

January 21, 2003

Don Theiler, Manager and SEPA Responsible Official
King County Wastewater Treatment Division
KSC- NR-0505
201 South Jackson Street
Seattle, WA 98104-3588

RE: Brightwater Wastewater Treatment Plant Draft Environmental Impact Statement comments

Dear Mr. Theiler:

The City of Woodinville hereby submits the following comments on the proposed Brightwater Regional Wastewater Treatment System Draft Environmental Impact Statement. Our comments begin with some general observations on the project and DEIS. Following these general comments, more specific comments are provided on each chapter of the DEIS. The City of Woodinville requests that these comments be addressed in the Final Environmental Impact Statement for this project.

Overall Comments

The proposed Brightwater Route 9 treatment plant site is within one half mile of the City's northern corporate limits, and the area has much in common with the City. This close proximity of the site, the magnitude of the project, and its potential impacts means that the City must be included as part of the "affected" environment under SEPA rules as the project is likely to have "probable, significant adverse environmental impact" (WAC 197-11-712) on the City of Woodinville. Therefore, the FEIS should thoroughly address impacts of the project to the City of Woodinville in order to provide decision makers and the public with the balanced set of factors and information necessary to make sound decisions. As it stands, Woodinville is the most impacted incorporated jurisdiction, but it is rarely identified, and is not analyzed as an entity in the Route 9 entries of the DEIS. We are strongly dismayed by this.

Additionally, the Brightwater treatment plan site is within the City of Woodinville's Urban Growth Area (UGA). Therefore, the area is presumed to eventually annex to the City. The Growth Management Act (GMA) recognizes the importance of interjurisdictional planning in UGA's by specifying that countywide planning polices contain: "policies for joint county and city planning within urban growth areas" (RCW 36.70A.210). The DEIS shows a marked absence of such interjurisdictional planning, in spite of several Snohomish County policies supporting these goals, as shown below:

JP-2: Encourage policies that allow accessible, effective and frequent inter-jurisdictional coordination relating to the consistency of comprehensive plans within a particular UGA.

OD-9: Develop policies that encourage the orderly transition of unincorporated to incorporated areas.

ED-3: Encourage adoption of measures in local comprehensive plans, which help preserve designated industrial and commercial land base.

The GMA (RCW 36.70A.100) also requires that “the comprehensive plan of each county or city that is adopted pursuant to RCW 36.70A.040 shall be coordinated with, and consistent with, the adopted comprehensive plans of other counties or cities with which the county or city has, in part, common borders or related regional issues.”

The Brightwater DEIS fails to adequately address the above-cited coordination and consistency statutes and policies in its analysis of project impacts and mitigations, since it largely ignores these issues in relation to the City of Woodinville. The FEIS should therefore address more comprehensively this policy and regulatory guidance. Specifically, it should acknowledge that the City of Woodinville is a part of the “affected environment” under the State Environmental Policy Act, and address the environmental impacts and mitigations to the City. The FEIS should also address the need for a process for an orderly transition through annexation of the Urban Growth Area containing the Route 9 site to the City of Woodinville. As written, the FEIS shows a remarkable lack of interlocal coordination and planning called for by the GMA and King and Snohomish County planning policies. This should be corrected in the FEIS by a commitment to prepare an interlocal agreement between the City of Woodinville, Snohomish and King Counties for addressing the annexation issue, as well as determining impacts and mitigations to the City of Woodinville from the Brightwater project.

The FEIS should also more thoroughly address the consistency of this proposed project with the adopted plans and policies of the City of Woodinville. These plans and regulations include the City of Woodinville Comprehensive Plan, Woodinville Municipal Code Chapter 21 (Land use and Zoning), Parks, Recreation and Open Space Plan, Capital Improvement Plan, Regional Arterial Network, Shoreline Master Program and Design Guidelines. In addition to the above referenced plans, for more than a year, the City of Woodinville has been in the process of developing a Storm Water Master Plan and a Downtown and Little Bear Creek Corridor Master Plan. The City of Woodinville has made substantial investments in environmental protection, including a major habitat assessment study, fish passage improvements and property acquisition along Little Bear Creek, and improvements to the storm water collection and treatment system. These investments are significant efforts by the City of Woodinville to enhance environmental resources and protect endangered species.

Meanwhile, the City of Woodinville is also doing significant growth management planning to meet the spirit and letter of the Growth Management Act. These efforts include steps to enhance its economic development, housing options and affordability, improve motorized and non-motorized transportation facilities and improve parks and open space. Recently, much of this effort has been focused through the City’s Downtown and Little Bear Creek Master Plan. This planning process has been underway for over one year and has included extensive community involvement. This major subarea plan of our Comprehensive Plan is anticipated to be completed in 2003, and will be a long term “roadmap” for Woodinville’s attainment of numerous

Comprehensive Plan goals and policies, including the vision for a “compact, inviting downtown that is a good place to work, shop, live and recreate.”

The above efforts represent substantial investments of time, staff resources and money from the Woodinville community and indicate the importance the City Council places on protecting and improving the quality of life in our City. The Brightwater Route 9 treatment plant could directly impact and threaten these investments in the future of the City of Woodinville. The DEIS fails to answer how the proposed project will impact these investments, and how those impacts will be mitigated. These potential impacts must be clearly identified and fully mitigated. Should the Route 9 site be selected, mitigation opportunities could include financial participation in the following:

- Salmon habitat restoration projects in the Little Bear Creek and Sammamish River.
- Creation of the Little Bear Creek Lineal Park from the Sammamish River to the Route 9 site and access to this trail from adjacent communities.
- Provision of identified projects in the City’s Park, Recreation and Open Space Plan to ameliorate identified deficiencies in recreation facilities.
- Provision of pedestrian-oriented facilities identified in the City’s Downtown and Little Bear Creek Master Plan.
- Transportation projects identified in the City’s Transportation Improvement Plan to ameliorate key arterial choke points.
- Transit oriented housing development, to ameliorate the shortage of affordable housing and encourage transit ridership.
- Provision of a bond or other financial guarantee to ensure provision of an “activated carbon ” system or other odor control method should the initial system fail to provide adequate odor control.

The above list is preliminary, and the City of Woodinville specifically requests the opportunity to meet with appropriate parties to discuss issues prior to preparation of the Final Environmental Impact Statement (FEIS), and, if the Route 9 site is selected, a “seat at the table” during permitting processes as well as any discussions regarding mitigations for this project.

City of Woodinville Tree Board Comments

The City of Woodinville Tree Board is a five-member board appointed by the City Council to advise them on matters affecting the Community Urban Forest. The purpose of the Tree Board is to promote the Community Urban Forest in order to uphold the City’s environmental and economic health and preserve the northwest woodland character. The following comments are from the Tree Board.

“The Tree Board is concerned that the proposed Brightwater Wastewater Treatment Plan will adversely impact the City of Woodinville, in particular, how it relates to our current planning for the urban forest. Since the proposed site is within the City’s Potential Annexation Area and will eventually be part of the City, the City’s Community Urban Forestry Plan and associated tree regulations of Woodinville Municipal Code Sections 2.24 and 21.16 should be applied to this project. Changes of this magnitude that will alter the community and the environment to this degree should be subject to the

current regulations as well as the larger planning efforts that will impact the area for at least the next few generations. We respectfully request that the following comments be forwarded to the SEPA Official for consideration and inclusion into the City of Woodinville response to the Brightwater Draft Environmental Impact Statement:

1. Native Growth Tree Preservation

The proposed Brightwater area includes many native growth mature trees for which there are no substitutes once they are removed. The Development should be held to the same preservation and replacement standards as any development in the City of Woodinville, which is 30 tree-credits per acre. Not only is this important in maintaining the City's urban forest, a major goal of the City's Comprehensive Plan, but it will help mitigate other environment impacts such as air quality and surface water runoff. Planting within the proposed 100 foot wide buffers should consist primarily of native growth trees and plants.

2. Street Trees

A significant amount of trees should be included along the streets to provide a seamless transition into and out of the City. The street trees contribute to the overall urban forest enhancement necessary to relieve adverse development impacts to the City of Woodinville. The tree species should come from the City's Recommended Tree Species List.

3. Off-site Disturbed Areas

Tree planting should occur wherever there is disturbance along the pipelines and/or portals to help mitigate visual and water runoff impacts. These plantings should also be held to City tree and plant replacement standards.

4. Stream Habitat Impact

A development of this magnitude will undoubtedly have a negative impact on the Little Bear Creek and any waterways that are connected to the creek. Protecting and enhancing the natural habitat and vegetation is paramount in order to alleviate these adverse impacts. The final storm-water treatment system proposed for the site should be in place and functioning before construction begins on the balance of the site.

5. Aesthetic Impact

Brightwater facility will have a tremendous aesthetic impact to the Woodinville community that can be significantly mitigated by the planting of trees and plants. A significant forest type planting will help restore the canopy that characterizes our natural environment and maintains our quality of life in our community.

The Brightwater development must hold to our standards of, among other issues, urban forestry. In conjunction with these standards a monitoring program must be implemented. The program must include how the development will compensate the Woodinville community should there be a breach of those standards. The enforcement of these standards should be set up to be acted upon quickly by the appropriate jurisdiction”.

Fiscal Impacts Analysis Study

Socio-economic impacts are not required to be addressed under SEPA, and they are not included in the Brightwater DEIS. However, the fiscal impact issues of the Brightwater project at the Route 9 site are of paramount importance to the City of Woodinville. As previously stated, this area is within the City's UGA and the area has been designated for future industrial and business park development. The proposed use of approximately 80 acres for the wastewater treatment plant will result in a number of lost employment opportunities in the vicinity and will have an expected loss in future revenue sources including property and retail sales taxes. The City of Woodinville retained an economic consulting firm to investigate the potential fiscal impacts relating to the Brightwater project. In order to perform an analysis, the use of the land in question for the treatment plant was compared with use of the same land for a hypothetical combined retail and office complex. The analysis also assumed annexation of the area to the City of Woodinville by the end of 2004. This entire report¹ is included with this letter. A summary of results of this study is included below.

