

**Final Review of the 2012 Action Agenda Update
and Strategic Initiatives**

**Combined Fatal Flaw and
NTA amendment forms**

Received as of July 9, 2012

Action Agenda Amendment Request

Please provide responses to all of the following questions for each additional NTA or change to an NTA that you suggest. We encourage participants to focus changes on major flaws or content gaps. All requested changes to NTAs and additional NTAs proposed will be posted online at www.psp.wa.gov and made available for review and comment.

All suggested amendments are due no later than June 22, 2012. Please send a completed form for each proposed change to actionagenda@psp.wa.gov.

1. Name: Alana Knaster
2. Agency or Affiliation: PSP
3. Contact Information:
Phone: 464-1217 Email: Alana.Knaster@psp.wa.gov
4. Is this a new NTA or an amendment to an existing NTA? (*check box*)
New Existing x
5. Identify the existing NTA. (*example: A1.1 NTA1*) If proposing a new NTA, identify the sub-strategy it falls under: (*example: A1.1 Identify and prioritize areas for protection, restoration, and best suitable for [low impact] development*)
D3.1.1
6. Proposed new or amended language for the NTA:
Delete
7. Should the NTA's owner or performance measure change as a result of this proposed amendment? Yes No x

If yes, describe new or amended owner and performance measure.
8. Explain your rationale for this amendment. If proposing a new NTA, describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.
Already at first milestone and no longer relevant. We will be doing it anyway
9. Do you anticipate any particular support or opposition/concern related to the amendment? If so please describe briefly.
10. Describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals.
None in particular.

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3. Contact Information:
Phone: 464-1217 Email: Alana.Knaster@psp.wa.gov
4. Is this a new NTA or an amendment to an existing NTA? (*check box*)
New Existing x
5. Identify the existing NTA. (*example: A1.1 NTA1*) If proposing a new NTA, identify the sub-strategy it falls under: (*example: A1.1 Identify and prioritize areas for protection, restoration, and best suitable for [low impact] development*)

D1.2.1 Establish Interim Milestones
6. Proposed new or amended language for the NTA:

None – new milestones only
7. Should the NTA's owner or performance measure change as a result of this proposed amendment? Yes X No

If yes, describe new or amended owner and performance measure.

Date changes as follows:

In July 2012, confer with ECB regarding design of the process and composition of workgroups. August, 2012, confer with Leadership Council regarding schedule and process. October 2012, Initiate interim milestone review process. 25% complete by February 2013; 50% complete by June 2013; 75% complete by Sept. 2013; 100% complete by November 2013.
8. Explain your rationale for this amendment. If proposing a new NTA, describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.

Performance milestones off-target because of delay in adoption of Action Agenda

9. Do you anticipate any particular support or opposition/concern related to the amendment? If so please describe briefly.

No

10. Describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals.

We will be consistently off-plan

Action Agenda 2012 Update – Fatal Flaw Review

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1. Name: Naki Stevens
2. Agency or Affiliation: WA DNR
3. Contact Information: on file
Phone: Email:
4. Please identify your concern with the draft (*check box*):
Sub-Strategy *please specify number*:
NTA *please specify number*:
Other x *please specify page/section and specific concern*: page 11, Book One. Targets relevant to stormwater do not include eelgrass.
5. What changes, additions, or edits do you propose to address your concern, *please provide specific language/revisions in track changes; if you are proposing changes to NTA or new NTAs please indicate your proposal for NTA ownership and your proposed performance measure*:
Add eelgrass to the targets relevant to stormwater. DNR has requested this change several times in writing.
6. Please explain your rationale for this change and why it must be made now as opposed to in future Action Agenda updates. In particular, if you are proposing a new NTA, please describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.
improving water quality is the essential action necessary to achieve the eelgrass target of a 20 percent increase by 2020.
7. Do you anticipate any particular support or opposition/concern related to your change? If so please describe briefly.
No one will oppose. It is based on science.
8. Please describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals in the next 2 to 3 years.
Reduces credibility of PSP and AA not to recognize that water quality improvement is essential to eelgrass recovery.

