control of invasive species is relevant to each of the five priorities identified in this question, it is most associated with Priority A.

Priority A: Protect Intact Ecosystem Processes, Structures, and Functions Below is the text of subsection A.5 Prevent and rapidly respond to the introduction of new invasive species. Invasive, non-native species are brought to the Puget Sound through many ways such as imported fruits, plants, vegetables; ballast water discharge from ships; imported soil; and commercial/recreational boat hulls. In Puget Sound, invasive species can alter native species and habitats in a variety of ways, including but not limited to competing with or feeding on native species, reducing the resiliency of ecosystems, changing local habitats, affecting flood patterns, and introducing diseases. Preventing the introduction of new invasive species is more effective than trying to reduce and remove them later.

A.5.1 Implement key recommendations for the Puget Sound region that will prevent the introduction of new invasive species as identified in the Invasive Species Council "Invaders at the Gate" Strategic Plan.

A.5.2 Reduce potential risks from ballast water.

A.5 Near-term Actions

1. Advocate for national or west coast regional ballast water discharge standards.
2. Implement the Department of Fish and Wildlife ballast water regulatory compliance monitoring

program.

3. Develop a Puget Sound baseline and database of invasive species to guide control efforts.

Conclusion: It's good that the Action Plan recommends the principle of "early detection -" rapid response," which is a cornerstone of invasive control. However, this section does not go far enough. At minimum the Action Plan should acknowledge the work of the state and county noxious weed control programs around the Sound and pledge to work with them. It's true that "Preventing the introduction of new invasive species is more effective than trying to reduce and remove them later," but the ongoing work to control and reduce the very real impacts of existing noxious weed infestations needs to be recognized as well. Also, since the noxious weed programs are working toward the control of invasive plants, the Action Plan should advocate (under heading A.5) for increased support and funding for the detection and control of other invasive organisms, particularly animals (zebra mussels, green crabs, New Zealand mud snails, etc.). Ballast water is only one potential vector for the introduction of these species.

Question 4: Where do we start?

Conclusion: We would like to see the Washington State Noxious Weed Control Board represented in the mix of organizations involved in this Action Plan. At minimum, the weed boards have valuable data to share. Our ultimate goal with this is to make sure invasive species, the "silent" invaders, don't sneak up on us and cause any of these plans to fail. It is much more useful to keep invasives at the forefront of the discussion so that their long-term affects are minimal.

From: Julie Stangell, King County Rural Forest Commission

Comment: The following general comments are posted on behalf of the King County Rural Forest Commission (RFC). The RFC has covered many of the topics presented in the Draft Action Agenda pertaining to the management and regulation of forest resources in rural King County. The Rural Forest Commission supports long-term protection and stewardship of working farms, working forests, and aquatic lands to help maintain ecosystem functions and ensure the viability of rural communities. We also support mechanisms such as tax incentives, purchase of easements, grants, forestry technical assistance and education for forest landowners. The RFC supports the Washington Forest Practice Rules for their high standard of protecting aquatic resources and riparian areas through buffering, as well as stringent road maintenance and construction requirements on private lands. Keeping working forests in production is a key element in preventing conversion to urban land uses, as well providing as a source of sustainable, locally produced renewable resources. Thank you.



SCOTT W. LINDQUIST, MD, MPH, DIRECTOR
345 6TH STREET, SUITE 300
BREMERTON, WA 98337-1866
(360) 337-5235

November 18, 2008

Puget Sound Partnership
PO Box 40900
Olympia, WA 98504

RE: COMMENTS ON DRAFT ACTION AGENDA

To Whom It May Concern:

Please find attached the above. Thank you for the opportunity to review and comment on your draft action agenda. We are optimistic that this plan will provide a workable pathway to achieve a cleaner Puget Sound.

The Kitsap County Health District looks forward to using a finalized Action Agenda to support our ongoing and successful Pollution Identification and Correction work in Kitsap County. Through effective use of existing regulations, the Kitsap County Health District has demonstrated that it is possible to achieve and maintain clean water *even in developed and populated areas* --- most recently through the commercial shellfish upgrades in Chico Bay/Dyes Inlet and Yukon Harbor.

We are hopeful that the Puget Sound Partnership's plans will include a means to share and promote successful "clean up stories" so that people know that it is possible to attain and maintain clean water. We have learned through the past 20 years of clean up projects in Kitsap County that the majority of people are best motivated by positive messages. And we believe that there is no limit to what a motivated populace with a common goal can accomplish.

Best Regards,

Keith Grellner, R.S.
Deputy Director of Environmental Health

Attachment (1)

COMMENTS FOR PUGET SOUND PARTNERSHIP DRAFT ACTION AGENDA

1. General Comment: The report alternates the terms “septic systems” and “on-site sewage systems”, even though they are the same thing. Recommend picking one of these terms and sticking with it. Under state law, the formal term is “on-site sewage systems” (WAC 246-272A).
2. Question 1 | Page 3, “Provisional Targets” Table – Shellfish Growing Areas: Recommend striking the term “commercial” in this section, or adding the term “recreational”, so that this section is consistent with Section C.6. There are commercial and recreational shellfish areas of significance in Puget Sound. Whether the shellfish area is used commercially or recreationally should be of no significance with respect to achieving a clean Puget Sound --- they both are important to environmental and human health.
3. Question 2 | Page 1, Second Paragraph: This paragraph should be re-drafted. The inclusion of septic systems and wastewater treatment plants in this paragraph of “human mistakes causing pollution problems” is confusing and generally misleading. The construction of septic systems and wastewater treatment plants is a GOOD THING and a benefit to Puget Sound --- not a bad thing, or detriment as alluded to in this paragraph (unless humans are going to be removed from the Puget Sound). While there is always room for improvement wastewater treatment technology, the construction of septic systems and wastewater treatment plants is the single biggest factor that makes us a FIRST WORLD country versus a THIRD WORLD country, and the one of the single biggest factors that has, and does, prevent human disease and death on a macro level scale (not too mention the prevention of far more serious environmental degradation than what we have right now). While you can argue that bulkheads, dams, deforestation, etc. are *discretionary human choices* that have resulted in impacts to Puget Sound, making the inference that collecting and treating human sewage is *somehow also discretionary* is misguided and erroneous. Septic systems and wastewater treatment plants *are necessary*. A qualification phrase such as “failing or inadequate septic systems or wastewater treatment plants” would be more factual and supportable, not too mention coordinate much better with Section C.4. on page Question 3 | Page 24.
4. Question 2 | Page 5, Second Paragraph, Fifth Sentence: This sentence needs to be re-drafted or deleted unless there is recent scientific data to support that septic systems are *significant loaders of nitrogen into rivers and marine waters*, or cite the investigation that makes this conclusion. The Puget Sound Partnership’s own Science Panel “Biennial Science Work Plan, 2009-2011” does not support this statement, not to mention the **2007 Puget Sound Update** (which is used as a reference for the Biennial Science Plan) and the Guiding Principals for Ecosystem Management in Puget Sound – Item “d.” (Question 3 | Page 4) of the Action Agenda. This sentence is hyperbole and discredits the Partnership’s stated goals and objectives to focus on good science to clean up Puget Sound .
5. Question 2 | Page 5, Last Paragraph, First Sentence: This sentence is factually incorrect and should be revised. Snowpack sustains MOST (not all) rivers, reservoirs, and aquifers; counties like Kitsap and San Juan do not receive water recharge from snowpack because these counties are not hydraulically connected to the snowpack/melt-off of either the Cascade or Olympic Mountains.