“The purpose of this study is to present results of an economic and fiscal impact analysis for two development scenarios within the Grace neighborhood. These two development scenarios are: (1) the proposed Brightwater wastewater treatment facility; and (2) a business park consisting of a retail center and office complex. Each of these development scenarios has potentially significant economic and fiscal implications for City of Woodinville, assuming the area is annexed by the city. In particular, the principal question for this study is as follows: what is the stream of revenues and economic effects of constructing and operating the Brightwater wastewater treatment facility in the Grace annexation area as compared with the planned business park scenario? Related, are there any stigma effects on property values associated with the proposed Brightwater wastewater treatment facility?”

This study is not a complete fiscal impact analysis. Rather, it is limited to considering only the revenue side; the other major component of a fiscal study—costs or expenditures—are not analyzed in this study. As such, major tax revenues generated from direct project-related activities, namely revenues generated from direct construction outlays, sales receipts (subject to the sales and use tax) from operations, real estate sales, additions to the assessed property base, and energy use are analyzed in this study. The revenue sources considered by the analysis consist of the property tax, sales and use tax, real estate excise tax, and utility tax (excise tax on electricity sales). In addition, the study presents findings on the economic effects—employment and earnings—of both of these development scenarios. Construction and subsequent operation of the Brightwater wastewater treatment facility and the business park will have employment and earnings effects by hiring new workers; in turn, these construction and operation activities will have “ripple” effects throughout the regional economy, and within the City of Woodinville.

¹ A Comparative Analysis of Economic and Fiscal Impacts of Developing the Route 9 Commercial and Industrial Site within the Proposed Grace Annexation Area of the City of Woodinville. Huckell/Weinman Associates and Reed Hansen & Associates; January 2, 2003

Brightwater Waste Water Treatment Plant

The plant is to be built over a six- to eight-year period, with operations scheduled to begin in 2010. The system capacity is initially designed for treatment of 34 million gallons per day (mgd); however, the system is capable of expanding to eventually accommodate 54 mgd. For purposes of this analysis, it is assumed that construction will commence in 2004 and be completed in 2009, with operations to begin in 2010.

The total construction cost for the plant is estimated at \$474 million in 2002 dollars, based on King County Department of Natural Resources and Parks estimates. These cost outlays have in turn been distributed over the 2004-2010 timeframe of construction. Construction labor at the Brightwater WWTP site is estimated at a level of 350 workers during the peak construction period. Truck drivers would add an additional 60 – 70 workers. Combined, the total peak construction workforce is estimated at 410 – 420 workers.

Operation of the Brightwater WWTP is assumed to formally commence in 2010, although operational personnel are expected to be employed at the plant a year prior during the testing and startup period following construction. Operation costs (i.e., operations and maintenance) have been estimated at \$274 million over a 20-year period, based on a present value calculation using a discount rate of 3 percent. It is anticipated that the operations workforce will require 60 full-time-equivalent (FTE) workers.

Both construction and operation of the Brightwater wastewater treatment facility will create economic ripple effects within the region. During the construction phase, total (direct and indirect) employment and earnings will peak during 2008, amounting to 970 workers with earnings of \$11.8 million. Operations phase employment and earnings are projected at 60 workers and \$5.3 million earnings in 2010, the steady-state year.² With associated activity from this Brightwater WWTP operations phase, a total workforce (direct and indirect) is estimated at 113 workers for the first year of full operation.

With annexation of the proposed site for the Brightwater WWTP, the City of Woodinville would be expected to realize substantial revenue flows directly from the construction phase but only modest revenues once Brightwater WWTP becomes fully operational. Actual collections benefiting the City would occur upon annexing the Grace neighborhood area, which is anticipated by the end of 2004. Sales and use tax collections represent the major component of direct revenue contributions to the City following annexation of the area under consideration. The property tax is not applicable, as the project would be publicly-owned. The real estate excise tax, which is levied at 0.5 percent on property sales within the City is also not applicable, as sales transactions are assumed to be completed prior to 2005. Finally, the utility tax on electricity, levied at 2.0 percent of charges, is estimated to generate modest revenues during operations, some \$33 thousand per annum. Over the projection period—2005 through 2012—total revenues attributable directly to the project are estimated at \$3.83 million in 2002 dollars.

² Steady-state refers to the period of full-operation with no expected expansion or change; economic and revenue effects are assumed to remain constant over this time period.

Grace Annexation Planned Business Park

The area designated for development of the Brightwater WWTP is presumed to allow for industrial and business park development under City of Woodinville zoning. For this study, development is predicated on availability of an 80-acre site (buildable area) with assumptions regarding the type of business uses and mix of structures. It is assumed that two-thirds of the site would be developed as retail with the remaining one-third devoted to office buildings. The retail center would consist of a power shopping center, two "big box" mass merchandising stores, and four fast food restaurants. The retail area would involve development of 25 percent of the designated land area for structures with the remaining area used for parking and buffers. A total of 580,000 square feet of retail space would be developed under this scenario. The office complex would consist of a total area of 1,150,000 square feet. It is important to note that the business park development scenario is hypothetical; no market analysis has been performed as part of this study to validate the assumptions regarding projected development and absorption of retail and office space at the site.

The total construction cost for the planned Business Park is estimated at \$274 million in 2002 dollars. Construction would be carried out over a 7-year period. The figures for construction do not include land costs, which are estimated at \$69.4 million, similar to the assumption used for the Brightwater WWTP analysis. Land purchases at the site are assumed to occur over a 3-year period, beginning in 2003. The peak year construction workforce is estimated at 255 workers, or about half of the workforce estimated for the Brightwater WWTP.

Business park operations are assumed to commence as construction projects are completed, beginning in 2005. The operations workforce for the retail sales center is expected to employ 2,060 workers at full-development; employment at the office complex is estimated at 3,485 workers, based on the floor area-to-employee ratios. These direct employment estimates [totaling 5,545 workers (that is, 2,060 + 3,485 = 5,545)] are on a full-time-equivalent basis. Sales subject to the sales and use tax are estimated at \$159.3 million in the steady-state year. At full build-out, the business park is expected to have an assessed valuation of \$307.7 million.

The analysis of economic impacts related to development of a planned business park is on the employment and earnings generated during construction and operations of the facility. Total construction phase employment and earnings during the peak construction year, 2005, amount to 514 workers (composed of 255 direct workers and 259 indirect workers) and \$22.0 million, respectively. Operations phase total employment and earnings are projected at 8,621 workers (composed of 5,545 direct workers and 3,076 indirect workers) and \$352.3 million earnings in 2010, the steady-state year.

With annexation by the City of the proposed site, the City of Woodinville would be expected to realize substantial revenue flows directly from both construction and operation of the planned business park. The actual tax collections benefiting the City would occur upon annexing the subject area, which is anticipated by the end of 2004. A total of \$9.5 million in collections from sales and use tax are projected between 2005 and 2010. The property tax is also a major revenue source from the business park project, with projected revenues over the 2005 to 2010 period amounting to \$2.5 million. Over the projection period, 2005 through 2012, total revenues attributable directly to the project are estimated at \$14.64 million.

The economic and fiscal differences associated with both development scenarios are noteworthy. Total peak construction employment for the Brightwater WWTP development is estimated at 970 workers in year 2008; for the business park the comparable figure is 514 workers in year 2005, for a difference of 415 workers, in favor of the Brightwater WWTP. During operations, however, the total employment results are reversed in favor of the business park development. Total steady-state operations employment, which occurs in year 2010, is estimated at 113 workers under the Brightwater WWTP scenario compared to 8,621 worker under the business park scenario, for a difference of 8,508 workers. Revenue impacts on the City of Woodinville also differ substantially between the two development scenarios. Under the Brightwater WWTP scenario, the City is projected to receive \$3.7 million over the projection period 2005 through 2010; however, the on-going revenue collections during the steady-state period (2011-2030) are only \$33,000 per year. The comparable figures for the planned business park are \$12.4 million over the 6-year projection horizon (2005-2010) and \$2.1 million annually for the steady-state period (2011-2030), a difference of \$8.8 million during the projection period and \$1.98 million per annum during steady-state, in favor of the business park scenario.

Clearly, the City of Woodinville stands to benefit from increased revenue flows under both scenarios, but at a dramatically greater magnitude assuming the business park is developed. The on-going revenue flow under the business park scenario is over 50 times as great as the Brightwater WWTP scenario.

If the Brightwater WWTP were sited in the proposed annexation area of Woodinville, what would be the potential impacts on nearby residential property values? Although more research is required to provide a more definitive answer, it is not expected that the siting of the wastewater treatment facility would have a negative impact on nearby residential property values, assuming that odor control is successful and odor is not detectable off-site, as claimed in the DEIS.”

DEIS Chapter Comments

The following are general and specific comments on particular chapters of the DEIS.

Chapter 1 Summary

General Comment:

Chapter 1 presents a general overview of the project and regulatory processes for the project and sets the tone of vagueness regarding project details that follows in subsequent chapters. It is evident that the DEIS lacks the project design specificity to allow informed and realistic predictions on impacts and mitigations. This lack of specificity should be addressed by a supplemental phase of environmental review when project design data is more defined. The DEIS alludes to such a possible additional review on page 1-19, as follows:

“As the Brightwater system that is ultimately selected moves forward into design, further investigations of environmental conditions may present new or additional information that the project engineers will incorporate into the design of facilities. Any new information that alters

the project description or creates new or different probable significant adverse environmental impacts that are beyond the range of those evaluated in the EIS will be addressed to determine its significance, and if necessary, appropriate environmental review will occur at that time.”

Due to the vagueness of the existing data in the DEIS, we feel that this additional review is necessary and the FEIS should either provide the additional project detail and environmental review, or clearly indicate when this information will be made available for public review. A suggested form this could take would be the preparation of a Supplemental Environmental Impacts Statement (SEIS).

Page 1-8, Section 1.6 – *This section describes the “No Action Alternative”, and refers the reader to the 1998 FEIS for the Regional Wastewater Services Plan (RWSP) for an evaluation of the impacts of “other RWSP programs and projects” under the no action alternative.*

Comment: Within the Brightwater DEIS, the “no action” alternative is given especially vague and general treatment. Although the DEIS adopts the RWSP FEIS by reference, we feel the “no action” alternative should be given more prominence in the FEIS, and essential comparison information from the RWSP FEIS should be included to allow for comparison of this alternative versus the “action alternatives”. In addition, the issue of Infiltration and Inflow (I&I) appears to be highly relevant to the discussion of the need for an additional wastewater treatment plant. The issues surrounding the topic of I&I should be thoroughly evaluated to present a truly informed picture of regional wastewater management needs. For instance, the cost and environmental tradeoffs of improved I&I control versus the other various “action” alternatives should be analyzed in the FEIS to allow comparison of this alternative with others.

