

King County (Zackary Holt)

King County appreciates the opportunity to comment on the Soos Creek Fine Sediment TMDL and looks forward to continued collaboration on this effort. Please accept our comment memo and supplemental comment matrix for this draft TMDL.



King County

Water and Land Resources Division

Department of Natural Resources and Parks

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October 20, 2025

Water Quality Program

PO Box 47600

Olympia, WA 98504-7600

RE: Comments Regarding Draft Soos Creek Fine Sediment TMDL

Dear Cleo Neculae and Teizeen Mohamedali:

King County's Water and Land Resources Division (WLRD) supports the Washington State Department of Ecology's efforts to improve water quality within Soos Creek and appreciates the opportunity to comment on the Draft Soos Creek Fine Sediment TMDL.

WLRD safeguards King County's water and land resources by providing services that protect public health and safety and yield significant environmental benefits. WLRD provides flood control services, stormwater management, and other natural resource management services throughout the county. WLRD manages the stormwater program for unincorporated areas, houses three salmon recovery forums, restores habitat, monitors water quality, and controls noxious weeds. Additionally, WLRD operates King County's Environmental Lab and Science sections, which provide environmental monitoring, data analysis, and management and modeling services to partners, jurisdictions, and residents throughout the region.

WLRD understands the importance of addressing water quality impairments in receiving waters and working towards water quality improvement in these water bodies. WLRD has reviewed the Draft Soos Creek Fine Sediment TMDL and has the following comments:

Scientific uncertainty

There is considerable scientific uncertainty linking the retrofits—essentially the exclusive corrective option required by this TMDL—to achieving the desired increase in BIBI (and FSBI) scores. This point has been conceded by Ecology in the TMDL document (see page 135) as well as in public meetings. While a full discussion of the science underpinning this TMDL is beyond the scope of this letter, we will mention here:

- The lack of knowledge of natural conditions (i.e., pre-development benthic assemblages)
- The lack of comparability between Soos sampling sites and regional reference sites

- The lack of observations of fine sediment at BIBI sampling sites in the Soos basin, which are needed to draw a direct relationship between the stated pollutant and the stated impairment
- The unsupported decision to choose “100% forested condition” as an appropriate target for achieving sufficient increases in BIBI scores. (Please see the attached comment matrix for more specific comments.)

Furthermore, many of the data used for the TMDL analysis in the Soos basin are over ten years old, exceeding Ecology’s data usability recommendations in Policy 1-11. Since 2015, municipalities have performed stormwater retrofits within the Soos Creek basin, improved surface water design criteria, and increased requirements regarding the use of construction BMPs (e.g., erosion and sediment control). These efforts can reasonably be expected to stabilize disturbances in the stream that resulted from the more heavy-handed development practices in past decades. The impact of that body of work is completely absent from Ecology’s analysis. For example, there are reasons to believe that BIBI scores at several sites in the Soos basin are already showing increasing trends or even have surpassed the “impairment” threshold, calling into question the requirement to retrofit the entire watershed. Finally, given the uncertainties in the TMDL analysis, if this TMDL becomes codified, MS4 permittees must not continue to be held to the TSS reductions outlined in the TMDL WLAs if BIBI scores in these streams surpass the stated impairment threshold. Ecology must follow its own rules for delisting impaired stream segments as found in Water Quality Program Policy 1-11.

Cost

While further analysis is needed, estimated costs for the proposed retrofits and other capital work required by this TMDL would be in the hundreds of millions of dollars, or more, over the duration of the implementation plan. The draft TMDL document has not demonstrated clearly how compliance with the TMDL’s waste load allocations would achieve the stated goal of restoring the health of the benthic community in Soos Creek. Ecology has conceded this point in public meetings. Similarly, Ecology has not explained why other, more cost-effective BMPs like street sweeping are excluded.

Conflict with other priorities

Requiring King County to focus on the Soos Creek watershed would draw resources away from more degraded waterbodies located in overburdened communities (e.g. Skyway and White Center areas of King County), which we have presently prioritized in our SMAP/SMED efforts (as recommended by the current Phase I municipal NPDES permit). We urge Ecology to apply a cohesive strategy for addressing water quality between this TMDL and the Phase I permit by supporting a watershed-based approach that delivers improved, cost-effective outcomes in priority frontline areas where the greatest ecological lift could be attained through these efforts.

Lack of clarity to achieve compliance or track progress

This draft TMDL makes several poorly supported conceptual leaps regarding the methods to improve BIBI scores within the Soos basin and provides limited metrics to track successes. We recommend Ecology focus on water quality outcomes rather than mandate a single exclusive method to address fine sediment in Soos Creek. Retrofitting the entire Soos basin is an excessive response that is not adequately connected to that problem. While the TMDL document suggests many possible actions that permittees

can take to reduce TSS levels in Soos Creek, there are no metrics to demonstrate and track their effectiveness if implemented. Permittees will only get credit (towards permit compliance) for performing stormwater retrofits or building new runoff treatment systems. We request Ecology clarify the accounting mechanism(s) that will be used for determining progress and compliance with this TMDL.

If you have questions regarding the comments above, please feel free to contact Zack Holt at zholt@kingcounty.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josh Baldi".

Josh Baldi
Division Director

Enclosure

cc: Ashley Evans, Program Manager, Policy and Government Relations, Water and Land
Resources Division (WLRD), Department of Natural Resources and Parks (DNRP)
Angela Gallardo, Manager, Stormwater Services Section, WLRD, DNRP
Zack Holt, Manager, Water Quality Compliance Unit, WLRD, DNRP