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November 30, 2017

Amy Jankowiak
Department of Ecology
Water Quality Program
3190 - 160th AVE SE
Bellevue, WA 98008-5452

RE: Puget Sound No Discharge Zone

Dear Ms. Jankowiak,

Thank you for the opportunity to comment on *Chapter 173-228 WAC, Vessel Sewage No Discharge Zones*. We appreciate the tremendous amount of effort, time, and thoughtfulness that has gone into the petition and review by staff both at the Washington State Department of Ecology (Ecology) and also at the US Environmental Protection Agency (EPA). We strongly support the establishment of a No Discharge Zone for Puget Sound and Lake Washington.

Futurewise is a non-profit organization that works throughout Washington State to create livable, equitable communities, protect our working farmlands, forests, and waterways, and ensure a better quality of life for present and future generations. We work with communities to implement effective land use planning and policies and ensure healthy natural systems. We have supporters across Washington State.

Since 2011, Futurewise staff, including time previously at People For Puget Sound, have been involved in work associated with the establishment of a No Discharge Zone for Puget Sound, including raising public awareness, conducting boater surveys, assistance with implementation programs, and technical reviews.

Background. Pursuant to Clean Water Act Section 312(f)(3), Ecology has determined that the protection and enhancement of the quality of the waters of Puget Sound requires greater environmental protection. In 2017, EPA, Region 10, determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for those waters so that the State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters.

Washington State proposed to establish a No-Discharge Zone for all marine waters of Washington State inward from the line between New Dungeness Lighthouse and the Discovery Island

Lighthouse to the Canadian border, and fresh waters of Lake Washington, Lake Union, and connecting waters between and to Puget Sound. The fresh waters of Lake Washington, Union Bay, Montlake Cut, Portage Bay, Lake Union, Fremont Cut, the Lake Washington Ship Canal, and Salmon Bay (the connecting waters from Lake Washington to Puget Sound) would be included.

Why a No Discharge Zone is important. We support establishing a No Discharge Zone because of the critical protection it will provide to the water quality of Puget Sound and Lake Washington. This use of a protection tool is common across the United States and, to date, Region 10 of EPA is the only region in the nation that has not designated any No Discharge Zones.

While there are many sources of pollution to our waters, it is important to address all of them over time, including pollution from marine vessels, as we move forward towards recovery of the health of the Puget Sound ecosystem. For that reason, the establishment of a No Discharge Zone has been identified as a key strategy in the Puget Sound Partnership's Action Agenda.

Establishment of a No Discharge Zone will ensure water quality standards are met and would also provide clarity for marine vessel operators. Current regulations allow for the discharge of minimally treated sewage anywhere in Puget Sound and the discharge of untreated sewage beyond three miles from shore. Many vessels operators, especially recreational boaters, think that no sewage is allowed to be discharged at all and others are unsure. Messaging on signage around Puget Sound is not consistent. The regulations do not require that minimally treated sewage meet water quality standards. The establishment of a No Discharge Zone would provide for a mechanism to send a consistent message and to ensure that there is no opportunity to impair waters with discharges that do not meet water quality standards.

Protection of swimmers and shellfish resources in the nearshore is especially important. In addition to toxic pollutants that are released from marine vessels, including cleansers, detergents, personal care products, pharmaceuticals, and other contaminants, there is also concern about pathogens and other human health-related pollutants that can potentially important contact recreation and shellfish harvesting beneficial uses in the nearshore.

We urge Ecology to, in accordance with CWA section 312(f)(3), completely prohibit the discharge from all vessels of any sewage, whether treated or not, into the designated area of Puget Sound and Lake Washington.

Thank you for your consideration. If you have any questions or concerns, I can be reached at (206) 343-0681 X115 or heather@futurewise.org.

Sincerely,



Heather Trim
Director of Science and Policy