6. Question 3 | Page 5, “Rationale for Action”, First Bullet: Question – if the construction of septic systems and waste water treatment plants is polluting Puget Sound and making it worse (as inferred in the Question 2 section), what does the Partnership/Action Plan intend to do with all of the sewage that will result from the dense compact cities and rural areas that it is recommending in this section?
7. Question 3 | Page 8, Section A.1: Recommend adding a fourth near-term action bullet that says something like “Create policy that allows case-by-case variations to laws like the Growth Management Act so that *existing* developed areas can be addressed, as needed, to prevent the pollution of Puget Sound”. For example, public sewer systems should not be restricted from existing, densely populated “rural” areas (e.g., Belfair, North and South shores of Lower Hood Canal, etc.) that need help because they are classified as an “urban level of service”. Sometimes exceptions to “rules on paper” will have to be made for the greater good “reality” if we are truly committed to saving Puget Sound.
8. Question 3 | Page 11, Section A.3: This section seems to conflict with some of the basic statements in the Question 2 section: if septic systems and wastewater treatment plants are all inherently bad because they are polluting Puget Sound and are significant loaders of nitrogen to Puget Sound, then why/how does the PSP propose to reuse & reclaim gray water and waste water? Won’t the reuse of recycled gray water and wastewater thereby pollute and load nitrogen to Puget Sound even more than what may be happening now? Obviously the factual answer to this is “no”, and that is why some of the statements in Section 2 should be qualified so that they do not infer that all septic systems and wastewater treatment plants are bad, polluters, and harming Puget Sound.
9. Question 3 | Page 19, First Paragraph, Second Sentence: Insert the word “failing” prior to “septic systems”. Properly functioning septic systems do not discharge disease causing organisms to Puget Sound, nor do they harm fish and wildlife or cause health risks to people. If left as-is, this sentence is factually incorrect. Kitsap Health has data/has submitted data that shows that properly functioning septic systems will result in shellfish upgrades/openings and produce improvements in water quality, not too mention protect public health. The most recent examples of this are the shellfish growing area re-classification of 900 acres to “approved” in the Yukon Harbor area of Puget Sound, and the upgrade of shellfish areas in Dyes Inlet --- an urban area which had previously been closed to shellfish harvesting since the early 1960’s. Revising this section would then also allow it to be consistent with Section C.4. on page Question 3 | Page 24.
10. Question 3 | Page 24, and Various Sections related to Action C.4: The current state onsite sewage system rules (WAC 246-272A) were just recently revised/adopted and already provide for the review and approval of “new septic system technologies”. From a local health perspective, the problem/impediment is not the state onsite sewage rules, but the costs of complying with the new technology testing rules, and the unwillingness/inability for many sewage system technology manufacturers to comply with these testing rules. It is CRITICALLY IMPORTANT that new technologies are tested and reviewed to demonstrate that they can meet the treatment standards that they claim they can meet --- not only for the protection of Puget Sound, but also for the protection for the consumer. Approving or promoting technologies that do not really work would be a colossal waste of time and money.

11. Action C.6, Item 1, Page 82: Local Health Districts should be added to the “Partners” column for this action since a significant portion of swimming beach and shellfish beach protection is performed by Local Health Districts (not state agencies).
12. Draft Financing Chapter, Category Spending: The word “onsite sewage systems” should be added to both the “State” and “Local” funding columns in this section since hundreds of thousands of dollars are being spent by local health jurisdictions to comply with state mandates for onsite sewage system management plans.

Puget Sound Partnership
our sound, our community, our chance

From: Jay Watson, Local Hazardous Waste Management Program in King County

Comment: Attached you will find comments on your Action Agenda from the Local Hazardous Waste Management Program in King County (Program.) We are a coalition of governments which includes the City of Seattle, King County, and the 37 Suburban Cities in King County, and serve approximately 1/3 of the population of the State of Washington.

Our program focuses on protecting and enhancing public health and environmental quality throughout King County by reducing the threat posed by the production, use, storage and disposal of hazardous materials.

Our comments focus on your strategies to reduce toxic inputs to Puget Sound through surface and groundwaters. We also stand ready to assist you in your efforts to reduce toxic and hazardous materials in our environment and in the waters of the Sound. If you have questions or need additional information, please don't hesitate to contact me.

Puget Sound Partners
our sound, our community, our chance

King County
Solid Waste
Division

King County
Water & Land
Resources
Division

Public Health
Seattle &
King County

Seattle Public
Utilities

Suburban Cities
Association



Local Hazardous Waste Management Program in King County, Washington

November 19, 2008

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

Chairman Ruckelshaus:

I am writing on behalf of the Local Hazardous Waste Management Program in King County (Program) to provide our comments on the draft 2020 Puget Sound Action Agenda. Our Program is a regional coalition of governments that includes the City of Seattle, King County and the 37 Suburban Cities in King County. We serve over 1.8 million people, which is approximately 1/3 of the State's population.

We commend the Action Agenda's emphasis on stopping toxic chemical pollutants from reaching the Sound. To do that, effective source control is essential. But to achieve that, a comprehensive toxics strategy is necessary which addresses eliminating or reducing the use of toxic chemicals as well as inputs from consumer products that contain toxic chemicals.

We support your recommendations in Section C.1, and offer the following suggestions to improve the effectiveness of the Action Agenda's source control strategies and actions:

- Emphasize prevention strategies with the following revision of strategy C.1.1: "Implement a prioritized, comprehensive management program to prevent, reduce, and control the release of toxics into the environment, including providing safe alternatives, improved treatment, and chemical use reduction and phase-out." This language corresponds to that of one of your earlier reports: *Immediate Action Recommendations from the Puget Sound Partnership in December 2006*.
- Strengthen the emphasis on development of new technologies, safer chemical alternatives, and technical assistance to businesses, by expanding the language of Strategy C.1.1.5 to: "Expand investment in technologies that reduce toxic pollutants, including research and development for safer chemical alternatives, and provide technical assistance and incentives to businesses to reduce the use of toxic chemicals and promote shifts to safer alternatives."

Participating
Cities:

Algona
Auburn
Beaux Arts
Bellevue
Black Diamond
Bothell
Burien
Carnation
Clyde Hill
Covington
Des Moines
Duvall
Enumclaw
Federal Way
Hunts Point
Issaquah
Kenmore
Kent
Kirkland
Lake Forest Park
Maple Valley
Medina
Mercer Island
Newcastle
Normandy Park
North Bend
Pacific
Redmond
Renton
Sammamish
SeaTac
Shoreline
Skykomish
Snoqualmie
Tukwila
Woodinville
Yarrow Point

- Toxics use reduction efforts in the Puget Sound region are hampered by inadequate information about the amounts and types of chemicals that are being used. Therefore, we recommend adding: “Develop a comprehensive toxics use reporting system to provide a complete picture of sources and allow for targeted prevention strategies” as a Near-Term Action in Section C.1.
- As an important Near Term action, we support eliminating mixing zones in Puget Sound for persistent bioaccumulative toxic chemicals (PBTs,) and restricting them for other toxic chemicals. Mixing zones currently allow for the loading of toxic chemicals that exceed water quality standards and are not accounting for accumulations of these toxic chemicals in sediments and biota near outfalls.
- Pesticides currently in use, which meet the criteria of persistent bioaccumulative toxic chemicals, should also be prioritized for reduced use and elimination, in the same manner as chemicals on the PBT list, to reduce contamination in the Sound and protect aquatic species.

Our Program also promotes product stewardship as a necessary strategy for reducing the generation of hazardous waste, preventing environmental degradation, and reducing the loading of toxic chemicals into the Sound. We support shifting our waste management system from one that focuses on government funded, and rate-payer financed, waste disposal and diversion, to one that focuses upstream, on producer responsibility. We suggest this to reduce public costs, increase accessibility to services, attain higher environmental benefits, and to make products safer and less toxic. Producers are best suited to use their supply-chain relationships to create efficient take-back programs, and can have the most impact on improvements in product design that reduce toxic content and maximize reusability.