Page 1-13, Section 1.9.3 - *This section refers to property owned by the Northshore School District on which the District has proposed location of a transportation support facility (bus barn). The DEIS identifies this site for a “potential location for stormwater and wetland mitigation for the Route 9 site.”*

Comment: The FEIS should state clearly that if the Route 9 site were selected, the property in question would not be used for the bus barn facility.

Page 1-14, Section 1.9.5 - *This section addresses a Habitat Conservation Plan (HCP). King County (KC) proposes to address only those activities that are related to the construction and operation of the wastewater treatment plant, outfall, and water reuse plant in the HCP.*

Comment: The HCP should also include activities related to project mitigation. If the Route 9 site is chosen, there may be mitigation projects on Little Bear Creek, and other Sammamish River tributaries. When will these mitigations be more clearly defined and available for public review? Additional information about proposed mitigation measures is needed before it will be possible to evaluate whether there might be inconsistencies between the proposed mitigation and the HCP.

Chapter 2 Background

Page 2-23, Section 2.4.3.3 -*This section lists Snohomish County’s Essential Public Facility (EPF) siting process factors. Factor #2 states: “the EPF should demonstrate its relationship to local, regional and state plans, and should be consistent with the adopted plans of the host*

community.” The EIS states the Brightwater facility carries out various state mandates for adequate wastewater treatment facilities.

Comment: The Brightwater project is within the Urban Growth Area of Woodinville. To be consistent with the GMA, and because the City plans to annex this area either before or after permits are processed for Brightwater, the EIS should address how Brightwater will be consistent with the City of Woodinville’s adopted plans. The DEIS states only that a wastewater treatment plant would be permitted in Woodinville’s industrial zone, (which is the pre-annexation zoning assigned to this area by the City of Woodinville). The City’s vision for this area is for a continuation of industrial zoning with perhaps an “office park” overlay in the project vicinity to encourage a variety of commercial development that would add to the City’s tax base and provide employment opportunities. The treatment plant in this area would permanently remove an estimated 84 acres from commercial use and be inconsistent with the City of Woodinville’s vision for this area. What will be the impact of lost jobs and tax base to the City of Woodinville? How will it be mitigated? The City would propose that part of this impact be mitigated by expanding the City’s urban growth area either along the Sammamish River to the south of NE 171st Street or further north of the existing UGA boundary.

Chapter 3 Description and Comparison of Alternatives

Figure 3-3 - The Conceptual Layout shows a discharge pipe from the Route 9 storm water ponds under Route 9 into Little Bear Creek. For better habitat quality in this drainage, it is recommended that a “box culvert” or similar crossing be constructed to provide more open channel habitat.

Comment: We recommend construction of a bridge-type crossing under Route 9 that would provide an open channel habitat connection to Little Bear Creek.

Page 3-2, Section 3.2.1 – The DEIS states that the Route 9 site would have the capacity to give secondary treatment to 36 mgd by 2010, with expansion to 54 mgd by 2040. These capacities are for average wet weather flows. The plant must also be able to accommodate a peak flow of 170 mgd.

Comment: Additional information is necessary to answer the following questions: Is the 170 mgd capacity due to the system being designed for combined sewer and storm water flows, or is it the result of the need to accommodate inflow and infiltration (I&I)? What level of treatment would the excess peak flows receive? If the excess peak flows are the result of I & I, what steps have been taken to reduce the need to accommodate these flows and what are the cost tradeoffs of reducing I&I as compared with sizing the system for the 170 mgd?

Page 3-8, Section 3.3.1.1 - A portion of the Route 9 site is situated over the southern boundary of the Cross Valley Sole Source Aquifer...outside of the wellhead protection area and in the discharge zone.

Comment: The Cross Valley Water District presently serves a small portion of the Woodinville area, and we believe it is the primary source for the Grace neighborhood. The FEIS should more clearly and fully address impacts to this water supply and consequences for water users and the environment.

Page 3-36, Table 3-9 - *“It is possible that leaks from treatment plants or influent pipes entering the site could enter the shallow groundwater system.”*

Comment: Same as previous comment above.

Page 3-37, Table 3-9 - *“Voids along the tunnel bore could serve as a zone of preferential flow, providing a drain that might deplete the aquifer.”*

Comment: Same as previous comment above.

Page 3-38, Table 3-9 - *“Any contaminants that may reach the shallow, unconfined aquifer should tend to flow horizontally toward the discharge zone of the shallow aquifer in Little Bear Creek.”*

Comment: Same as previous comment above.

Page 3-10, Table 3-9 - *“A treatment plant at the Route 9 site would use either a sodium hypochlorite or UV light for disinfection of secondary effluent.”*

Comment: When would this decision be made? Additional information is necessary to evaluate the comparative impacts of these two methods of disinfection. Would the sodium hypochlorite have an odor detectable off-site? Would sodium hypochlorite be hazardous to the environment if spilled? What measures are proposed to control potential impacts? These issues need to be thoroughly addressed in the FEIS.

Page 3-31, Section 3.8 - *“Emergency wastewater overflows could potentially occur if storm-influenced flows were to exceed the treatment plant or conveyance system capacities and multiple equipment and power failures were to occur.”*

Comment: Additional information is needed to answer to the following questions: Does this mean that storm water collection systems are tied into the wastewater system? How do “storm-influenced” flows get into the wastewater treatment system and is this preferred over separate systems? Is this preferred over aggressive I&I options as described in the RWTP? Also, what would be the impact on Little Bear Creek from the impact of overflows or plant breakdown at the Route 9 treatment plant?

Chapter 4 Earth and Groundwater

General comment:

As stated in the general comments of this letter, the City of Woodinville and Snohomish County are making substantial investments in improving Little Bear Creek water and habitat quality. In April 2002, an Interlocal Agreement was signed between the City of Woodinville and Snohomish County for planning, funding, and implementation of various activities and projects

in the Little Bear Creek Watershed. The FEIS should reference this interlocal as documenting the need for including the City of Woodinville in any analysis of potential impacts and in determining adequate mitigation strategies related to any activities in Snohomish County that could affect the Little Bear Creek Watershed. The potential impact of upstream activities is of great concern to the City of Woodinville as it relates to Endangered Species Act strategies and investments in Little Bear Creek. The potential impacts to groundwater and the collection, routing and treatment of surface water, as well as any potential for accidental spills from the Route 9 site need to be thoroughly evaluated and mitigated.

Also, additional information needs to be provided to answer the following questions regarding the impact upon the sole source aquifer: How many people are currently served by this aquifer? How many people could be served by it if it remains uncontaminated and otherwise unthreatened? How could spills at the Brightwater site affect this aquifer? How could construction of the plants and conveyance system affect this aquifer? How does the aquifer relate to other bodies of water in the area, including but not limited to Little Bear Creek? 

Page 4-16, Section 4.1.3.2 – The DEIS states there is a potential liquefaction area within the Route 9 site area; however, no test borings were drilled in the area.

Comment: Test borings should be done and analyzed and the FEIS should address the viability of this potential hazard in more informed detail.

Page 4-17, Section 4.1.3.2 – The DEIS references numerous water wells on Figure 4-7.

Comment: The text mentions only 16 wells “on or adjacent to the (Route 9) site” that were reviewed in more detail. The FEIS should identify the location of these wells and address the potential of down gradient contamination of other identified wells as shown on Figure 4-7.

Page 4-18, Section 4.1.3.2, paragraph 3 - “The City of Woodinville installed two water supply wells in 1994 but did not obtain a water right to use them for municipal supply. The two wells are located approximately 2 miles southeast (cross-gradient) of the site, and the city maintains them for emergency use only.”

Comment: The City is unaware of these wells. The FEIS should include the source for this statement, including contacting the Woodinville Water District, a separate public agency.

Page 4-17 Section 4.1.3.2 - “The Cross Valley Water District supplies water to residents, businesses, and public schools in the vicinity of the Route 9 site, and approximately 89 percent of the water is from groundwater sources. The CVWD has 10 water supply wells that serve 4,430 connections.”

Comment: What are the concerns of the CVWD? Do they feel the potential impacts of the Route 9 site are acceptable? CVWD comments should be included and addressed in the FEIS.

Chapter 5 Air

General comment:

The need for assurance on odor control is a critical component. However, the data presented for the Route 9 site are sketchy at best. Of particular concern is the fact that the air modeling data is based on conditions at Paine Field, a significantly different microclimate. The FEIS should analyze impacts and mitigations based on data and modeling in the Route 9 area.

The “air shed” at Route 9 is described as more difficult than Edmonds/Unocal, but the proposal is to cover secondary clarifiers and treat the air at Edmonds and not at Route 9. There is no description that shows what the remaining odor constituents (after treatment and reduction to the numbers shown in the DEIS) will smell like, so a lay-person has no way of knowing the effectiveness of the promise to meet those numbers.

Additionally, the DEIS fails to address the reality that significant residential land use is present in the Route 9 area, including the City of Woodinville. The potential for unacceptable degradation in quality of life and health from airborne pollutants and odors due to local topographic and atmospheric conditions or treatment plant failure needs to be addressed in the FEIS.

Page 5-9, Section 5.1.2.2 - “The Route 9 site is located at the edge of a valley surrounded by hills in Snohomish County. The topography has the potential to create challenges to good air dispersion since the emissions may not be able to pass over the hills and could be trapped in the valley.”

Comment: The DEIS makes it clear that odors can be trapped in the area. Any failure of the odor control technologies at a Route 9 plant are likely to result in significant odor impacts to the City of Woodinville. The FEIS should document the reliability history of such control technologies at other wastewater treatment plants and the reliability history of any back up or redundancy systems to address any breakdown or failure of the designed odor control system.

Page 5-10, Section 5.1.2.2 - “In the time period from January 1, 1999, to June 18, 2002, PSCAA recorded 51 odor complaints within the zip code area 98072. Twenty-one of the 51 complaints were lodged against Eagle Crest Cabinetry, Inc. located at 8330 212th Street Southeast approximately ½ mile north of the Route 9 site. Seventeen of the 51-recorded complaints were against Stock Pot, Inc. located at 22505 SR-9, adjacent to the Route 9 site. Seven of the 17 complaints were made by one individual.”