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1. Name: Naki Stevens
2. Agency or Affiliation: WA DNR
3. Contact Information: on file
Phone: Email:
4. Please identify your concern with the draft (*check box*):
Sub-Strategy *please specify number*:
NTA *please specify number*:
Other *please specify page/section and specific concern*: page 31, Book One. Targets relevant to shellfish do not include eelgrass.
5. What changes, additions, or edits do you propose to address your concern, *please provide specific language/revisions in track changes; if you are proposing changes to NTA or new NTAs please indicate your proposal for NTA ownership and your proposed performance measure*:
Add eelgrass to the targets relevant to shellfish.
6. Please explain your rationale for this change and why it must be made now as opposed to in future Action Agenda updates. In particular, if you are proposing a new NTA, please describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.
Protecting healthy eelgrass beds is necessary to achieve the eelgrass target of a 20 percent increase by 2020.
7. Do you anticipate any particular support or opposition/concern related to your change? If so please describe briefly.
Protecting existing eelgrass beds is based on science.
8. Please describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals in the next 2 to 3 years.
Reduces credibility of PSP and AA not to recognize that protecting existing eelgrass beds is essential to achieving the recovery target for eelgrass.

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2. Agency or Affiliation: WA DNR
3. Contact Information: on file
Phone: Email:
4. Please identify your concern with the draft (*check box*):
Sub-Strategy *please specify number:*
NTA *please specify number:*
Other *please specify page/section and specific concern:* Book One, the format of the 3 NTA charts is different for habitat, creating confusion as to who is the NTA owner, etc.
5. What changes, additions, or edits do you propose to address your concern, *please provide specific language/revisions in track changes; if you are proposing changes to NTA or new NTAs please indicate your proposal for NTA ownership and your proposed performance measure:*
Make the format identical for the three NTA tables
6. Please explain your rationale for this change and why it must be made now as opposed to in future Action Agenda updates. In particular, if you are proposing a new NTA, please describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.
7. Do you anticipate any particular support or opposition/concern related to your change? If so please describe briefly.
8. Please describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals in the next 2 to 3 years.

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1. Name: Naki Stevens

2. Agency or Affiliation: WA DNR

3. Contact Information: on file
Phone: Email:

4. Please identify your concern with the draft (*check box*):

Sub-Strategy *please specify number:*

NTA *please specify number:*

Other *please specify page/section and specific concern:* Book 2, page 113 – B.1.1WS.3 – add DNR to list of consultees

5. What changes, additions, or edits do you propose to address your concern, *please provide specific language/revisions in track changes; if you are proposing changes to NTA or new NTAs please indicate your proposal for NTA ownership and your proposed performance measure:*

By 2013, the West Sound Watersheds Council, in consultation with the Suquamish Tribe, DNR, and others, will develop and implement periodic surveys of eelgrass....

6. Please explain your rationale for this change and why it must be made now as opposed to in future Action Agenda updates. In particular, if you are proposing a new NTA, please describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.

DNR is the state's expert on eelgrass, with an entire unit of scientists charged with annual surveys of eelgrass in Puget Sound. It would benefit both the Watersheds Council and DNR to be coordinated on sampling protocols and other aspects of eelgrass monitoring so that the most leverage can be gained for the benefit of eelgrass recovery in Puget Sound.

7. Do you anticipate any particular support or opposition/concern related to your change? If so please describe briefly.

8. Please describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals in the next 2 to 3 years.

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1. Name: Naki Stevens
2. Agency or Affiliation: WA DNR
3. Contact Information: on file
Phone: Email:
4. Please identify your concern with the draft (*check box*):
Sub-Strategy *please specify number:*
NTA *please specify number:*
Other x *please specify page/section and specific concern:* Book 2, page 120, clarify application of Aquatic Lands HCP
5. What changes, additions, or edits do you propose to address your concern, *please provide specific language/revisions in track changes; if you are proposing changes to NTA or new NTAs please indicate your proposal for NTA ownership and your proposed performance measure:*

Through the habitat stewardship measures of the Aquatic Lands Habitat Conservation Plan, DNR will condition aquatic use authorizations to ensure new or retrofitted over-water structures do not impact eelgrass beds and/or other covered habitats and species.

6. Please explain your rationale for this change and why it must be made now as opposed to in future Action Agenda updates. In particular, if you are proposing a new NTA, please describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.

Clarifies that the HCP applies to more resources that are critical to Puget Sound recovery than eelgrass beds.

7. Do you anticipate any particular support or opposition/concern related to your change? If so please describe briefly.
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1. Name: Richard C. Honour
2. Agency or Affiliation: The Precautionary Group
3. Contact Information:
Phone: 524.772.1473 Email: rhono@precautionarygroup.org
4. Please identify your concern with the draft (*check box*):
Sub-Strategy please specify number: C 1.1
NTA please specify number: 8
Other please specify page/section and specific concern:
5. What changes, additions, or edits do you propose to address your concern, *please provide specific language/revisions in track changes; if you are proposing changes to NTA or new NTAs please indicate your proposal for NTA ownership and your proposed performance measure:*