We commend the Partnership’s inclusion of product management concepts in Section C.1, and suggest increased emphasis on product stewardship strategies for toxic source control in Puget Sound through the following changes:

- Include “product stewardship” as a source control tactic in Strategy C.1:
C.1 Prevent pollutants from being introduced into the Puget Sound ecosystem to decrease the loadings from toxics, nutrients, and pathogens. The most reliable and cost effective way to manage water quality health is to target the sources of contaminants, prior to their entry into Puget Sound’s surface and groundwaters. Source control tactics can include education, pollution prevention, product stewardship, innovative technologies, open space protection, low impact development, natural infrastructure, cradle to cradle product/chemical management and engineered solutions.
- Revise strategy C.1.1.3 which currently suggests “cradle to grave management of products with hazardous materials and chemicals.” End of life disposal, indicated by the phrase “cradle-to-grave,” should not be accepted as the only option for products that are currently hard to recycle, or contain hazardous chemicals. Wherever possible, product redesign to improve reusability and reduce toxicity should be pursued, through a combination of regulation and incentives. In addition, recycling should not be excluded as part of appropriate handling for products containing hazardous chemicals. A relevant example is that of energy efficient fluorescent lighting. Much of that lighting contains mercury, and the best end of life management is not

disposal, but the retorting of that mercury for reuse or sequestration. All mercury-containing products should be managed in a cradle-to-cradle product stewardship fashion, to help reduce accumulation of mercury, which is a priority PBT pollutant in Puget Sound. We suggest the following revision to Strategy C.1.1.3 to convey these important concepts: “Advocate strategies including chemical substitutions to reduce toxicity, reduce and reuse materials where possible, full life-cycle management of products containing hazardous materials and chemicals that require appropriate recycling and/or disposal processes, and other product/chemical stewardship approaches.”

Our Program also commends the Partnership’s identification of pharmaceuticals as a priority pollutant to be addressed in Puget Sound, as well as its support for the implementation of a pharmaceuticals take-back program as a key part of the solution to this problem. With our partners in the Medicine Return Program of Washington State, we are submitting a separate comment letter specifically about pharmaceuticals in our environment. We support the creation of a producer-provided, statewide, medicine return program to provide a secure and convenient service to all residents of the Puget Sound Region and throughout the State.

We thank the Partnership for its commitment to restoring the water quality in Puget Sound. Our Program has expertise in working with businesses to reduce toxics use and hazardous waste generation and promoting product take-back programs. We would welcome the opportunity to work with you to address this critical regional issue.

If you have any questions or need more information about our recommendations, please feel free to contact me at jay.watson@kingcounty.gov, or at (206) 240-5977. Thank you for this opportunity to comment.

Sincerely;

A handwritten signature in blue ink that reads "Jay L. Watson". The signature is fluid and cursive, with the first name "Jay" being the most prominent.

Jay L. Watson, PhD
Administrator



LARRY PHILLIPS
Metropolitan King County Council
District Four

November 18, 2008

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

Dear  Mr. Ruckelshaus,

As Chair of the Metropolitan King County Council's Regional Water Quality Committee and Vice Chair of the Water Resource Inventory Area 8 Salmon Recovery Council, I support the Puget Sound Partnership's Action Agenda, released on November 6th, 2008, and believe it is a broadly-supported, scientifically-sound restoration plan.

Puget Sound is not only one of our region's foremost natural jewels, but also a resource and economic engine for the state. The Puget Sound Partnership has done an admirable job of creating a recovery plan that strikes a balance between cleaning up the Sound and supporting continued economic growth in the region. The plan is grounded in science, can be adjusted over time based on lessons learned, and recognizes that collaboration between citizens and public and private sectors are critical to a successful recovery. The Partnership conducted extensive community outreach, listened to feedback, and incorporated comments and suggestions along the way, so the resulting plan truly represents a broad grassroots consensus.

Saving Puget Sound is critical to our quality of life and long-term prosperity, from the smallest invertebrates to threatened salmon runs and orca populations. We must act now or risk losing entire Puget Sound wildlife populations forever. To this end, I support the Puget Sound Partnership's Action Agenda. Thank you for the opportunity to comment.

Sincerely,



Larry Phillips, Councilmember
Metropolitan King County Council, District Four

*Your leadership is inspiring!
Thank you for all you do!!*

RECEIVED

NOV 21 2008

N:\LPCorrespondence\2008\WRIA8\ruckelshaus_pugetsndpartnership_110608actionagenda.doc

516 Third Ave, Room 1200, Seattle, WA 98104-3272

Draft Action Agenda (2008) 1084 - County (206) 296-1024 FAX (206) 296-0370

e-mail: larry.phillips@metrokc.gov

PUGET SOUND PARTNERSHIP

37 of 62





November 20, 2008

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

Dear Mr. Dicks:

Pierce County commends the Puget Sound Partnership for taking this first bold step towards Puget Sound Recovery with the release of the draft Action Agenda. We believe the goal for a healthy Puget Sound ecosystem and healthy socio-economic infrastructure is appropriate and necessary.

Pierce County's comments apply to both the SEPA checklist and to the draft Action Agenda. They are organized by having the more broad observations and comments in this letter and the more detailed comments in the attachments. Just because something is in an attachment and not in the letter does not imply it is less important. Attachment 1 is a recommended incentive that we believe will be very helpful and will not have the fiscal impact to the State that other actions may entail. Attachment 2 gives specific comments that we believe will further the achievement of the goals of the Action Agenda.

Action Agenda is More Than a List

The draft Action Agenda does a good job of organizing a significant amount of information and identifying those actions that can be addressed in the first two to four years of the initiative. It is recognized that the Puget Sound Partnership (PSP) has been given a significant task of consolidating the efforts to protect and restore Puget Sound, identify the gaps, and has been asked to do that in a very limited timeframe. With that restriction, the draft Action Agenda fails to close the gap between concepts and implementation. The final Action Agenda should make it more clear how the process will be adjusted to allow a more thoughtful examination of how the complex issues and interests will be balanced for the longer term. An example of a process that is integrating science, economics, social, and legal obligations in order to restore ecosystem functions is the Puget Sound Nearshore Partnership. That process took the time to review and document lessons-learned from the other national restoration initiatives, and is has developed a program that is based on natural and social science, is peer reviewed, has criteria for evaluating priorities, and is evaluating the key question of "how much is enough." The Nearshore Partnership process should be emulated in the update of the PSP's Action Agenda.

Local Governments Can Play a Key Role in Implementation

There are numerous actions in the draft Action Agenda that are aimed at local governments, both for maintaining and speeding up actions that are the responsibility of local governments.



The Action Agenda would have local governments do more under the Shoreline Management Act, under the Growth Management Act, and as implementers of the Municipal NPDES Stormwater permit. Given this high degree of reliance on local governments, it is imperative that local governments be given more deference in the implementation strategy. For example there are suggestions in the draft Action Agenda to require conditional use permits for a shoreline armoring. The nearshore ecosystem and the development review process may be better served by approaching the issue by identifying the protection that is needed versus the imposition of additional permit process. Working with local governments those issues can be resolved in the most effective manner.

Economic Downturn and Impact on Local Governments

Obviously, the current economic crisis is putting a tremendous strain on all sectors of the economy and local governments are being impacted in dramatic ways. We understand the difficulty in addressing these issues, but need also to acknowledge that many of the programs that are the “backstop” for protecting Puget Sound are currently at risk. Updating and enforcing local Shorelines Master Programs, local Growth Management Comprehensive Plans and Critical Areas Ordinances, and local implementation of Municipal NPDES Stormwater Permits are being subject to the downturn of the economy. Even at the current level of protection, the new NPDES Stormwater Permit issued to Pierce County contains \$7,000,000 of new requirements and to fund those means rate increases of surface water management fees that are never popular and made doubly so under current economic conditions. While I understand these issues are beyond what the Partnership can reasonably be expected to resolve in its Action Agenda, we do believe you are in a position to articulate these local government issues and advocate for relief and support for targeted state and local funding and for use of incentives, such as water quality trading and fee in-lieu of mitigation programs aimed at making more efficient use of the limited resources we have.