Comment: Same as above. Additionally, in order to be able to compare the anticipated odor impact from Brightwater, more information is needed regarding the current emissions at these two sources of nuisance odor (Eagle Crest Cabinetry and Stock Pot). Such information will provide a mechanism for allowing the average citizen to compare the anticipated Brightwater impacts to the already present impacts from the other two sources.

Page 5-11, Section 5.1.3 - The DEIS states that “Due to the local topography, portal siting areas located east of I-405 in the Bothell/Woodinville area would be subject to frequent inversions.”

Comment: If this is the case, a small breach in the odor control system could have a larger impact to our City. Greater odor control clarity is needed. The FEIS should provide additional information and analyze the following:

- How often do they expect breakdowns of the odor control system based on other similar treatment plants?
- How do they mitigate these breakdowns?
- How long would the odor hang around during a weather inversion?
- If the odor control system removes 99.99% of the hydrogen sulfide (section 5.2.2.2 pg 5-19) how does the .01% hydrogen sulfide affect "most noses"? The report says it would be non-detectable to "most noses" but what is this based on?

Page 5-23, Section 5.2.2.2 - The DEIS states that the predicted worst-case facility-wide H₂S emission rate for the Route 9 site at 54-mgd is approximately 190,000 pounds per year without odor control and approximately 58 pounds per year with odor control (and the secondary clarifiers uncovered). For the Unocal site, the worst-case is 190,000 pounds per year without odor control and approximately 19 pounds per year with odor control.

Comment: It appears that the primary reason for the difference is the assumptions that secondary clarifiers would be uncovered at the Route 9 site whereas they would be covered at the Unocal site. This is unacceptable. Why are the secondary clarifiers assumed to be uncovered at the Route 9 site, an area the DEIS describes as a challenging microclimate? It appears that being uncovered results in additional H₂S emissions (58 pounds per year at Route 9 vs. 19 pounds per year at Unocal). Covering clarifiers at Edmonds and achieving results with known and reasonable technologies in a more hospitable marine microclimate indicates indifference to the incompatible adjacent land uses at the Route 9 site.

Additional comments based upon information provided during the meeting of the Woodinville City Council on January 13, 2003

Comment on Brightwater's Selection of Odor Prevention Criteria: To the extent that Brightwater's odor prevention criteria were developed to emit fewer odors than other treatment plants in North America, this goal alone is not sufficient unless Brightwater can also show that the comparison plants in North America do not emit odor. More information about the odors emitted from these comparison plants is needed before this comparison can provide any meaningful assurance regarding the odors to be emitted from the Brightwater plant. The safety factor analysis is flawed for the same reason: three times less odor than other treatment plants may still constitute a significant adverse impact to the environment if those comparison plants as a group emit strong odors. Brightwater's primary odor-related design criteria should be to prevent detectable odor from leaving the treatment plant at the point of exhaust. The odor prevention criteria for trucks and/or trains leaving the treatment plant with solid waste on-board should be similarly stringent so that detectable odor is not emitted from the truck/train along its route.

The City of Woodinville does not accept Brightwater's definition of "non-detectable" if such term is defined as a threshold where only one half of the people on a select community-based test panel can detect the test odor. Rather, the City of Woodinville submits that the approximate

initial detection threshold should be set at a much more stringent level that comports with the typical understanding of the term “non-detectable”. If the verb “detect” means “to discern something barely perceptible,” then “non-detectable” should mean “imperceptible” not “imperceptible to six of twelve participants in a study”. At the very least the detection threshold should be reduced to zero or one out of twelve. Because the Brightwater analysis begins with and is based upon a flawed definition of “non-detectable,” that flaw invalidates the entire predictive methodology used by the Brightwater consultants. The City of Woodinville proposes that a more conservative methodology be used to define the odor prevention criteria. If this criteria must be developed by using a group of twelve testers, then the detection threshold should be lowered to a level that is perceptible to zero of twelve or one of twelve, not six of twelve. More information needs to be provided regarding the other types of predictive methodology that could have been used but were not used along with the reasons for not using those methodologies.

Brightwater’s analysis focuses on five components of odor. While the analysis provides a quantifiable concentration-based (in ppbV) initial detection threshold for hydrogen sulfide and ammonia (albeit based upon a flawed threshold), no concentration in ppbV has been measured or analyzed for the other three odor components, namely reduced sulfur compounds, amines, and fatty acids. Hence, more information needs to be provided regarding the detectable concentration levels for these three components of odor, including the reasoning for analyzing these components as a mixture and not individually. If concentrations of these three components cannot be measured with instruments in the same way that hydrogen sulfide and ammonia can be measured, then more information needs to be provided regarding the reasons for that inability. Also, since these five compounds are referred to as “compounds of focus,” more information needs to be provided regarding the compounds of odor that are not being focused upon, whether the concentrations of those compounds can be measured with instruments, and if so, the ppbV concentration levels at which those compounds are detectable.

The comparison to the operation at the South Plant indicates that biosolids truck loading has the potential to create and/or emit a significant amount of odor relative to some of the other processes at the South Plant. Even if such loading is done in a contained facility at the Route 9 site, more information needs to be provided to explain the alternatives for preventing odor emission when truck or train containers are brought out of the enclosed facility. If it is anticipated that odor will escape, either from the container itself or from the facility, when containers about brought out of the enclosed area, then more information needs to be provided regarding the modeling that has been done to quantify the extent of such odor emissions. Also, more information needs to be provided regarding technology available to prevent such containers from emitting odor.

Comment on Brightwater’s Analysis of Air Flows / Site Conditions: Certain assumptions have been made that the odors emitted from Brightwater will dissipate within 50 to 500 feet of the exhaust source. More information needs to be provided to analyze the accuracy of this assumption by collecting information regarding existing dispersion patterns in the same “air shed”. For example, since there have been complaints registered against Stock Pot, Inc. and Eagle Crest Cabinetry, the dispersion assumptions for Brightwater should be tested by sampling odor concentrations at the exhaust points of these two existing point sources and taking other

concentration samples downwind in one hundred foot increments to confirm that those existing odors do disperse at the same rates assumed by the Brightwater consultants. This testing should occur over a twelve-month period to get an accurate measure of the dispersion rates in the air shed as the seasons change. Similar testing should occur at the Unocal site so that an accurate comparison can be made. Testing should involve use of olfactometer, chemical analysis, and any other available technology. Such testing is necessary due to the unique qualities of this air shed. While the Brightwater consultants have some meteorological data for the Route 9 site, the City of Woodinville does not think that the dispersion pattern assumptions can be supported solely by reference to six months of meteorological data. The approach currently used by the Brightwater consultants relies too much on modeling on not enough on reality, especially considering that an existing odor source provides an excellent means of testing the modeling hypothesis and also considering that the community will have to live with the results of the modeling for fifty years or more.

Additional information is needed to further explain the relationship between inversion levels and odor dispersion patterns and the modeling derived from that relationship.

Comment on Brightwater's Analysis of Other Contemporary Treatment Plants: Additional information needs to be provided regarding the Las Vegas, San Francisco (Oceanside), Vancouver (Marine Park), and San Diego (North City) treatment plants including but not limited to the following: ppbV concentration of at plant exhaust and plant fence line for each of the five primary odor components; odor dispersion rates for each plant (e.g., by measuring concentration of odor components at 50 feet from exhaust, 100 feet from exhaust, 500 feet from exhaust, etc.); air shed characteristics for each plant (e.g., prevailing wind direction, average wind speed, number of inversion hours per year, etc.); number of residences within one mile (downwind only) of each plant; the year that each plant came on-line; complaint statistics for 2002 for each plant; and neighboring land uses through which each plant's biosolids trucks pass.

Comment on Brightwater's Proposed Odor Prevention Approach: Additional information needs to be provided regarding the possibility of using thermal destruction to further reduce odor emissions from the treatment plant, including information regarding the environmental impacts of such thermal destruction. Additional information needs to be provided regarding the various options for "polishing" the scrubber exhaust, including but not limited to comparing biofilter technology to carbon vessel technology.

Additional information is needed regarding the technology available to prevent trucks from emitting odors as they leave the site and travel through the adjoining neighborhoods. In particular, the possibility of pressurizing truck containers should be analyzed.

Additional information is needed regarding the quantity and quality of odor to be emitted from digester cleaning and other small sources not maintained within the proposed ventilation system. Additional information is needed to explain why these items are proposed to be excluded from the proposed ventilation system. Additional information is needed to analyze the reasons that odor emission is expected to be worse during system maintenance.

Additional information is needed to answer the following questions regarding the split flow membrane bioreactor layout: What other options are there for such a layout? What methodology was used to design the proposed layout? Does the proposed layout allow plenty of room to add scrubbers or other new technology that might become available in the future?

Comment on Brightwater's Results of Modeling: Additional information is needed to analyze the accuracy of Brightwater's odor/air dispersion modeling.

Also, additional information is needed to analyze the applicability following three types of modeling: toxi-chem; water 9; and base modeling.

Comment on Brightwater's Proposed Mitigation Measures:

Biosolid truck trips: Since it appears that these trips have the potential to cause higher levels of odor emission than regular plant operations, both at the plant and along the route, the occurrence of such trips should be limited to times when the weather would be conducive to more rapid odor dispersion. For example, such trips should only occur during times of heavy wind and rain. Additionally, a new on-ramp should be constructed directly from the treatment plant to SR 522 so that odor-emitting trucks will not have to make trips through the surrounding neighborhoods.

Chemical scrubbers: Five stages of chemical scrubbers should be included in the plant design, one for every component of odor focused on in the Brightwater analysis. In addition, a carbon vessel should be used as a polisher after the fifth stage of scrubbing.

Odor masking: While the primary goal of the plant design should be to make emissions from the plant imperceptible, the plant should also incorporate within its design some natural odor masking. For example, pleasantly fragrant shrubs and trees should be planted at the site in sufficient quantity and size to ensure that the pleasant smell from such plantings will outweigh the plant's odor emissions when measured in ppbV concentrations at the fence line, and in sufficient quantity and size to ensure that, at the fence line, passers-by will notice the pleasant fragrance instead of the odor. The plantings should be chosen to ensure that the vegetative blooming is staggered throughout the months when inversions are most likely.

Performance bond: The county should place a bond to guarantee the performance of the Brightwater plant. The bond should be of sufficient size to ensure that money will be available to implement new technology or additional features in the future in the event that the current proposed technology does not perform as promised. To be held accountable for its own odor creation, the project should include money to eradicate current odors from Stock Pot that might have the effect of masking Brightwater's contribution to the odor in the area.

