

Elsie Hulsizer

Please see attached comment letter

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Amy Jankowiak
Department of Ecology
Water Quality Program
3190 - 160th AVE SE
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Subject: Comments on Proposed Puget Sound No Discharge Zone

Dear Ms. Jankowiak:

Thank you for the opportunity to comment on the Department of Ecology's proposed No Discharge Zone (NDZ). I understand that the EPA has already approved the NDZ request so I am focusing my comments on the Implementation Plan.

I believe that for a Sound-wide NDZ to be successful, we must have more pumpouts than we currently do, do a better job designing and maintaining the pumpouts and aim education and enforcement at marina operators as well as boaters. I also believe that Ecology should include boaters and marina operators in its evaluation efforts. Boaters should have periodic opportunities to weigh in on the number of pumpouts, their functionality and their maintenance. Finally, the effective date for boaters is so unrealistic as to be laughable.

In my 2013 comments on the Sound-wide NDZ, I did not comment on the adequacy of the number of pumpouts as my husband and I had only recently replaced our Type I system in our sailboat with a holding tank and had done almost all of our cruising with it in Canada and Alaska. But this past summer we spent over four weeks total in Puget Sound, including South Puget Sound, Central Puget Sound and the San Juan Islands, giving us an opportunity to experience personally the issues with pumpouts in Puget Sound.

Number of Pumpouts: Not Yet Adequate.

Although the number of pumpouts may look impressive, their location and conditions can leave large water areas without a usable pumpout, especially for sailboats and slow powerboats with limited tankage.

Like many boaters which made the switch from Type I devices we have limited space for a holding tank. (Although 44ft long, our boat was designed in 1938 when boats were narrower with less freeboard.) We hold only 13 gallons of sewage and even with a vacuum system, must

pumpout every 3-4 days. A distance between pumpouts that looks short for newer and/or faster boats, looks farther to us.

Observations on specific pumpouts and localities:

The manual pumpout in Reid Harbor on Stuart Island was difficult to use. We could not get an adequate suction and had to give up.

The pumpout in Friday Harbor requires tricky maneuvering which can be hazardous in strong winds.

The planned pumpout at Blind Bay on Shaw Island may not be built because the legislature failed to pass a capital budget.

The Rosario Strait area including Deception Pass area and Skagit Bay has no public pumpouts.

Although Gig Harbor has several pumpouts, the two we tried had extremely short docks and in a strong wind were risky to approach. The one in the public park had small boats overhanging the side of the pumpout dock, adding to the difficulty. Even the most environmentally conscientious boater is unlikely to risk damaging his/her boat in a risky situation.

The pumpout in Penrose Pt State Park, the only one in the eastern portion of South Sound, is limited to boats under 30ft, not accessible to sailboats at low tide and was not operating when we visited. Another boater told us he never had seen it working over several trips.

The pumpout at the King County Park at Dockton was also not operating when we visited there in the fall of 2016. The pumpout at the State Park in Mystery Bay was also not operating that year. The Park Ranger told us he knew of no plans to fix it.

We encountered a number of pumpouts lacking wash-down hoses leading to odor problems both at the pumpout and on the boats using them.

Port Madison on Bainbridge Island has a large number of small marinas (probably permitted as single family docks) with no public pumpout in the bay. The nearest ones are in Poulsbo, Kingston, Shilshole and Eagle Harbor, all at least an hour away with a small boat or sailboat, meaning a three hour round trip counting pumpout and maneuvering time.

Although Shilshole marina where we keep our boat has three pumpouts, on Sunday afternoons we frequently have to wait for access. This will only get worse if more boats add holding tanks and some who now have them start using them. The pumpout at the south end of the marina is beam to the prevailing winds, northerly and southerly, and has a round bullrail, which is slippery and dangerous in wet weather.

Draft Rule Implementation Plan needs technical assistance for boaters and education for marina operators.

The Draft Rule Implementation Plan is missing key elements for success:

1. Education of marina owners and operators on pumpout system requirements and best management practices. Education aimed at boaters won't accomplish anything if pumpouts are not adequate or not designed, installed and maintained properly. This is such an obvious gap it appears you have not done your homework on the obstacles to boater cooperation.
2. Review of adequacy of enforcement by local governments of pumpout requirements at marinas. Boaters need to know where to report nonfunctioning pumpouts and be assured they will be fixed promptly.
3. Review of the Shoreline Act guidelines and individual Shoreline Master Programs. Is it time for "grandfathered" marinas to add pumpouts? Details such as requirements for wash-down hoses, float length, float height, orientation with respect to prevailing winds, and square bullrails instead of round can improve the pumpout experience (never a pleasant one) and encourage cooperation.
4. Inclusion of boaters in the design of educational material. They are the best positioned to understand how to approach other boaters.
5. Education for boaters on installing and maintaining holding tanks including techniques to minimize odors.

These things would need to be done with or without an NDZ. As Ecology's own data show, very few boats have Type I or II systems. If the NDZ increases compliance significantly, it will be from improved compliance among boats already equipped with holding tanks as well as boats with Type I and II systems switching to holding tanks.

Evaluating the Rule. Add input from boaters.

I have closely followed the issue of sewage from recreational boats since the 1980s when I worked on the issue at the (now defunct) Puget Sound Water Quality Authority. At that time few boaters wanted to use holding tanks and those who wanted to had trouble finding pumpouts. Boaters' attitudes have changed significantly and it is no longer acceptable to admit you don't pumpout. Ecology's own reports for the NDZ proposal show most boaters already comply with the regulations. The only real change in the regulations is to outlaw Type I and II systems and according to Ecology's own documents, only approximately 5% of boaters have them. Given this situation, you may not see a significant increase in usage of pumpouts following the NDZ.

Evaluation should include surveying boaters on their opinion of the adequacy of pumpouts, their maintenance and their location. If there is an increase in boats both having and using holding tanks, competition for pumpout use will add more wear and tear on the equipment, potentially leading to less availability.

Effective Date of Rule.

Even boaters who want to comply with the March 2018 effective date will have difficulty doing so. Boaters need time to consult experts, plan new systems, choose equipment, buy it and install it. Many boaters don't have the skills and/or the time to install it themselves and will need to hire installers whose numbers are limited.

Using our own experience of replacing a Type I with a holding tank as an example, we spent considerable time researching the best equipment and figuring out how to install it. Our total cost for new equipment was \$2,500 in 2012. Because of limited space for a holding tank in our older boat, we had to also install a new vacuum pump toilet (uses less water and therefore requires smaller holding tank volume). My husband, who worked in the marine industry, spent several weeks of his time installing the new system including changes to other systems to accommodate the tank and the new toilet. If we had had to pay an installer, the cost would have more than doubled. Because most boats with Type I MSDs chose them for space issues, few will get by with installing just a holding tank.

Ecology's own plan for educating persons affected by the rule implies time required for interagency coordination and development of educational tools. It is unrealistic to think that boaters could then just turn around and add a holding tank in a short period of time. You can expect laughter and scorn rather than cooperation. Please allow at least one year between effective date and full implementation.

Sincerely,

Elsie Hulsizer