Balancing of Action Agenda Recommendations

The draft Action Agenda, in general, is reasonably balanced among monitoring, capital investments, planning, regulations, technical assistance, outreach and education, financial assistance, and funding. But it is not as clear as to how the research and the science will be fully integrated into the process and how it will be made available to guide priority setting. Also we would like to see more incentives for local governments, more capital investments, more technical resource sharing (like a regional Craig's List of professional help) and more outreach and education based recommendations be included in the final Action Agenda. Because the task of restoring Puget Sound is so large, the education program cannot be just a marketing campaign. It needs truly to be an education effort. How that is going to be accomplished is not clear in the draft Action Agenda.

Limited Resources Begg for Efficiency

To make the most efficient use of limited resources, we strongly encourage the Puget Sound Partnership use science to identify the sound-wide priority actions. We would also ask that

Mr. David Dicks
November 20, 2008
Page Three

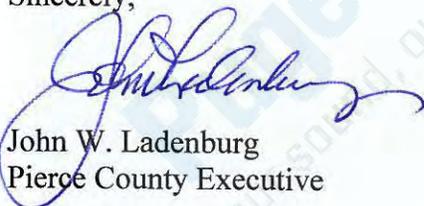
the PSP use a performance-based approach for distribution of funds to implement the Action Agenda. Traditional state programs rely on a competitive grants process that adds many months, many process steps with multiple reviews, and they require state employees to administer. They also create competition for funds among implementers who should be encouraged to cooperate rather than compete. Therefore, we urge the Partnership to embrace a new, more efficient way to distribute implementation funds that targets Action Agenda priorities, aligns those priorities to key implementers, and provides direct funding based on the ability and performance sought. Importantly, we believe and recommend that development of Action Area Strategies, based on the Action Area Profiles contained in the Action Agenda, provide the explicit basis upon which more discrete regional funding priorities are ascertained.

Time to Focus on Implementation

As you are very well aware, the PSP, local governments, tribes, state and federal agencies, business community, environmental community, nonprofit groups, as well as the public have spent many thousands of hours pouring over and providing input into the development of the Action Agenda. Its now time to direct that level of energy into securing adequate funding for key implementers and getting to the work needed to restore Puget Sound to a vibrant, ecosystem and economy. The goal must not be for a "perfect" Action Agenda: it must be for a document that shows a thoughtful process and one that supports those agencies and groups who are being challenged to deliver on the actions contained in it.

Thank you for your efforts on this vital initiative and Pierce County looks forward to a continued interaction with the Puget Sound Partnership.

Sincerely,



John W. Ladenburg
Pierce County Executive

Attachment 1

Pierce County Recommended Addition to Action Agenda: Incentives for Local Government

Recommendations

1. Local governments should consider floodplain acquisition as a tool for TMDL compliance.
2. The state should support local jurisdictions in justifying investments in property acquisitions by giving them credit though meeting TMDL requirements.
3. The state should adopt a practical water quality trading policy that values multiple ecosystem services.
4. The Puget Sound Partnership should add an action to its Action Agenda that supports an amendment to Chapter 90.48 RWC that establishes as state policy water quality trades, consistent with number 3 above and consistent with EPA's adopted Water Quality Trading Policy (January 2003).
5. The Puget Sound Partnership should add an action to its Action Agenda that emphasizes early action on water quality trading. This includes establishing interim Guiding Principals for Water Quality Trading to serve to support pilot initiatives in the 2009-2011 biennium and to be the basis upon which a mid-term stakeholder process begins to establish a permanent Water Quality Trading Policy for the state. The interim Guiding Principals should include the following existing EPA Water Quality Trading Policy elements:

Water Quality Trades should seek to:

- Achieve early pollutant load reductions.
 - Reduce the cost of TMDL implementation and overall Clean Water Act compliance.
 - Act as incentives for voluntary reductions in and above what would otherwise be required.
 - Offset future discharge of pollutants.
 - Achieve greater environmental benefit, including habitat improvements.
 - Combine ecological services for multiple benefits, including habitat improvements.
6. The Puget Sound Partnership should establish a stakeholder group to make recommendations on a permanent state Water Quality Trading Policy, consistent with 3, 4, and 5 above, by July 2009.
 7. The Puget Sound Partnership should identify and support at least two Water Quality Trading pilot projects in the 2009-2011 biennium following the Interim Water Quality Trading Policy.

Attachment 2
Pierce County
Specific Comments on draft Action Agenda and the SEPA document
Agenda text is referenced and *COMMENTS follow in italics*

Consider revising several areas within the document to reflect every day language (plain talk) to reach a wider audience.

Some examples for consideration are:

- *Replacing the word “juxtapose” with a common word such as “compare”*
- *Replacing “scant”, “transparent” and “actionable” with more common words that clearly express the vision or point of Puget Sound Partnership (PSP)*
- *Well-vetted process*
- *Harmonization*
- *“Tool box” – This is not defined within the document*

Introduction Page 4 - How is salmon recovery incorporated into the Action Agenda?
“...The salmon recovery effort includes 14 watershed groups that have been working...”

In the adopted NOAA Puget Sound Chinook recovery plan there are 15 chapters that are organized around geographic areas; there are 15 Water Resource Inventory Areas (WRIAs); and 15 Lead Entities under state legislation 2496. These groups are not the same. The membership differs by task and they have all been referenced as “watersheds.” In the Action Agenda the use of the “watershed” reference needs clarification and so does the number “14”.

Question 1/

Page 1 - *The second paragraph of the introduction speaks to the wages generated by ocean related businesses. Important to quantify the other economic benefits in order to provide a clearer picture of the economic benefits of Puget Sound.*

Page 3 - *The table that includes the provisional targets and benchmarks needs to be clarified as to their ecosystem benefits. Professional citations should be included if these are based on scientific literature. Example - was the level of eelgrass that was observed in 2000 adequate? Was it a representative of a healthy ecosystem? What is the date of the “historic extent?”*

Page 4, Provisional Indicators, indicator “percent exceedance of instream flow.”

- *Over time, will this continue to be a true indicator even after stormwater is managed to the highest degree possible?*
- *Is it possible that over time, this indicator will not be sustainable for some watersheds regardless of stormwater management practices?*
- *If this indicator will not work for a specific watershed, what are the alternatives?*

Question 2/

Page 1, paragraph 3. The last sentence states, “We have also categorized the threats facing the region and identified two critical treats that must be addressed immediately.”

The document does not clearly identify the two critical threats. What are the two critical threats?

Throughout the document clarify whether the use of "Puget Sound" is referring to the region or to the marine body of water. (Page 1 example)

Throughout the entire document "facts" or statistical data is referenced but none of this information is cited, referenced, or footnoted.

Some examples are:

- *Question 2, page 1, several references are made regarding statistical data throughout the first three paragraphs but no sources are cited*
- *Question 2, page 3, has several statistical references to declines in species, food webs, habitat, and forests but no sources are cited*
- *Question 2, page 4, makes reference to "our starving resident orcas." Please provide publication and/or scientific data to support this claim*

Please cite all sources of factual and scientific data in the final document. Without citing sources, your information may be interpreted as not statistically valid or creditable.

The document needs a glossary. Wet year? (Page 3 example) Green Port? Marine Managed Areas? Floodplains (versus Floodway)? Graywater? Watershed?