Chapter 6 Surface Water

General Comments

The collecting and rerouting of groundwater around the site as it relates to Endangered Species Act strategies and investments in Little Bear Creek is a concern. Increased turbidity during

construction and increased flows during construction and operation needs to be quantified and reviewed against ESA strategies.

Any impacts to the Puget Sound, Lake Washington, and its tributaries can impact fish runs in the Sammamish River, and Little Bear Creek.

“Temporary water quality impacts...” is mentioned many times throughout the DEIS. Along with “...potentially significant impacts are not anticipated.” Temporary water quality impacts should be looked at as potentially significant impacts. The impacts should not be dismissed as insignificant solely because they would be limited to the construction period. The Sammamish River and Little Bear Creek habitat quality has been rated as low and are on the 303(d) list. Any “temporary impact” can cause further degradation of this salmon habitat. The FEIS should provide more information to support the claim of the DEIS that “potentially significant impacts are not anticipated”.

Page 6-7, Section 6.1.2.2, paragraph 2

Comment: This should say: “The lower 1.8 miles and mouth of the stream are located in ~~King County~~ the City of Woodinville.”

Page 6-7, Section 6.1.2.2, paragraph 4 - “Snohomish County, which rates fish-bearing streams according to guidelines from the Washington State Department of Natural Resources (DNR), rates Little Bear Creek as a DNR Type 1 water from the mouth to SR-522, and a Type 2 water from SR-522 to its headwaters.”

Comment: City of Woodinville Zoning Codes rates Little Bear Creek as DNR Type 1 water from the mouth to 132nd Avenue NE. What is King County’s rating? Additional information is needed to determine which rating is correct.

Page 6-8, Section 6.1.2.2, paragraph 7 - “Little Bear Creek is listed on the 1998 CWA 303(d) list for fecal coliform at three locations. At present, no TMDL study or basin action plan has been initiated by Ecology for Little Bear Creek.”

Comment: In October 2002, DOE requested data for 303(d) listed waterways. Has KC provided any information for Little Bear Creek? Additional information is needed to determine how the treatment plant will affect the 303(d) listing.

Page 6-9, Section 6.1.2.2, paragraph 5 - “A fish-rearing pond is located on the treatment plant site east of SR-9 in the northwestern corner of the developed portion of the site. Constructed in 1998 as mitigation for impacts from development of the Stock Pot Soup facility, the fish-rearing pond is fed by flows from the 228th Street Tributary Channels A and B and a small piped watercourse that transports stormwater from the Stock Pot Soup property. A fish ladder constructed from a series of concrete weirs connects the pond to a new culvert under SR-9.”

Comment: Additional information is needed to answer the following questions: Will there be any impacts to the pond or the source of flow if the project is built? Does the Brightwater project have any opportunity to improve, enhance or augment this mitigation? If so, please describe.

Page 6-10, Section 6.1.2.2, paragraph 4 - The DEIS states there are a number of watercourses that convey offsite flows through this site from the surrounding areas to Little Bear Creek that may not be treated properly.

Comment: Redevelopment of this site provides an opportunity for regional water quality treatment. These opportunities should be described in the FEIS; including the opportunity to collect all water courses plus construction runoff to treat the entire surface water from commencement of the project.

Page 6-12, Section 6.1.3.1, paragraph 4 - *“The Sammamish River is on the 1998 CWA 303(d) list for fecal coliform bacteria, dissolved oxygen, and temperature.”*

Comment: An emergency overflow is proposed on the Sammamish River at Kenmore. Additional information is needed to determine how the overflow or treatment plant would affect the 303(d) listing. More information is needed on potential overflows into the Sammamish River and tributaries including Little Bear Creek. What quantities could occur and at what frequency? What would be the impacts of these overflows?

Page 6-12, Section 6.1.3.1, paragraph 4 - *The DEIS states: “Runoff volume for storm water was estimated by using the Santa Barbara unit hydrograph method for both sites. The detention volume was estimated by using Ecology’s (2000) Western Washington Hydrological Model (WWHM) for the Route 9 site.”*

Comment: The quantity of treated water and the volume calculations method should be stated.

Page 6-22, Section 6.2.2.1, paragraph 1 - *“In lowering groundwater elevations, dewatering could temporarily divert water that feeds streams or wetlands. Small streams would be most susceptible to this potential impact, particularly during summer low-flow conditions.”*

Comment: The impacts to Little Bear Creek due to dewatering should be stated. Mitigation should include restricting dewatering during periods of fish migration, and spawning. Analysis of impacts to wetlands in the stormwater treatment area is needed. There is a likely aquifer discharge area in this area. Impacts of excavation and pond development need to be analyzed.

Page 6-25, Section 6.2.2.1, paragraph 2 - *“Because the site includes 13 piped and open water bodies that ultimately discharge to Little Bear Creek, there is a potential for increased sediment loads to Little Bear Creek, even with implementation and monitoring of onsite erosion and sediment control BMPs. Significant discharges of sediments to Little Bear Creek could result in detrimental water quality impacts, as described under Common Construction Impacts above.”*

Comment: This impact to Little Bear Creek is unacceptable. Area jurisdictions, including King and Snohomish Counties and the City of Woodinville are making significant investments in planning and improving salmon runs in Little Bear Creek. BMPs should be monitored and inspected daily at a minimum. Turbidity measurements should be recorded. Any failure of the BMP must be corrected immediately. With a stormwater treatment area segregated from the construction site, an excellent opportunity exists to develop treatment ponds and catchment/pumping systems before construction and to fully treat during construction. The City of Woodinville proposes that the above described impact to Little Bear Creek be fully mitigated either by developing a sophisticated stormwater treatment and detention system before any other construction begins on the plant or by some other similar means. These mitigations should be more fully described in the FEIS.

Page 6-26, Section 6.2.2.1, paragraph 2 - *“It may be necessary to treat dewatering water and discharge it to existing surface waters (e.g., Little Bear Creek, onsite streams).”*

Comment: Water quality may be addressed, but quantity should be evaluated. Bank erosion due to point discharge and increased flow rates must be prevented. Downstream erosion areas already exist, and further degradation is not acceptable. Flow dispersion may be an option. The FEIS should provide more information on discharge rates and how they will be controlled to prevent erosion or other impacts of rapid discharge.

Page 6-26, Section 6.2.2.1, paragraph 2 - “Relocating and combining watercourses and streams within a mitigation area would result in temporary increases in turbidity and sedimentation of these surface waters and Little Bear Creek.”

Comment: In Chapter 3, table 3-5, it is estimated that site preparation will take up to three years. Is “temporary” equivalent to three years? Additional information is needed to determine how the site preparation might damage spawning areas and other habitat uses. As used in the DEIS, explain the duration or other meaning of “temporary”.

Page 6-31, Section 6.2.2.2, paragraph 5 - “Using WWHM and assuming the site is in a predevelopment, forested condition, approximately 31 acre-feet of detention volume and 7 acre-feet of storm water treatment volume would be required for the Route 9 plant site (Table 6-4).”

Comment: The possibility of a regional water quality treatment facility in the local area that could serve multiple developments should be assessed. The City proposes that the impacts to Little Bear Creek be mitigated through construction of such a facility.

Page 6-32, Section 6.2.2.2, paragraph 1 - “Storm water would be collected in the lowest area of the treatment plant along Route 9 and pumped to the storm water facility.”

Comment: An emergency generator should be provided for the pump station.

Page 6-35, Section 6.2.3.1, paragraph 4 - “Dewatering would occur associated with the vertical access shafts as well as from the tunnel excavation. Estimated dewatering rates range from 0.02 to greater than 23.4 cubic feet per second (cfs) (from 10 to greater than 10,500 gallons per minute [gpm]) for the vertical access shafts, and from 0.57 to 9.7 cfs (250 to 4,250 gpm) for the tunnel.”

Comment: The impacts to the Sammamish River, and Little Bear Creek due to dewatering should be stated. Mitigation should include restricting dewatering during periods of fish migration, and spawning, or using construction methods such as freezing that minimize dewatering flows. The FEIS should provide information that addresses these concerns.

Page 6-52, Section 6.3.

Comment: Mitigation measures described are all general, vague and weakly described when considering that these construction flows could discharge to an endangered salmon stream. After final site selection, site-specific mitigation plans should be provided and approved by the City of Woodinville and other affected jurisdictions.

Chapter 7 Plants, Animals, and Wetlands

General Comments

The potential impact of any existing ground contamination and the need for site cleanup is inadequately addressed. Chapter 4 states that the limited investigation conducted for the DEIS found one property on Ecology’s “confirmed and contaminated site list” and Chapter 4 further

states that “past and current industrial uses of many of the site’s properties” suggest that contamination may be present. Additional site investigation is needed to evaluate the possibility of contamination at the Route 9 properties. A portion of the proposed Route 9 treatment plan site occupies existing and former auto recycling businesses. Additional information is needed to determine the potential for the presence of ground contamination from these activities and to clarify the steps planned for the assessment and remediation of potential ground contamination. Additionally, what plans are there to assess and mitigate the potential impact of pollution discharge from plant mechanical failures or accidents?

Page 7-13, Section 7.1.2.2 - *“Chinook salmon likely spawn in Little Bear Creek downstream of the site; historically they have occasionally been sighted upstream of 205th Street.”*

Comment: Chinook salmon are known to spawn upstream of NE 205th Street in Snohomish County. The impacts section is generic in approach and does not address specific impacts to “special status species” in Little Bear Creek. This section (7.2.2.1; page 7-63) refers the reader to a technical appendix for ESA information. Findings of this appendix should be summarized in the body of the FEIS to provide the reader with information in the context of other discussions of impacts and mitigations.

Page 7-15, Section 7.1.2.2, paragraph 2. *Paragraph 2 summarizes the fish usage of the onsite creeks.*

Comment: There is no mention of fish use for 228th Street SE Creek Channel B. This should be addressed in the FEIS.

Page 7-15, Section 7.1.2.2, paragraph 3. *“Thus, the Unnamed Creek does not appear to have habitat access.”*

Comment: Figure 7-2 shows a forested area surrounding Unnamed Creek. This could indicate possibly good habitat. Removal of the barriers and providing access should be considered.

