



August 13, 2021

Ms. Eleanor Ott, Environmental Engineer  
Department of Ecology  
PO Box 47696  
Olympia, WA 98504-7696

Subject: Department of Ecology's Puget Sound Nutrient General Permit

Dear Ms. Ott:

The Kirkland City Council and staff appreciate the opportunity to provide to you Kirkland's perspectives and concerns about the Department of Ecology's draft proposed Puget Sound Nutrient General Permit (PSNGP) for municipal wastewater treatment facilities that discharge into Puget Sound.

First, together with the region's other wastewater service providers, Kirkland supports efforts to achieve cleaner water and healthier sea life in the Puget Sound. We also are concerned and want to continue to be proactive about other societal issues effecting this region, including housing affordability, social equity, and homelessness.

Kirkland does not operate its own domestic wastewater treatment plant but instead partners and contracts with King County for treatment and disposal services. Staff of the King County Department of Natural Resources briefed Kirkland staff and me about the proposed PSNGP, and immediately we had profound concerns about the implications of the proposal and the process that is being followed.

Above all, we believe these proposed regulations are not receiving sufficient review and study by all the stakeholders that would be impacted. We urgently request Ecology to take the following actions in order to be more comprehensive, rigorous, balanced, and transparent:

- Establish an independent panel of scientists and engineers to make recommendations about the effectiveness of alternatives and identify solutions to achieve the greatest water quality benefit for the investment;
- Extend the nutrients general permit schedule to allow time to analyze other alternatives (e.g., water quality trading, bubble permits, and others); and
- Collaborate with interested parties to develop a regional plan that includes feasibility, affordability, and equity.

The potential cost implications alone should indicate that more evaluation of alternatives and more time to analyze impacts are needed.

As mentioned above, Kirkland relies on King County for wastewater treatment. Presently, the average single-family household pays \$540 per year for those services. Yet, initial estimates for implementing the PSNGP indicate a staggering increase ranging from \$1,020 to \$5,148 per year for the average single-family household by 2035. That would be in addition to the baseline 5-7% per year projected increases for improvements, operations, and maintenance that are necessary to meet current regulatory standards.

The increases noted above do not account for Kirkland's own operational and inflationary needs, and they encompass financial impacts to the sanitary sewer utility only—not any other municipal service or program. Such a financial hardship would undermine the City's and the region's efforts and hard-won progress on the aforementioned needs for greater housing affordability, social equity, and reduced homelessness. We stress unequivocally our concerns about the financial impact the proposed PSNGP would have on Puget Sound residents, businesses, and tourists.

Given the significant cost of imposing additional regulatory requirements, our region must be assured such investments will result in significant water quality improvements. Wastewater treatment plants account for just over 8 percent of nitrogen inputs into the Puget Sound. Natural oceanic circulation accounts for 88 percent. Ecology's proposal could require investing billions of dollars to reduce nitrogen inputs from wastewater treatment facilities to about 6 percent. Kirkland has a difficult time understanding why nearly every other societal need and basic service in the region would need to take major steps backward in order to realize roughly a 2 percent reduction.

Kirkland would welcome being a constructive partner with Ecology to explore other, more cost-effective solutions to address this issue. Our residents are living in an economy already impacted severely by the pandemic. We implore Ecology to recognize the near- and long-term affordability challenges for many residents in the Puget Sound region that would accompany these proposed regulations. We owe it to the region's residents, businesses, and the Puget Sound itself to find the most cost-effective actions to provide the greatest water quality benefits.

Specifically, we ask Ecology to respond to us in writing to the following questions and comments:

- We understand that Ecology based its proposed regulations using a single model, the Salish Sea Model. Why did Ecology opt to use that model instead of another? Did that model employ extensive internal and external peer review? Please share the data and findings that were part of the peer review process. Does the model show conclusively that reducing nitrogen from wastewater treatment plants will directly increase oxygen levels?
- Has Ecology explored other nutrient-reduction alternatives? Please describe the analysis performed and the outcomes, and also please provide Ecology's reasoning for focusing on wastewater treatment facilities at this time.
- Ecology claims that no large capital investments would be required. However, King County has stated that billions of dollars of capital infrastructure would be needed. Why is there such a monumental discrepancy or difference of opinion?
- Would you please describe the actions Ecology is taking to mitigate non-point nutrient sources and compare the level of mitigation effort between wastewater treatment facilities and non-point sources?
- We understand that all permittees would be required to conduct an Environmental Justice Review, which would include a demographic analysis to consider communities of color, Tribes and indigenous populations, and an affordability assessment to determine whether wastewater utility rate increases would impact certain populations disproportionately. We do not understand why Ecology itself would not perform such an analysis, including an in-

depth economic analysis of the impacts the PSNGP will have on all Puget Sound residents and businesses, short term and long term. Are fiscal considerations not considered at all by Ecology?

- It is our understanding that approximately 20-25 wastewater treatment facilities that discharge to the Puget Sound will not be required to comply with the requirements of the PSNGP. Please describe why. Also, please describe the analysis that was performed that led Ecology to not include those facilities in the requirement.

Respectfully, we request Ecology to reconsider its timeline for implementation until all alternatives and economic impacts have been considered fully and a thoughtful selection of the most beneficial and economic pathway can be made.

On behalf of all on the Kirkland City Council and all of the citizens we represent, thank you for your consideration of our perspectives and comments. If you have any questions, please feel free to contact Julie Underwood, Director of Public Works ([junderwood@kirklandwa.gov](mailto:junderwood@kirklandwa.gov) or 425-587-3802) or Josh Pantzke, Utility Manager ([jpantzke@kirklandwa.gov](mailto:jpantzke@kirklandwa.gov) or 425-587-3917).

Sincerely,  
CITY OF KIRKLAND



Penny Sweet  
Mayor

cc: Members of the House Environment and Energy Committee  
The Honorable Senator Derek Stanford  
The Honorable Representative Davina Duerr  
The Honorable Representative Shelley Kloba  
The Honorable Senator Manka Dhingra  
The Honorable Representative Roger Goodman  
The Honorable Representative Larry Springer  
The Honorable Senator Patty Kuderer  
The Honorable Representative Vandana Slatter  
The Honorable Representative Amy Walen  
The Honorable Members of the Kirkland City Council  
Christie True, Director, King County Department of Natural Resources and Parks  
Kamuron Gurol, Director, King County Wastewater Treatment Division  
Kurt Triplett, City Manager, City of Kirkland  
Julie Underwood, Director of Public Works, City of Kirkland  
Ray Steiger, Superintendent, Department of Public Works, City of Kirkland  
Josh Pantzke, Utility Manager, Department of Public Works, City of Kirkland  
Chris Lynch, Senior Financial Analyst, Department of Public Works, City of Kirkland