Page 6 - Artificial propagation

For Salmon Recovery, hatchery use has the potential of playing a significant role in recovery in many of the Puget Sound Recovery Plan chapter areas. That needs to be reflected in the text.

Question 3/

Page 5 - 5 primary objectives for a comprehensive protection strategy

"Focus growth away from ecologically important and sensitive areas by encouraging dense compact cities and vital rural communities."

Need to be careful to not use this objective to ignore the ecologically important/sensitive areas that exist in the regions cities and urbanized areas. Current wording could provide that impression.

Page 8, A.1.1.

- *Please define "other sectors"*
- *How can the "other sectors" become a part of the forum?*
- *How will the "other sectors" be notified of their ability to participate?*

Page 15. Three primary objectives. One of the three objectives is to, "support and implement stewardship incentive programs to increase private landowner's ability to undertake restoration projects".

This objective conflicts with the priority action in response in question #3 to require shoreline conditional use permits for projects outlined in the agenda. By placing an additional shoreline conditional use permit requirement to projects that do not require this permit is a disincentive. PSP has just decreased the incentive to private landowners to revitalize waterfront properties or any other property that would need to go through this additional permitting process.

A.1 Convene a regional planning forum, prepare criteria to guide decisions, initiate maps.

The Puget Sound Regional Council forum has been a practical organizational tool for addressing priorities, allocating transportation funding, and establishing common goals for local policy making. The success is due in part to participation rules and significant commitment of staffing from the participating agencies. The PSRC could be used as an example of a organizational structure.

A decision-making criterion that is based on science and societal values, is properly vetted through a regional review process, and is consistently applied is important to the success of the PSP goal.

A. 2 Purchase properties at immediate risk of conversion.

High quality habitat and ecosystem value should remain the primary driver for identifying acquisition targets. Risk of conversion can be added as criteria, but not while diminishing the other criteria. Local governments have experience with these acquisition processes and should be added to list of partners needing to be involved.

A 2.2 Update and implement regulatory programs related to growth and shoreline protection...

This section highlights many of the competing mandates local governments need to balance under regulations such as the Growth Management Act, Federal Flood Management regulations, and the Shoreline Management Act. Even tasks identified within this section can be perceived as incompatible with each other. Local government MUST be included in these conversations to avoid unintended consequences.

A.3.6. Establish local water masters.

Additional staffing to DOE for staffing local water masters is a valuable tool for balancing ecosystem and growth management goals. This is an important task that requires experienced and skilled staff.

Recommend including "water banking" into code.

A.3.8 Develop gray water reuse rule.

Need to clarify what "graywater" is being suggested to be included in this reuse rule.

Priority C: Rationale for action

...will require a regional commitment to **reducing** the multiple sources...

Need to have guidance from the scientific community as to benefits of just "reducing" pollution. Is that enough?

C.1 (5). Petition EPA to establish No Discharge Zone.

Unclear as to the scope of this action, what parameters are included, benefits of its implementation, and what its impacts on the cost of compliance would be. Recommend more specificity be given in the final Action Agenda and that local governments be included in the partners needing to be involved.

C.1 (7) Implement Shellfish Protection Districts.

Recommend including tribes as partners needing to be involved in Shellfish Protection Districts.

In order to enhance protection emphasize the Shellfish Protection District Plans need to include actions that protect existing quality areas.

C.2 (1) Establish regional coordinated monitoring program, working with monitoring consortium.

Need more specificity on the scope and scale and roles and responsibilities of this effort. Need to add local governments to the list of partners needing to be involved. Need to articulate expressed purpose and function.

C.2 (2) Provide financial and technical assistance to cities and counties to implement...

A significant portion of the west side of the Puget Sound region is not covered by NPDES permits. Suggest adding an action to provide assistance to those areas especially because of the impact of recreational/visitor vehicle travel.

C.2 (7) Implement road maintenance and abandonment programs for timber lands.

Need to add federal agencies to list of partners needing to be involved.

C.3 (1) Ensure that AKART or better standards are met in Hood Canal, South Sound, others.

The current wording implies AKART standards have been identified or developed by DOE. At this time that has not been done. Suggest changing the wording to say:

Develop and ensure application of AKART standards for nutrient removal. Insure that any standards developed are applied as a priority in nutrient sensitive areas.

C.3 (3) Support federal facilities in reducing nutrients.

The text of the document uses the term “require.” Should also reference supporting the appropriation of federal funds for this action. Add local governments to list of partners needed to be involved.

C.4 (3) Enhance and target septic loan programs.

Add “grants” to septic loan programs, since several local governments and WDOE allow for grants in addition to loans. Add local governments to list of partners to be involved.

C.6 (2) Fund the shellfish and fish advisory monitoring programs.

What are these? Do they include local health departments which monitor water quality for shellfish safety? Add local governments to list of partners to be involved.

D.1 (1) Coordinate implementation of existing plans and programs.

Recommend to support and fund these programs.

D.1 (2) Develop steelhead recovery plan.

Add WDFW, tribes, local governments, and Lead Entities to the list of partners needing to be involved.

D.1 (3) Continue the integration of salmon recovery plans.

Add local governments, Lead Entities, tribes and WDFW to list of partners needing to be involved.

D.3 (2) Fund salmon recovery and other groups in the near term.

Add Lead Entities to the list of partners.

D.4 (1) Conduct and institutional analysis of regulatory authority.

Need to recognize and deal with the implications of current state Supreme Court decision (King County rural impervious surface limits) that appears to limit regulating at the parcel level what could be considered ecosystem protections, without a direct nexus.

Recommend articulation of goal, purpose, statutory changes needed, and timing. Recommend funding support for local government involvement.

D.4 (4) Convene a process with ACOE, NMFS, USFWS regarding levee maintenance.

Recommend adding explicit purpose to avoid penalizing local governments by withholding emergency repair funds where fish friendly techniques are used. Add FEMA to list of partners needing to be involved.

D.4 (6) Develop and implement pilot off-site mitigation project.

Describe decision-making process or priorities that will be used to determine location of pilot.

D.5 Near-term action (Rules and Regulations...)

Add the "Craig's list of experts" or Centers of Excellence concept to this section. Significant numbers of enforcement issues or violations are the result of public ignorance, not malice. Need to have a source for information on best practices.

D.5 (2), (3), and (4). Fund additional WDOE staff.

Add funding and support for local government inspections and enforcement functions.

E.2 Near-term Actions (Funding)

E.2 (7) Use of Model Toxics Control Account fund balance

Concerned about expenditure of funds from a designated source without provisions for repayment. Should be considered as a loan.

Action Area Profiles

South Sound Profile

Add under Local Threats - Pollution, Toxics: Reference to the military's sanitary sewage system at Tatsolo Point

Add under Priority Strategies - Restore shorelines using WRIA 15, and WRIA 11, 12, 13, 14 nearshore assessments.

Add a reference to the military's sanitary sewage treatment facility in "upgrade and manage wastewater treatment plants.

North Central Action Area

Add reference to Pierce County's population growth under OTHER - Local threats

Add Pierce County to jurisdictions needing to complete Shoreline Master Program updates

SEPA Determination:

The draft agenda does not mention the Determination of Non-significance (DNS) that was issued by PSP. It would be better to reference it and to identify the timing of the concurrent public review process.

From: Shireene Hale, San Juan County

Comment: I just had a couple of comments on the San Juan County portion of the action agenda. If this is not the right place to comment please let me know.

To be effective at developing, adopting and enforcing regulations that protect the Puget Sound from the impacts of development, San Juan County needs:

- Ongoing technical assistance from knowledgeable experts; and
- Adequate funding for planning, GIS, legal and code enforcement staff.