Page 7-39, Section 7.1.3.1 - *Little Bear Creek originates in Snohomish County, flows southward into King County, and empties into the Sammamish River.*

Comment: There is no mention that the creek passes through the City of Woodinville. This should be included in the FEIS.

Page 7-41, Section 7.1.3 – *“The overall suitability of the Sammamish River habitat to support salmonids has been rated fair (Metro, 1994). The river has poor to fair spawning substrate.”*

Comment: It is important to point out that the Sammamish River may be fair in its rating and may be poor spawning substrate, but it is a major thoroughfare/highway for spawning salmon to get to their spawning grounds. The FEIS should also review and adapt useful strategies from the Corps of Engineers study; “Sammamish River Corridor Action Plan” to analyze and identify opportunities to upgrade the Sammamish River habitat, especially downstream of the Route 9 site.

Page 7-62, Section 7.2.2.1- paragraph 5. *Paragraph 5 describes a high amount of impacts to the habitat and various species.*

Comment: Additional information is needed regarding the proposed methods of mitigating this impact. Describe the acceptable level of impact and cite references.

Page 7-68, Section 7.2.2.2 *“The centralized approach as proposed is expected to result in the greatest acreage of habitat affected.”*

Comment: Why is the centralized stormwater approach being used in the site design when it states that it affects the greatest acreage of habitat? Other alternatives should be considered such as a system along the perimeter or a decentralized approach with multiple stormwater facilities or linear connected facilities.

Page 7-69, Section 7.2.2.2 *This section states that stormwater flows could have a negative effect on receiving waters and fish, but that it such flows are not expected to have such an effect.*

Comment: This section seems to contradict itself. During flood events when storm ponds overflow, sedimentation, along with water quality/quantity could pose a problem for receiving water bodies, especially during spawning season. This section states that it will not. This needs to be explained or corrected.

Page 7-72, Section 7.2.2.2, paragraph 1 *“Also, up to 8 watercourses would be reconfigured and directed to stream/wetland restoration areas, which would provide cleaner, cooler, nutrient-rich water to Little Bear Creek that would benefit fish.”*

Comment: This contradicts the statement on page 7-69, “Although stormwater runoff will be treated prior to release into Little Bear Creek, stormwater detention ponds can raise the temperature and lower the dissolved oxygen content of water released to receiving streams.” This apparent contradiction needs to be clarified and reconciled in a manner that indicates appropriate mitigation.

Page 7-77, Section 7.2.3.2, paragraph 1. *“Overflows would be discharged directly to either Sammamish River or Lake Washington and no impacts to terrestrial species is expected to occur, except if contaminants wash up onshore.”*

Comment: Terrestrial species may use surface water to forage for food, drink or move through. By use of surface water in these or other ways, overflow discharge can impact the species. The FEIS should describe such potential impacts and how they will be mitigated.

Page 7-77, Section 7.2.3.2, paragraph 1 - *“Most contaminants would be broken down biologically or chemically or diluted and water quality would return to a cleaner condition.”*

Comment: Define cleaner condition. As written, this sounds like acceptance of contamination. This section should be rewritten to substantiate its claims or delete them.

Page 7-99, Section 7.2.5, paragraph 1 - *“Current development plans for both sites, other than use as a treatment plant, could result in at least as much disturbance to fish, birds, and mammals as a treatment plant would cause.”*

Comment: What other use could discharge similar amounts of a mixture of pollutants such as fecal coliforms, metals, detergents, and various fluids? The City of Woodinville envisions an office or business park, which could be substantially non-polluting with stormwater control and other mitigations.

Page 7-107, Section 7.3.3.2 - This section describes Snohomish County salmon habitat management plan rules.

Comment: This section should also describe City of Woodinville regulatory and management plans and programs for salmon preservation.

Page 7-109, Section 7.3.3.2, Table 7-11. Table shows and describes the potential impact areas.

Comment: Add a column showing the proposed replacement area or state somewhere the total replacement area.

Chapter 8 Energy and Natural Resources

General Comments

The DEIS is surprisingly non-committal on the installation of facilities for biogas or other energy recovery as compared with numerous public meetings where it was announced that energy generation would be a by-product of Brightwater operation. Section 8.1.1.4 states that on-site generation will be “evaluated.” Section 8.2.2.2 states it is an “option that will be considered in the future”, and it would be “possible”. The same section goes on to say that the County “intends to capture” from Cedar Hills. The FEIS must commit to whether this will occur or not take credit for it.

This chapter states the project would achieve a “silver” level for a “Green” building rating. However, it is unclear from the DEIS what this level of sustainability means or what it might provide for the community; or why it should be considered as a positive aspect in a SEPA process identifying environmental impacts. It appears to be a laudable goal, but energy impacts appear on their face to dwarf green building impacts.

Page 8-10, Section 8.2.2.2 - Energy consumption. The DEIS states that biogas, natural gas, or both are options for consideration “in the future”, to provide energy to power boilers and generate electricity.

The DEIS claims “0” or minimal impact on available regional energy, and states that “King County intends to capture gas from its Cedar Hills regional landfill”. Assuming therefore that King County will develop a new energy source, additional information is needed to answer the following questions: Will King County develop the new energy source for Brightwater or for all the treatment plants, with money for the Brightwater project? This money should not be mitigation funds. Will other plants contribute to the development cost of the Cedar Hills gas development? If so, in what proportion? Equally?

The DEIS indicates that Cedar Hills regional landfill could provide Brightwater and all other treatment plants with energy. Basically this is trading energy via gas, or fuel cell/ electricity into the regional grid, therefore slowing, or running the power meters in reverse at the treatment plants. This is a good idea, but where will the money come from to do this? Is it all coming from Brightwater and if that is the case how much money is left for other mitigation, or is it mitigation money at all. This information should be clarified.

Green development usually is not associated with Coal Fired thermal plants and Nuclear power. The DEIS says that it will consider options for developing more power if needed, using as second choices those sources of power development. This seems inconsistent with green development. These references to potential generation sources of commercial power providers are broad and vague and are meaningless for understanding Brightwater impact on those sources.

Section 8.2.2.2, pages 8-12 describe backup power generation capabilities of standby generators. It does not correlate that output to the operational demands of the Brightwater plant. The FEIS should state the ability of the system to operate on standby power for a sustained outage because so much of the effluent is gravity-fed. The FEIS should show that Brightwater would not tolerate spills of untreated or partially treated wastewater due to outages in the commercial grid.

Section 8.2.2.2 – pages 8-15. The DEIS states it will meet the NPDES requirement for redundant power sources from separate substations. Has the frequency of both stations being “out” or off-line simultaneously been analyzed as compared to other area substations? Puget Sound Energy has facilities very close to this site and might provide a more secure backup grid. Additional information is needed to determine the most reliable back up power source.

Chapter 9 Environmental Health

General Comment

Staff is concerned that hazardous materials inventory not yet done, which kicks it off to design phase. Hazardous Materials Protection Plan may be required, which indicates whether the community is adequately protected and Woodinville Fire and Life Safety District (WFLSD) or Fire District 7 is properly trained and equipped to respond. WFLSD is Woodinville’s fire service and fire marshal, but the City of Woodinville does not have a seat at the table for permit review to respond to design proposals. DEIS does not cite proper codes for haz-mat related items.

The Brightwater Draft Environmental Impact Statement (DEIS) refers to a proposed wastewater treatment facility that would be located in Snohomish County just north of the City of Woodinville. As such it is not within the Jurisdiction of Woodinville Fire and Life Safety District. Therefore this review of the DEIS does not intend to impose current or future requirements on a project that will not be within the scope of the Fire Marshal’s Office contractual obligations to the City of Woodinville. It does intend to give an opinion on the possible issues of this project as those issues relate to the Uniform Fire Code and Uniform Building Code. If the City of Woodinville annexes this area, this relationship would change, as WFLSD and the City of Woodinville would become the underlying jurisdiction.

The DEIS does make reference to possible hazards during construction. A project of this size in the City of Woodinville would be required to provide a “construction fire-protection plan” for approval. This plan would include issues of access, temporary fire protection systems application, refueling of internal-combustion-powered equipment, hazardous spills response plan etc. This plan is typically a requirement at the time of application for the building permit. A statement in the DEIS that a construction safety plan will be provided before construction begins should be included.

The DEIS does reflect the intent of the applicant to comply with all requirements of the Uniform Fire Code. It also states that all applicable permits will be applied for. However, the DEIS does not address the question of the amounts of hazardous materials that may exceed the limits of the Uniform Fire Code, referred to as exempt amounts. Should the limits of exempt amounts be exceeded substantial changes in building construction types, secondary containment issues, building ventilation requirements etc, would need to be addressed by the applicant.

The hazardous materials mentioned in the DEIS for storage and use at this site do not constitute a complete or thorough listing. In order to accurately assess all of the hazards for the various materials to be present it would be necessary to have an approved Hazardous Materials Specialist complete a Hazardous Materials Inventory Statement (HMIS) and Hazardous Materials Management Plan (HMMP).

The HMIS would need to be completed in accordance with the Uniform Fire Code and would be required to reflect the following.

1. All the hazardous materials and their specific classification,
2. The various hazards of each specific material,
3. The location on site of each material,
4. The amount of the materials present, the type of use for each material etc.

The HMMP would be required so that an understanding and review of the following is available.

1. Storage and use areas,
2. The maximum amount of each material stored or used in each area,
3. The location and sizes of tanks and containers,
4. Location of emergency isolation and mitigation valves,
5. Product conveying piping containing liquids or gases,
6. Storage plan showing the intended storage arrangement.

It is the opinion of the Fire Marshal's Office that it would be entirely appropriate to ask that both a HMIS and HMMP should have been provided for initial review at the time of the DEIS. It is expected that a nearly complete HMIS is possible. Due to the lack of any building design it is likely that a complete HMMP is impossible at this time. However, a HMMP statement showing that consideration is being given to the requirements of both the Uniform Fire Code and the Uniform Building Code would be appropriate.

Not addressed in the DEIS is the requirement for all facilities to be in compliance with the Uniform Building Code. It is assumed that all facilities will be subject to review by the building

department having jurisdiction. However, at the minimum, it should be acknowledged by the DEIS that the hazardous materials being stored and used at the Brightwater facilities might drive the more restrictive requirements of the Uniform Building Code. This means that the portions of this facility that store or use the hazardous materials may be required to provide an “H” type occupancy. The final determination for this type of occupancy will be driven from a review of a HMIS.

