

May 28, 2009

To: Bob Warren, NW Regional Office Section Manager
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SUBJECT – Lower Duwamish Draft Feasibility Study

The Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC) was created by state law (RCW 35.58.210) to advise the King County Council and King County Executive on matters related to water pollution abatement. MWPAAC's membership consists of representatives from cities and local sewer districts that operate sewer systems within King County and those local sewer utilities within Pierce and Snohomish Counties which are served by the King County Wastewater Treatment Division. MWPAAC offers the following comments on the Draft Feasibility Study of the Lower Duwamish Waterway released April 24, 2009 (Draft FS).

MWPAAC recognizes the importance of improving sediment quality in the Lower Duwamish Waterway (LDW) and believes that the most cost effective approach should be used to cleanup the LDW. The cleanup of the LDW is complicated by a complex environment, including historical releases of chemicals, background levels of contamination and tidal action in the LDW. The alternatives outlined in the Draft FS vary widely in their scope, cost and time estimated to achieve preliminary remediation goals.

MWPAAC supports the adaptive management approach described in the draft Feasibility Study. As noted in the Executive Summary of the Draft FS, the adaptive management approach should focus on: cleaning up the most contaminated areas first to reduce risks the fastest, assessing the progress of natural recovery, learning from each incremental cleanup experience, and adjusting further actions based on the newest data and lessons learned. The adaptive management approach is also consistent with experiences at other complex sediment sites that point to the necessity of using adaptive management strategies.

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Following remediation of the most contaminated sites, MWPAAC agrees with the Draft FS approach of progressively remediating the next most contaminated areas as necessary to achieve remedial action objectives. Before considering additional dredging beyond the most contaminated sites, the environmental, economic and social costs of more extensive dredging should be weighed against any benefits. Therefore, a decision to remediate any of the next most contaminated sites should be informed by the success of methods used to remediate the most contaminated sites and the benefits of ongoing natural sediment recovery processes.

MWPAAC recommends that the adaptive management approach be combined with any defined set of actions as an alternative because of the variability in the data and estimated success of cleanup efforts. The time required to implement a cleanup plan and achieve its goals suggests the cleanup actions will need to be revised based on the availability of new information. Although the alternatives discussed in the Draft FS include long-term monitoring and contingency actions, applying the adaptive management approach while cleaning the most contaminated sites in the LDW first will ensure the funds spent on cleanup efforts are maximized to achieve the greatest benefit to human health and the environment.

In sum, MWPAAC asks the U.S. Environmental Protection Agency and the Washington State Department of Ecology (department) to apply the adaptive management approach using the most cost effective approach to cleanup the LDW. Any selection of an alternative, as part of the cleanup plan, that prescribes what activities will occur without some flexibility does not allow for adequate review following cleanup of the most contaminated sites or recognize the importance of new information as the cleanup progresses.

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MWPAAC is also concerned that further remedial cleanup efforts may occur in advance of the department's source control program that is aimed at reducing contaminants entering the LDW. It is imperative to implement the source control program so that its impact enhances the success of any remediation efforts in the LDW. MWPAAC is pleased to offer its comments on the Draft FS and looks forward to future stakeholder involvement on the cleanup of the LDW.

Sincerely,

Scott Thomasson
Chair

cc: MWPAAC Members
Honorable Kurt Triplett, Interim King County Executive
Christie True, Director, Wastewater Treatment Division,
King County Department of Natural Resources and Parks