The cost of meeting the requirements of the Growth Management and Shoreline Management Acts far exceeds our financial capabilities. We are expected to do the same things as the larger jurisdictions, with a much smaller budget. Being out of compliance with GMA results in additional financial penalties, but without additional resources it is unlikely we will ever get into compliance. The 1% cap on property taxes limits our ability to raise taxes, and even if that limit did not exist, our voters probably would not approve the kind of budget it takes to meet the State requirements. As a result we are unraveling at the seams. If the GMA and SMA are to remain as is, small Counties need additional financial resources if we are to become effective at protecting the Puget Sound.

Puget SoundPartners
our sound, our community, our chance



San Juan County Council

350 Court Street No. 1
Friday Harbor, WA 98250
(360) 378 - 2898

District 1, Kevin M. M. Ranker
District 2, Rich Peterson
District 3, Howard Rosenfeld

District 4, Alan Lichter
District 5, Gene Knapp
District 6, Bob Myhr

November 19, 2008

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

Dear David,

Thank you for taking your valuable time to visit us yesterday. We appreciate all the hard work that went into developing the Puget Sound Partnership Action Agenda. We think it forms the necessary blueprint for success to rebuild and sustain ecosystem health.

During the development of the Action Agenda for San Juan County (SJC), we focused on areas most imperative for our own local health. These important actions must be included in the Action Agenda:

- Implementation of the SJC Marine Stewardship Area (MSA) Plan – implement the top six strategies from the MSA Plan, with the MSA Monitoring Plan being a key component.
- Implementation of the SJC Salmon Recovery Plan starting with implementation of the suite of actions from the current three year work program.
- Support Protection efforts –
 - Evaluate and improve the effectiveness of local regulations, i.e. implement results of the San Juan Initiative and support the local CAO and SMP Updates with technical support for local decision makers.
 - Provide programmatic funding for education and outreach to create and support a local stewardship ethic (provide funding to enhance knowledge, expertise, staff and information so locals know the “right” things to do to support the local resources)
- Update and implement the watershed plans
- Stormwater
 - Implement the local stormwater actions including monitoring data, complete basin planning, and fund capital improvements.
 - Work with San Juan County and other jurisdictions to develop rural stormwater guidelines
- Supporting the removal of derelict fishing nets according to the prioritization guidelines recently developed by the Northwest Straits Commission.
- Provide funding to support local San Juan watershed capacity for implementation of the local priority actions

We request that the following projects from the WRIA2 project list be specifically cited and supported within the Action Agenda. A description of each project, its cost, and the positive impact each one will bring is attached for the following:

- Resident and Migrant Salmon Nearshore Habitat Identification
- Deer Harbor Bridge Replacement
- Derelict Gear Removal
- Webb Property Acquisition

In addition, we request that the following recommendations from the San Juan Initiative be included:

- Feeder bluff mapping in San Juan County
- Implement tailored approach including
 - Technical assistance to County and property owners

Lastly, in light of the information shared at last night's Puget Sound Partnership orcas whale meeting, the San Juan County Council recommends the following actions be included:

- Increase funding for State Fish and Wildlife on the water enforcement of current regulations.
- Direct the State to provide monetary support for the Whale Museum's Sound Watch boater education program. Data suggests that this program has been the most successful program in educating both private and commercial vessels on orca whale/vessel interaction.

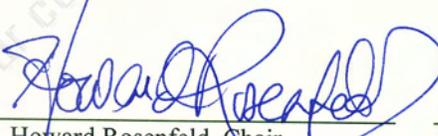
San Juan County has put forth much effort and energy, completing years of work to prepare our plans. We are looking forward to implementing these plans through the assistance of the Action Agenda and the Partnership.

Sincerely,

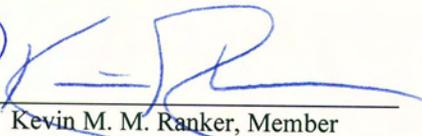
**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**



Bob Myhr, Member
District No. 6



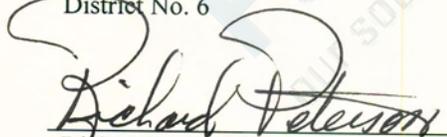
Howard Rosenfeld, Chair
District No. 3



Kevin M. M. Ranker, Member
District No. 1

EXCUSED ABSENT

EXCUSED ABSENT



Rich Peterson, Member
District No. 2

Gene Knapp, Vice Chair
District No. 5

Alan Lichter, Member
District No. 4

Attachment: Biennial Budget 2009-2011 Project List San Juan County/WRIA2

Biennial Budget 2009-2011 Project List San Juan County / WRIA 2 Sept 2008			Cost Information				Project Status		Quantitative Results	
Project name	Project description	Partners	Total cost for project -- to completion	Amount requested from this source	Anticipated match amnt. (if known)	Presumed source(s) of match	Current	After Two Years	Geographic location w/in watershed	Performance
Resident and Migrant Salmon Nearshore Habitat Identification	Acoustic telemetry study of timing, residency and habitat use of nearshore areas by chinook salmon, steelhead and trout	UW, NOAA	\$300,000	\$200,000	\$100,000	UW, NOAA, POST, USACE	1	5	marine shoreline	Extends the telemetry monitoring network to San Juan County
Deer Harbor Bridge Replacement	Replacement of the Channel Road Bridge that mitigates the structure's detrimental impacts to the estuary ecosystem, and restores ecological processes in Cayou Lagoon.	San Juan County, People For Puget Sound	\$1,864,000	\$1,524,000	\$340,000	San Juan County Public Works	1	3	marine shoreline	1 barrier mitigated, aids 20 acre estuary restoration as noted in Deer Harbor Estuary Restoration project
Derelict Gear Removal	Restore benthic habitat; Eliminate a direct source of mortality to salmon and other marine species by removing derelict fishing nets from marine waters of San Juan County.	NW Straits Foundation	\$2,500,000	\$150,000	tbd	NW Straits Foundation, other foundations	4	5	marine shoreline	~ 34 acres
Webb Property Acquisition	Acquisition of 75 acres on Westcott Bay.	San Juan County Land Bank, SJ Preservation Trust	\$6,000,000	\$1,000,000	\$5,000,000	San Juan County Land Bank, SJ Preservation Trust, Private donations	0	2	marine shoreline	75 acres, 2,750 feet of shoreline
			\$10,664,000	\$2,874,000	\$5,440,000					



PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

BILL DOWE, CBO, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

TIM DEVRIES, CBO
Building Official

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

November 20, 2008

Thank you for the opportunity to review and comment on the proposed Action Agenda. The information provided is an indicator of the complexity of the issues that in one way or another impact the Puget Sound region. The ecosystem transcends jurisdictional boundaries, so the approach of the Partnership to blur those boundaries is commendable, but may be more difficult in the implementation process.

Skagit County would agree that the success of the proposed Action Agenda will require education, involvement, incentives and creative ways to get individuals to sense a stake in the protection and restoration of resources that may affect the health of Puget Sound. The Sound is definitely one of our most valuable resources. It is our responsibility to ensure its continued productivity and well being.

As we prepare to make some substantial budget cuts, it is difficult to consider the work program and funding estimates for such an undertaking. Skagit County is scheduled to update its Shoreline Master Program by 2012. We take this responsibility seriously, but we face staffing reductions, which may make this obligation most difficult. We are currently evaluating the department work program, identifying projects and existing mandated programs. With limited resources, we may not meet our existing obligations and priority projects.

It is hoped that the Partnership takes seriously its role in identifying and securing funding for the work outlined in the Action Agenda. The work to this point is impressive and we hope that the level of outreach and public participation will be maintained. Representation of the affected and involved parties is essential. Please try to allow for longer comment periods in the future when draft documents are released. We optimistically anticipate forming new partnerships to move forward with the goals and priorities outlined in the Action Agenda.