Chapter 10 Noise and Vibration

General Comments

Brightwater construction or operation under Snohomish County regulations may affect current or future incorporated Woodinville. Additional information is needed to determine whether the construction activities would violate City of Woodinville codes or require a City of Woodinville variance.

Noise and Vibration: Some errors and inconsistencies exist. It is hard to tell which is construction noise and which is operations noise. Some noise and time violations would occur during construction, but the impacts are inadequately described. Operations noise is 39 decibels at Edmonds and 50 decibels at Route 9. 50 decibels exceeds Snohomish County standard (43 decibels).

Chapter 10, Noise and Vibration, seems to lead the reader to a conclusion that only one construction shift a day will be used to construct this project. Assuming this is correct, additional information is needed to answer the following questions: What hours are planned? Would the work hours be within the construction hours defined by Snohomish County regulations now? The DEIS states: “A variance maybe requested for hours of operation and noise”. Is that reference to construction noise, because construction noise is exempt now during daytime hours? This section is all very wordy and needs better clarification.

What additional mitigation planning will be in place to handle construction schedule delays, particularly if additional nighttime work shifts are added? Does this mean that regular noise ordinances of various governmental jurisdictions would be impacted too, and how does King County propose to secure variances from those jurisdictions? Additional information is needed to analyze the possibility of nighttime construction.

Page 10-10, Section 10.1.3 - “ King County may find it necessary to request variances from regulations, both for work hours and noise levels for construction activities”.

Comment: Under what circumstances would Brightwater request a variance? What public forum is available to provide public input on such a variance? Snohomish County noise regulations allow high noise for short durations during the night hours. This information is found by reviewing table 10-3 and the short text preceding it. In theory, night time residences could, have impacts higher than day time limits, i.e. slamming dump truck boxes for 1.5 minutes every hour all night, [if more work shifts are used]. While it is possible that these impacts could take place without a variance, such noise would still constitute a significant impact that would need to

be mitigated. With nearby residential land use, this noise, unmitigated, would be unacceptable. More information is needed on the proposed methods of mitigating this impact before it can be properly analyzed.

Page 10-12, Section 10.2.2.1, first paragraph -Construction noise impact can be “ 83-85 dbA 100’ away. The DEIS states this on page 10-13 last paragraph: Nearest residence to the east is 700’, and to the west 100’. The west residence will likely experience 83-85 dbA.

Comment: This is a 60% increase in noise, allowed by Snohomish County regulations and referenced on DEIS table 10-3, above normal non-construction noise levels.

Additional comment: Apparently there are no Snohomish County vibration regulations. Although that could well be a source of future complaints while pile driving is underway. No mitigation is mentioned for vibration, either during construction or plant operations.

Page 10-15, Section 10.2.2.2 - This section states Snohomish County regulations for nighttime operations allow 42 dbA on residential and 39 dbA on rural receiving properties. The plant operation will produce 45-50 dbA. There are some indications that distance to residential or rural properties would minimize noise on the receiving properties.

Comment: Depending on how the receiving property is zoned, the new source noise with plant operation will either be 8% or 11% higher than allowed. For example the residential property 100’ to the west is easily within the noise impact area. The DEIS states that this would be masked by highway noise. That maybe true during heavy day and early evening hours, but perhaps not during late and early morning hours. The plant should be designed to meet the existing regulations. Known and reasonable technologies exist to reduce such noise.

Page 10-20, Section 10.3.1.2 - Operations: “The treatment plant would be designed to operate at the noise levels at or below the most stringent nighttime noise levels of the respective jurisdictions a the nearest sensitive receptor. –39 dbA Unocal site, and 50 dbA at the Route 9 site”.

Comment: There are three problems with this DEIS statement as follows:

- 1) The most stringent Snohomish County requirement is 39 dbA using table 10-3. Page 10-4 at the Route 9 site, if any rural properties are impacted. Earlier the DEIS said they would not be able to meet the most stringent nighttime sound restrictions and would operate at 50 dbA. This inconsistency must be addressed and dbA ratings brought within code.
- 2) If they can meet 39 daA at Unocal, why not at Route 9? Again, there are incompatible land use issues with nearby residential land uses that appear to be ignored.
- 3) Earlier in the DEIS in section 10.2.1 “Assumptions included the following: Noise levels, due to project operation, at the property line of the sensitive receptor, will not exceed the most stringent nighttime noise level limits of the applicable codes. This will be the result of mitigation to meet the legal limits”. Does this mean that regular noise ordinances of various governmental

jurisdictions would be impacted too, and how does King County propose to secure variances from those jurisdictions?

Chapter 11 Land and Shoreline Use

Page 11-2, Section 11.1.1.1 - Intergovernmental coordination is an important part of growth management. The GMA requires that “the comprehensive plan of each county or city that is adopted pursuant to RCW 36.70A.040 shall be coordinated with, and consistent with, the adopted comprehensive plans of other counties or cities with which the county or city has, in part, common borders or related regional issues.” On page 11-9 there is mention of the City of Woodinville’s comprehensive plan’s policies for siting of essential public facilities.

Comment: There is no reference in the DEIS that the City of Woodinville Comprehensive Plan has been reviewed. Discussion of other compatibility factors should be included. For instance, Comprehensive Plan policies to preserve commercial lands for commercial uses and annexation of the Grace UGA must be discussed for the FEIS to be potentially considered complete.

Page 11-9, Section 11.1.15 - Snohomish County EPF siting Factor 10 reads: The project should be compatible with surrounding landuse.

Comment: Surrounding land use in Woodinville includes single family residential, park and open space and industrial. The DEIS should explain how it is compatible with these land uses. The DEIS does not address these land uses or existing planning documents.

Page 11-9, Section 11.1.15 - The majority of the Route 9 site is located within the Maltby unincorporated urban growth area for Snohomish County and the urban growth area for the City of Woodinville.

Comment: Because these areas overlap and are an established joint planning area for Snohomish County and the City of Woodinville, comprehensive plan policies for the City of Woodinville are discussed. Due to the joint planning area, the FEIS should thoroughly address impacts to the City of Woodinville plans and environment, just as the DEIS addresses impacts to areas of Snohomish and King Counties.

Page 11-14, Section 11.1.2.2 - “As part of a subarea plan for this area, the City of Woodinville is currently working with Snohomish County to include the Grace Neighborhood within the Snohomish County UGA. This would occur through the annexation process.”

Comment: This statement sounds incorrect. Is it intended to say: “As part of a subarea plan for this area, the City of Woodinville is currently working with Snohomish County to include the Grace Neighborhood within the ~~Snohomish County~~ City of Woodinville. ~~UGA~~. This would occur through an interlocal agreement for joint planning and annexation process.”

Page 11-15, Section 11.1.2.2 - Shoreline Master Program designations for Snohomish County are provided.

Comment: Shoreline Master Program designations and regulations for the City of Woodinville should also be included.

Page 11-35, Section 11.2.2.1 - Snohomish County EPF siting factor 3 – “The EPF should demonstrate its relationship to local, regional, and state plan, and should be consistent with the adopted plans of the host community.”

Comment: Woodinville is the logical “host community.” As such, the FEIS should further assess how the facility impacts and meets consistency factors. For instance, the City of Woodinville has comprehensive plan policies to preserve commercial lands for commercial uses.

Page 11-41, Section 11.2.2.1 - “If the Route 9 site were annexed by the City of Woodinville in the future, a wastewater treatment plant would be consistent with the City’s proposed land use and zoning for the site. Regional public facilities are permitted within the industrial zone and would require a special use permit.”

Comment: Although essential public facilities are permitted in the Industrial zone, the “consistency” of such a facility with City of Woodinville plans would include significantly more thought and balancing of policies than simply consistency of permitted uses through zoning. Some of these other factors would include consistency with other plans, codes and compatibility of adjacent uses.

Page 11-61, Section 11.4.1 - Development at the Route 9 site would preclude development of the bus barn that is currently proposed on a portion of the site that is owned by the Northshore School District.

Comment: Development at the Route 9 site would also preclude future commercial uses that would provide jobs, tax revenues and economic development for the City of Woodinville and Snohomish County.

Chapter 12 Aesthetics

General Comment: As is the case with other topic areas, the DEIS fails to consider compatibility of the Brightwater treatment plant with City of Woodinville aesthetic considerations. These include the City’s design guidelines, which emphasize local preferences for a “northwest woodland character.” The City of Woodinville strives to incorporate quality design elements into new construction. This is another example of how interlocal planning for a potential annexation area should be identifying such compatibility factors and committing to seeking accommodation during the design of significant facilities that may ultimately transfer to another jurisdiction. The FEIS should address these aesthetic compatibility issues and planning solutions that emphasize interlocal cooperation.

Page 12-2, Section 12.1.1 - The DEIS states that “Aesthetic standards for development of the Route 9 site, including height, bulk, articulation, and setbacks for new construction, are found in the Snohomish County Code, Title 18.”

Comment: To be consistent with the GMA on compatibility of plans for neighboring jurisdictions with common borders, PAA's or regional issues, this section should include aesthetic standards found in City of Woodinville Design Guidelines for industrial zones. Due to the adjacent incompatible use of rural residential and the identified "office park overlay", the City of Woodinville design guidelines commercial and residential zones should be consulted to create the maximum compatibility.

Page 12-10, Section 12.2.1 - The DEIS states that aesthetic impacts are analyzed by "identifying and analyzing aesthetic impacts generated by the treatment plant in relation to the local jurisdiction's regulatory standards governing aesthetics and design."

Comment: This analysis should include City of Woodinville regulatory and design standards.

Page 12-14, Section 12.2.2.2 - The DEIS states that "Standards, including height, bulk, articulation, setbacks, and landscaping for new construction, are found in the Snohomish County Code, Title 18. Examination of the proposed facility layout in context to surrounding uses and zoning indicate consistency with the regulations regarding aesthetic issues."

Comment: Consistency of the proposed facility with City of Woodinville standards should be included in the analysis.

Page 12-25, Section 12.3.1.2 - This section lists possible mitigation measures to reduce the scale of the Route 9 treatment plant. These measures should include City of Woodinville regulations and design guidelines.

Chapter 13 Light and Glare

Page 13-1 Section 13.1.1 - This section states "local development codes were reviewed to identify requirements related to light and glare."