NTA: Extant and Emerging Contaminants. Ecology and PSP, in collaboration with the ten counties that border and directly impact Puget Sound, plus all of the more than 100 wastewater treatment plants that produce sewage sludges and sewage solids by any name, will develop and provide Accurate Information on the land application of such sludges on forest and agricultural lands, most especially forest and agricultural lands that are subject to rainfall, runoff or seasonal flooding, the waters of which enter soils, ground waters and surface waters in any form, and that drain by such ground and surface waters to Puget Sound. Included in the Accurate Information will be extensive lists of biological, chemical and metal constituents, contaminants and pollutants contained in such sludges and sludge solids, which will include lists of high priority analytes, such as specific pharmaceuticals, pesticides, pathogens, heavy metals, endocrine disruptors, carcinogens, teratogens, mutagens and other chemicals, biochemicals and metals of human, animal and environmental health concern. Ecology and PSP will thereafter publish for the public good a summary of recommended actions to (1) better elucidate the associated threats to Puget Sound by such materials and (2) address the highest priority materials for analysis, disclosure and action.

Performance Measure: By December 2012, Ecology and PSP will publish for public review an outline of a comprehensive plan and timeframe for the termination of the land application of sewage sludge and any form of sludge solids on forest or agricultural lands within the ten counties that border Puget Sound, with the provision that sewage sludges and sewage solids may be land applied to restricted forest lands only so long as they exceed EPA guidelines for Class A sludges and which are evaluated beforehand and proven to be free from contamination by named biological agent pathogens, chemicals,

biochemicals or metals that have been demonstrated to be toxins, toxicants, endocrine disruptors, carcinogens, teratogens, mutagens and the like, that are or may be of human, animal and environmental health concern. By December 2013, Ecology and PSP will publish recommendations for actions to terminate the land application of sewage sludge and any form of sludge solids on forest or agricultural lands within the ten counties that border Puget Sound, subject to the aforesaid provision.

6. Please explain your rationale for this change and why it must be made now as opposed to in future Action Agenda updates. In particular, if you are proposing a new NTA, please describe why ongoing programs and existing NTAs are not sufficient to move the region toward Puget Sound recovery goals.

The change proposed herein is critical to the overall work effort directed to the restoration and recovery of Puget Sound, and merits our immediate investment as a high priority. The Sound cannot be restored so long as the continuing stream of contaminants and pollutants provided by the more than one hundred sewage treatment plants that surround Puget Sound contribute sewage sludge leachates to the Sound ecosystem through surface and groundwater flows and by flooding of agricultural lands that are the recipients of sludges. There are not any ongoing programs or NTAs that address the critical matter of the land-applied sewage sludges in Cascade forests and on agricultural lands bordering Puget Sound. Leachates from land-applied sludges enter ground and surface waters at rates that remain unknown, primarily because the land application of sludges is episodic, and such applications are never followed by studies of the distribution, flow and fate in the environment, most especially in the ground water environment. The biological consequences of land-applied sludges to forests and ag lands is not investigated, and therefore the consequences remain unknown. While other point sources of contaminants and pollutants are identified and terminated, whereby their contribution to Sound degradation may be revealed, the contribution by land-applied sludge leachates remains unknown.

7. Do you anticipate any particular support or opposition/concern related to your change? If so please describe briefly.

There is substantial support for the termination of land-applied sewage sludges and septage throughout North America and Europe, with the US trailing behind some EU nations that have already banned such land application of sludges for human health reasons, as well as for environmental considerations. In that Puget Sound represents a principal estuarine habitat essential to multiple life forms, it is a certainty that Puget Sound will be restored and recovered for global benefit, much less for our local good. As Stewards of the Sound, it is our assignment and obligation to end all sources of contamination and pollution, while the world watches. Our support is global, while local and national environmental groups bring the message to the fore. Detractors include those who view alternate methods of sludge disposal as being inconvenient or too costly, mostly as driven by political and industry pressures, not at all by science. It is our job to be responsible Stewards of the Sound, engendering local and global support. The Sound is a global treasure demanding our immediate attention, while improved methods for sludge processing and disposal are being refined.

8. Please describe the consequences of not making the requested change on our ability to make progress toward Puget Sound recovery goals in the next 2 to 3 years.

There are hundreds of thousands of tons of sewage sludge and septage being land-applied to our forest and agricultural lands each year, a large percentage of which leaches and washes to the Sound. Any and all current mitigation, remediation, restoration and recovery efforts are compromised by the endless flow of sludge leachates into the sound. Sludge leachates carry toxic and hazardous materials, and must be subjected to toxicology testing, not to dated and conventional analytical methods that do no more than restate the less than meaningful results from the past. We live in an era of technology-driven science, none of which is applied to sludge leachates that flow to the Sound, the consequences of which are subtle in their apparent impact. Time is of the essence.