Sincerely,

Betsy Stevenson, AICP
Senior Planner, Team Supervisor

Snohomish County
Executive's Office

Aaron Reardon
County Executive

(425) 388-3460 FAX
(425) 388-3434

M/S #407
3000 Rockefeller Avenue
Everett, WA 98201-4046

November 20, 2008

Mr. William Ruckelshaus
Chair, Puget Sound Partnership Leadership Council
Puget Sound Partnership
P.O. Box 40900
Olympia, WA 98504-0900

RE: Snohomish County comments on the Puget Sound Partnership Draft Action Agenda

Dear Chairman Ruckelshaus:

Snohomish County is pleased to offer our comments on the Draft Action Agenda after having worked closely with you and the Puget Sound Partnership staff. Snohomish County has worked extensively to improve the health of the Puget Sound and we are committed to continuing our work with the Partnership with the implementation of the Action Agenda.

Overall, the Action Agenda is comprehensive and thoughtful.

The Action Agenda highlights the key issues that face our region as we seek to recover the Puget Sound. Issues, such as stormwater, land use and species recovery will take dedicated and coordinated action to achieve our objectives.

Clear measurable benchmarks and targets must draw recovery actions and will inform future course changes. As highlighted in Question 1, Page 3, our collective actions must add up to recovery. Indicators with clear targets for desired conditions and milestones that benchmark interim actions are essential to guiding federal, state, regional, and local efforts. To attract the funding and public buy-in necessary to improve Puget Sound's health, the Partnership and local governments must continually demonstrate leadership and back it with measures of progress that show we are wisely using resources. Further, we encourage the final Action Agenda to more clearly identify the priorities and key implementing parties, which again will ease implementation, from public buy-in to funding and taking action.

All must bear the burden of Puget Sound recovery, in terms of cost and anion

Puget Sound is a resource of national significance, and as such, attracts vacationers, businesses and others who either visit or move here for the natural beauty and quality of life we have created, "With many of the parts of this resource under threat, all must share the burden of clean-up efforts. All in Puget Sound have had a hand in Puget Sound's decline, and all must pay the price of recovery, whether urban or rural, marine or upland, local or national.

As is the situation across our state, Snohomish County is facing a critical budget shortfall which will be balanced through program and staffing reductions which will significantly affect our ability to carry out the work in the Action Agenda. In this time of economic uncertainty, we appreciate the Action Agenda's strong acknowledgement of the need for local capacity to implement the on-the-ground actions planned in the document. This call for equity extends to on-the-ground actions taken by groups, individuals or within particular land-use types. No one constituency should be forced to carry a higher burden of implementation. The Partnership must demonstrate through its accountability system that this equity is borne out of recovery over time.

facilitate conversations that will arrive at mutually beneficial solutions.

The Action Agenda details seeming paradoxical objectives, such as promoting viable agriculture and recovering salmon, building livable communities in response to population growth and improving water quality, and conserving freshwater resources and sustaining human uses with changes in hydrology due to climate change. Finding positive solutions is challenging. We are asking the Partnership to help us find those solutions, particularly where high priorities like those outlined above collide.

Streamline and better coordinate Puget Sound governance to make cleanup more effective and efficient. We agree with the Partnership's strategy to speed the permitting for restoration projects, better coordinate the activities of all levels of government, and ensure that growth management works with resource management. Only through well-coordinated action will we achieve our goals for Puget Sound health. In recent years, Snohomish County has undertaken similar streamlining in our processes. We look forward to working together to implement similar streamlining on a broader scale.

The Puget Sound Partnership has thoughtfully outlined an ambitious plan for recovering Puget Sound. Please accept the comments in this letter as our commitment to refining and implementing the Action Agenda. Snohomish County looks forward to working with the Partnership as we strive to recover the Sound that we call home.

Sincerely,
Aaron G. Reardon Snohomish



County Executive

cc: David Dicks, Director, Puget Sound Partnership

Tacoma-Pierce County Health Department

Comments on the Puget Sound Partnership's
Draft Action Agenda
November 20, 2008

A.3 General comment. Groundwater protection and management are not sufficiently addressed in this section. A.3.2 and A.3.3 provide some protective measures but there is a need for comprehensive groundwater actions; providing monitoring of water levels and quality, use projections, modeling (where feasible) and management that utilizes aquifers at time periods that have the least impact on surface waters. These actions should be undertaken in coordination with larger water purveyors and should utilize water level and quality data collected by the purveyors. In addition, purveyors should be informed of pollution control activities within their Source Protection or Wellhead Protection Areas to better inform purveyors of possible threats to their water resources.

C.1 Near-term Actions, 1. This action should include options for proper disposal and funds for community member (i.e. grassroot organizations) to educate and assist other community members. The funding should not be only for government agencies.

C.1 Near-term Actions, 7. Does this mean that the only TMDLs that will be developed in the next biennium will be in waters that directly flow to commercial or recreational shellfish beds? Given the large number of surface water bodies on the 303(d) list requiring TMDLs and the need to complete TMDLs within the near future, this action seems to be too narrow.

C.6.1 This should include research into the causes and control of cyanobacteria blooms and initial implementation of the most effective/efficient control activities. This complete action should be included as a Near-term Action.

C.6 Near-term Actions, 1. Funding for the swimming beach monitoring program should include both marine and freshwater beaches.

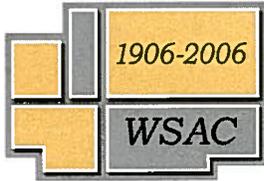
The C.6 section should be expanded to better clarify that these actions are not necessarily preventing or reducing pollution in Puget Sound and it's associated uplands but are responding to the human health threats posed by pollution. In addition to the needed expansion of the text regarding harmful algal blooms, including both marine biotoxins and cyanobacteria, the text should include addressing and minimizing public health impacts from high bacterial (fecal coliform and/or E. coli as the indicator) counts in lakes, rivers, and streams.

From: Mark Swartout, Thurston County

Comment: To the Puget Sound Partnership, Thurston County appreciates the hard work the Puget Sound Partnership did in writing the "Draft 2020 Action Agenda for Puget Sound". We think the "Agenda" includes the necessary framework for us to strive toward restoration and recovery of the Puget Sound. We realize that it was a monumental task and accomplishment to write in such a short time constraint. We also realize that at this point it is just a framework and will need a considerable amount of work to fill in the details on how to achieve it's goal.

Thurston County is poised to help do what is necessary to restore and recover the Puget Sound particularly in our area of the South Sound including the Nisqually Reach, Henderson Inlet, Budd Inlet, Eld Inlet, and Totten Inlet. Counties are the regional jurisdictions that have a tremendous influence (in fact the most influence in the South Sound) of achieving the restoration and recovery of the Puget Sound. However, given today's financial situation that is shared by all levels of government, especially counties, we are under great budget constraints in our ability to participate at a level that will achieve the goals of the "Agenda".

The Puget Sound Partnership will need to understand these constraints and will need to influence the legislature and the Governor's office to provide the financial resources necessary to counties to do our part in restoring the Puget Sound. The financial resources will need to be not only grants but consistent funding sources so we can do the work over the long-term. Thank you for undertaking this challenging task and accepting our comments.



Washington State Association of Counties

206 TENTH AVE. S.E. • OLYMPIA, WASHINGTON 98501-1311
TELEPHONE (360) 753-1886 • FAX (360) 753-2842

RECEIVED

NOV 20 2008

PUGET SOUND PARTNERSHIP

November 20, 2008

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

Dear Mr. Ruckelshaus:

The Washington State Association of Counties (WSAC) is pleased to submit these comments on the draft Puget Sound Action Agenda. We have enjoyed working closely with the Partnership and its staff during the past year to provide meaningful input and help you shape the action agenda. Counties are already engaged in many of the activities designed to help recover and protect the Sound, and are willing partners in the efforts spearheaded by the Puget Sound Partnership.

