



August 16, 2021

Via DOE Online Portal

Eleanor Ott, P.E.
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

Re: Draft Puget Sound Nutrient General Permit (PSNGP)

Dear Ms. Ott:

On behalf of the Board of Commissioners for Skyway Water and Sewer District (District), I am writing to share the District's concerns about the Washington State Department of Ecology's (Ecology) draft Puget Sound Nutrient General Permit (PSNGP) for municipal wastewater treatment facilities that discharge into Puget Sound. We feel strongly that Ecology's issuance of a PSNGP is premature and needs more work before it can be implemented successfully and without irrevocable adverse outcomes. We request that Ecology delay the issuance of the PSNGP until the modelling of nutrient inputs to Puget Sound is well understood, the available data is fully evaluated, and alternatives have been explored.

Skyway Water and Sewer District is a medium-sized special purpose water-sewer district located in unincorporated King County between the cities of Seattle, Renton and Tukwila and the shores of Lake Washington on the East. The District provides sewer collection and transmission service through approximately 4050 service connections, to primarily to single-family and multi-family residences with a population of about 18,000 residents. Wastewater flows generated in the District are conveyed to and treated by King County Wastewater Treatment Division. Costs to meet the PSNGP regulatory requirements, estimated to be in the billions of dollars, would be borne proportionally by the residents of our community, where an estimated 15.5% of individuals live below the poverty line and over 30% of children under 18 years of age live below the poverty line.

The District recognizes Ecology's responsibility to maintain compliance with water quality standards and to address dissolved oxygen (DO) impairment in sensitive areas of the Sound. The District shares Ecology's goal to restore Puget Sound waters, however, we do not have sufficient information to support the PSNGP as proposed by Ecology. It is our understanding from available data that wastewater treatment plant discharge is a minor contributor of pollutants to Puget Sound and that other sources (stormwater, contaminated sediments, air pollution, climate change) are the primary pathways for pollutants that negatively impact Puget Sound water quality.

The science does not support issuance of the PSNGP at this time. There remain significant scientific uncertainties associated with understanding DO depletions in Puget Sound and use of the Salish Sea Model as the tool to support regulatory requirements. The Puget Sound is a complex ecosystem that needs to be studied and evaluated by a body of experts. Additionally, Ecology has not fully considered the environmental trade-offs such as the increase in greenhouse gas emissions that occurs with increased nitrogen removal.

As stated previously the PSNGP, as proposed by Ecology, will have significant economic impacts on residents and business owners in this region and in our District. Ecology needs to assess the economic impacts of the PSNGP to ensure decision-makers are well informed on what the costs to residents and businesses will be. Residents and businesses served by King County wastewater treatment facilities could see rate increases three times greater than current rates to comply with the PSNGP as proposed. Given the regional need to tackle stormwater, habitat restoration, and other actions necessary for Puget Sound recovery, Ecology should recognize the cumulative cost of all of these environmental initiatives and prioritize those projects with the greatest water quality benefit. It is crucial that we get this right.

King County, including the Skyway Water and Sewer District community, is already not affordable for many residents and businesses. The Growth Management Act has concentrated growth within the urban growth boundary, resulting in dense urban neighborhoods in King County which makes it very expensive to expand the footprint of treatment facilities to comply with the proposed PSNGP. Significantly increased sewer rates resulting from issuance of the PSNGP could force residents to move elsewhere and businesses to relocate. We want to avoid any further displacement and to maintain affordability for residents and businesses in this region and in our Skyway community.

Ecology should fully explore alternatives. Ecology should explore alternative approaches to improving Puget Sound water quality such as to first focus on shallow bays where dissolved oxygen is most problematic. This could achieve the most impactful water quality benefit more quickly. Nitrogen removal is a huge investment for this region. Like others, we strongly support the restoration of Puget Sound, but believe Ecology has not fully explored alternatives that would lead to a greater water quality benefit. We do not have sufficient information yet from Ecology to justify this kind of significant investment by residents and business owners.

Thank you in advance for your consideration of our comments. Again, the importance of delaying issuance of the PSNGP until the modelling and data on nutrients are well understood and alternatives fully evaluated cannot be overstated. If you have any questions regarding the District's position, please feel free to contact me at 206-772-7343 or cynthial@skywayws.org.

Respectfully,



Cynthia Lamothe
General Manager

Cc: Skyway Water and Sewer District Board of Commissioners
Pam Carter, Chair, King County Metropolitan Water Pollution Abatement Advisory Committee
Senator Rebecca Saldaña, 37th Legislative District
Representative Sharon Tomiko-Santos, 37th Legislative District 37
Representative Kirsten Harris-Talley, 37th Legislative District