At the same time, it is important to note that given the present difficulties with the economy and state and local budgets in particular, the top priority for counties in the next year is improving county fiscal health. This does not mean we are any less committed to Puget Sound recovery and protection, but it does affect the resources we can bring to bear.

This letter is intended only to provide high level comments on the action agenda. We previously provided your office with staff-generated comments on the version prepared for the October 21 Leadership Council meeting, and hope you found those useful. For this present version of the action agenda, each individual county has been encouraged to send its own comment letter, and these individual letters are likely to contain more detailed comments than this letter.

The draft action agenda is a comprehensive and thoughtful plan. It targets a good balance of actions at all levels of government. The Partnership and its staff have done a tremendous job in balancing all of the public input received and developing a workable plan. We are particularly pleased that, at the same time the action agenda asks for significant actions from counties, it also acknowledges the need for local capacity in carrying out these responsibilities.

We encourage the final action agenda to be organized in a manner that makes it easier for the reader to recognize the priorities and so that the implementers may easily identify the actions. The priorities should also be listed in priority order.

As noted above, the status of state and local budgets poses significant issues with implementation. Many of the counties are balancing their budgets through staff reductions. Community development and planning departments are being cut 30-50% to correspond with reductions in development activity. These are the departments that will be required to do much of the work in the action agenda.

The final action agenda should include recommendations to the Office of Financial Management (OFM) on what infrastructure investments should be made and in what priority order. The investments should be targeted to those that improve the health of the Sound before investments are made to improve the quality of life within our communities. For example, should we be investing in stormwater improvements before waste-water treatment plan upgrades? Should we be investing in fixing on-site sewage systems before we invest in infrastructure to support growth? These kinds of recommendations will help immensely in targeting scarce dollars in the most cost-effective manner and best return on investment for Puget Sound.

Throughout the document, the action agenda discusses updating and revising various regulatory and planning programs, including local comprehensive plans, development regulations, and Shoreline Master Programs. This causes us significant concern. Other state laws already require counties and cities to undertake various reviews and amendments, and these are already underway in many jurisdictions. In addition, these local planning programs have been the subject of much litigation and appeal processes. It has taken significant staff and financial resources both to prepare these reviews and amendments and to respond to the legal challenges and other appeals. We do not want to see new venues for challenges opened up as a result of action agenda implementation; it could take away scarce resources better used for agenda activities. Please proceed with great care in this arena.

The action agenda also suggests the Shoreline Management Act be amended to require all bulkheads and docks to get a conditional use permit. We are concerned about the work load with this approach and are doubtful it will achieve the results desired.

Stormwater is identified as a major concern of the action agenda. We agree, and are also concerned about the financial resources that counties are already deploying both to implement NPDES permits and attempt to address retrofits. We appreciate the action agenda's acknowledgement of this concern, and hope that you will help us with both technical and financial support.

Our final comment relates to the proposed action to resolve barriers that currently limit density and infill development in cities and within urban growth areas, including annexation issues and revenue sharing. These are contentious issues and will divert attention from the enormous task ahead. We strongly suggest that these be removed from the action agenda.

Thank you again for providing us the opportunity to comment on the draft action agenda. We look forward to collectively working on recovering and protecting Puget Sound during the years ahead.

Sincerely,



Lynda Ring-Erickson, President
Washington State Association of Counties

Comments on Draft Puget Sound Partnership Action Agenda including the Whatcom Action Area Profile

Prepared by Whatcom County Public Works Natural Resource Group staff
Contact: John N. Thompson, L.E.G., Sr. Planner, jnthomps@co.whatacom.wa.us

PSP Draft Action Agenda

General Comment – more references to identify literature or other sources of information and recommendations would be appreciated. This will help make the Action Agenda more defensible and accountable.

Question 1, Page 3 and 4

- Provisional indicators and benchmarks
 - Shellfish growing areas – Recreational shellfish harvest areas should be included.
 - Water quality – Water quality should be retained as an indicator.

Question 2, Page 4

- What threatens the health of Puget Sound?
 - First paragraph under this subheading lists toxic pollution, oil spills, and sewage as harmful to ecosystem health. Please indicate that both raw and treated sewage are problems (e.g. pharmaceuticals in the latter).

Question 3, Page 16

- B.1 Near-term Actions – include the development of a native shellfish hatchery or partnering with tribal shellfish hatcheries to increase the ability to restore native shellfish populations to historic ranges.

Whatcom Action Area Profile

Column 1 – Ecosystem benefits provided by Action Area

- Unique Species
 - ESA listed bull trout distinct population segments
- Unique Habitat Type and Ecosystem Processes
 - Third bullet – Change to “Headwaters managed as late successional reserves in national forest and North Cascades National Park.
 - Add new bullet “International river and streams”
- Freshwater Resources
 - Revise, “Lake Whatcom watershed including water diverted from the Middle Fork Nooksack River, provides...”
- Food and Timber
 - Add new bullet, “Commercial timber production from state and private lands”
- Community and Economy
 - Revise third bullet to read, “Lummi Nation and Nooksack Indian Tribe usual and accustomed areas”

November 18, 2008

Column 2 – Local threats to ecosystem benefits

- Habitat Alteration
 - 1st bullet, delete, “in Cherry Point Reach”. Derelict gear is an issue in other areas and local priorities for removal have not been set.
 - 4th bullet, delete, “dams”; add, “loss of riparian function, and tributary channel straightening and drainage for agriculture”
 - 5th bullet, add “Loss of forest cover and extensive forest road drainage resulting in landslides”. The data show that the majority of landslides attributable to forest management are directly or indirectly tied to forest road drainage issues.
- Pollution
 - 2nd bullet, Bacterial pollution should include “human and animal” waste instead of “livestock” waste. There are no commercial farms in the Chuckanut Bay drainage, yet bacterial pollution remains an issue. Please label Chuckanut Bay as “Chuckanut (Mud) Bay” to indicate area with bacterial pollution. Include Birch Bay on list of bays.
- Freshwater Resources
 - Add new bullet, “High water temperatures and low dissolved oxygen stress salmonids increasing pre-spawn mortality”
- Artificial Propagation
 - Need to distinguish if this section refers to salmon net-pen production or freshwater salmon hatcheries or both.
- Harvest
 - How hunting is a threat is not clear. Same for fishing under current management to recover ESA listed species. Suggest listing “bycatch” along with “Canadian harvest” and add poaching as poorly addressed or unaddressed threats.
- Local climate change impact
 - First bullet - Sea level rise: add, “loss or translation shoreward, of swamp...”; add “bluff retreat and possible translation or conversion of habitat types”
 - Second bullet, change “South” to North fork. The South Fork does not head on Mt. Baker and the remnant glaciers on the Twin Sisters Range are negligible.

Column 3 – Priority Action Area Strategies

General comment: Revise text to employ action wording to tell folks what needs to be done.

- A. Protect Ecosystem Processes...
 - First bullet add, “; implement protection strategies of the adopted salmon recovery plan and county Shorelines Master Program and Shorelines Restoration Project list”.
- B. Restore....
 - Second bullet add, “and nearshore and marine resource programs and projects”
- C. Change Reduce to Prevent Sources of Water Pollution
 - 3rd bullet, “Manage on-site septic ...with initial focus on shellfish protection districts areas and priorities.”
- D. Work effectively...

November 18, 2008

- First bullet, third sub-bullet, add, “and Watershed Management Plan” after Instream Flow Action Plan.
- Second bullet, delete “projects” and add, “water quality, water quantity, fish habitat, and flooding issues.”
- Add Point Roberts as a management area.

Puget Sound Partnership
our sound, our community, our chance