Comment: City of Woodinville codes should be included in this review. The nearby incompatible use of rural residential needs to be taken into account as the site is located on the valley floor and many properties with valley vistas would be affected by inappropriate light and glare.

Chapter 14 Recreation

General Comment

The Brightwater Site – Route 9 Alternative lies outside the City Limits of Woodinville but within the park, recreation and open space service area adopted by Woodinville in the City's Park, Recreation and Open Space Plan (PRO Plan), 1998. The 1000 foot wide conveyance corridor for Route 9 passes through the northwest corner of the City near 130th Avenue NE. and NE. 205th Street.

Page 14-3, Section 14.1.1.2 -*The DEIS states there “no public recreational facilities are located on the Route 9 site. It contains parcels that are held by a number of private land owners and includes industrial and commercial land uses and a community grange hall.”*

Comment: More information regarding the “community grange hall” is needed. Does this facility provide recreational or other public services? What would be the impact of the Route 9 treatment plant on this resource? How would any impact to this resource be mitigated?

Page 14-4, Section 14.1.1.2 - *The DEIS says that no parks or trails are proposed within one mile of the Route 9 site in either unincorporated Snohomish County or Woodinville .*

Comment. This is incorrect. The PRO Plan proposes that Wellington Hills Golf Course will provide resource conservancy activities (picnicking, wildlife viewing, trails), a playground, athletic fields and a recreation center in the future (see Chapter 8.1 & 8.3 PRO Plan). The Wellington Hills Golf Course is located approximately 1000 feet southeast of the proposed Route 9 treatment plant site.

In addition, existing and proposed on-road bicycle touring routes are located on both shoulders of the Woodinville-Snohomish County Road (Rt. 9) adjacent to the Route 9 Alternative Treatment Plant site, and on 228th Street East (see 8.8 PRO Plan). A resource conservancy (wildlife) corridor and hiking trail is also proposed along Little Bear Creek adjacent to the Woodinville-Snohomish Road. This trail is part of the PRO Plan proposed Little Bear Creek Linear Trail system that extends from the Sammamish River Park and Trail at the Sammamish River north to the northern limits of Little Bear Creek in Snohomish County (see 8.6 PRO Plan). And, a multipurpose trail is proposed along the SLS&ERR railroad tracks adjacent to the Eastern boundary of the proposed Route 9 Treatment Plant site (see 8.9 PRO Plan). This site is also within one mile of the Route 9 Treatment Plant site. The FEIS should analyze and acknowledge these plans, take care not to disrupt them with plant siting or impacts and should seek to enhance these plans if this is selected as the final location.

Figure 14-2 - *The 195th Street Corridor passes near the Northwest corner of the Woodinville High School campus, which contains a gym, athletic fields, tennis courts, classrooms and other recreation amenities that the City of Woodinville frequently uses through inter-local agreements with the Northshore School District.*

Comment: The City’s use of these facilities should warrant inclusion of the High School site in the recreation impacts discussion of the DEIS. Also, the City’s resource conservancy park currently in final design and scheduled for phase 1 construction in 2003 will double as an outdoor classroom and should not be subject to any negative impacts from a wastewater treatment plant.

Page 14-12, Section 14.2.2.1 and 14.2.2.2 - *The DEIS states that the Route 9 Treatment Plant site construction and operations activities will not affect the Wellington Hills recreation resource due to its distance away from the proposed Route 9 Treatment Plant site.*

Comment: This distance is about 1000 feet. Winds originating out of the Northwest in the summers are funneled through this area. Has this been studied thoroughly, and will this

phenomena produce dust, odor and noise at Wellington Hills? More information is needed to analyze the validity of this claim.

There is also no mention of the impacts to the Little Bear Creek Linear Park System referred to above in the Route 9 site discussion. As part of the linear trail system, the City of Woodinville is currently preparing to begin construction of a multi-use skate park in conjunction with an eighteen-acre resource activities park containing wetland mitigation areas. This park is located just east of Woodinville High School between 136th Avenue NE and SR 522, adjacent to the north side of NE 195th Street. The resource park area was conceived as an outdoor classroom and should be free from impacts of a wastewater plant. This proposed park has not been mentioned in the DEIS. Additional information is needed to analyze the following questions: Will there be any potential construction impacts to this park or associated wetlands as a result of potential impacts to up-stream segments of Little Bear Creek? Have noise, odor and dust impacts been considered for the area of this park site?

Chapter 15 Cultural Resources

Page 15-1 and 15-2, Section 15.1 - The DEIS states that the City of Woodinville was one of the consulted cities “to determine if buildings of local importance were in the project area.”

Comment: As far as can be ascertained, the City has not been consulted as described. There is a cultural resources study being performed for the aforementioned park that should be reviewed and expanded upon in the FEIS.

Page 15-3 Section 15.1.1.3 - The DEIS states that “King and Snohomish Counties and several cities within the project area have passed ordinances that govern management of archaeological sites, and historic buildings and historic structures.”

Comment: The DEIS includes mention of City of Woodinville ordinances governing historic resources. The potential impact of the Brightwater project on other City of Woodinville plans, codes, and issues should also be addressed in relevant chapters of the DEIS.

Page 15-21, Section 15.3.1.1 - This section describes mitigation measures for the treatment plant sites. One of these measures is to “Develop archaeological treatment and monitoring plans to address inadvertent discovery of significant archaeological resources in areas with a moderate to high probability for possibly significant archaeological deposits in area in the preferred treatment plant site.”

Comment: The FEIS should state when these plans should be developed and what process will be put into place for public review of the findings.

Chapter 16 Transportation

General Comments

The Brightwater DEIS, Chapter 16 – Transportation, is in large part very vague and neglected to discuss impacts to the City of Woodinville. There were several courtesy mentions of the City as an adjoining agency but failed to discuss or address impacts to the City’s transportation system.

The information provided lacks supporting information, clarity and detail. No trip distribution maps for local roadway systems were provided. No in-depth analysis for the trip generation was provided and the information provided for the trip generation were at best an elementary guess with no defined basis. Additional information of this type is needed to properly analyze transportation impacts.

No mitigation analysis was provided to address the direct and indirect socio-economic impacts to the adjoining agencies. At best, Chapter 16 mentions the impacts caused by its action but fails to address how to mitigate the problem.

The traffic study does not assume any use of City of Woodinville streets. With suppliers, services and employee housing in the area, along with peak hour tie-ups in the Grace area, the use of the 195th interchange and Woodinville-Snohomish corridor are inevitable. The impacts to these and other City of Woodinville streets should be fully described and mitigated.

Page 16.1, Section 16.1 Paragraph 1 line 1

Comment: The report mentioned local transportation systems but ignores impacts upon the City of Woodinville caused by the project.

Page 16-5, Section 16.1.1.2

Comment: The report omitted LOS requirements for City of Woodinville. This is important to establish the minimums for the City and whether additional mitigation may be required if the projects causes the City’s transportation system to degrade. This analysis should be performed and mitigation should be provided accordingly.

Page 16-5, Section 16.1.1.2

Comment: The report fails to discuss mitigation recourse and options if the City’s transportation system LOS degrades by an actual level of service.

Page 16-11, Section 16.1.2.2, Paragraph 1-5

Comment: The report neglected to identify Woodinville-Snohomish Road, NE 195th St. (in Woodinville) and Woodinville-Duvall Road corridors as part of the transportation systems in the vicinity of the proposed treatment plant that could be adversely impacted.

Page 16-11, Section 16.1.2.2, Paragraph 1-5

Comment: The report failed to mention any of the roadway systems south of SR 9 MP 0.00 regardless whether local or regional. The roadways to the south are heavily used and depended upon by both local and regional traffic. For example, SR 9 ties into Woodinville-Snohomish Road, which in turn ties into Woodinville-Duvall Road, which provides the only primary east-west access to east King County south of Snohomish County. These roadways are also used as delivery routes for construction materials, i.e. fill and rock.

Page 16-11, Section 16.1.2.2, Paragraph 7

Comment: No traffic volumes were provided for Woodinville-Snohomish Road, NE 195th St. (in Woodinville) and Woodinville-Duvall Road corridors and the roadway system south of SR 9, MP 0.00. The traffic volumes would help establish the baselines for the amount of traffic using these roadways. This information should be provided.

Page 16-12, Section 16.1.2.2, Accident Experience

Comment: No accident experience was provided for Woodinville-Snohomish Road, NE 195th St. (in Woodinville) and Woodinville-Duvall Road corridors and the roadway system south of SR 9, MP 0.00. The accident experience would help establish the baselines for the amount and types of accidents that are occurring on these roadways. This information should be provided.

Page 16-13, Section 16.1.2.2, Truck Traffic

Comment: The truck traffic percentage reported appears low. Additional information needs to be provided to verify the source and the accuracy of the assumptions. The truck percentage would establish the baselines to identify the dependency of commercial traffic on these roadways and how the local economic engine would be impacted.

Figure 16.7

Comment: Effluent corridors are not clearly identified and delineated.

Page 16-14, Section 16.1.3

Comment: The word “corridor” is being used interchangeably for both traffic and effluent. The liberal use of the word may lead to confusion and misinterpretation.

Page 16-28, Section 16.2.1.1, Paragraph 5

Comment: The report needs to look at local agencies’ traffic models in addition to the PSRC traffic model to assess both micro and macro level of growth analysis. An overly large regional traffic model that does not address local growth would not provide accurate information.

Page 16-29, Section 16.2.1.2

Comment: The assumption that PM peak is the critical peak hour without validation through a detailed analysis of the transportation systems for both the corridors and local systems is unacceptable. Peak hour flows are directional and impacts for both directions should be addressed and not only a single direction. The report did not address mitigation for both directions.

Page 16-30, Section 16.2.1.4

Comment: The report states that the conflicts with other planned or programmed projects were evaluated. What City of Woodinville, Snohomish County or regional plans were consulted? More information is needed to determine whether the evaluated projects are local, county or state projects. The report did not provide a detailed list of the projects that were evaluated. It is important that the adjoining agencies are aware of the combined impacts to reduce creating a transportation nightmare with public dollars.

Page 16-31, Section 16.2.1.5

Comment: No specific routes were identified nor shown on the corresponding map/figure. Specific impacts to the routes need to be identified and shown on the map/figure.

Page 16-31, Section 16.2.2.1

Comment: No detailed information was provided for the identified projects. The description was very vague and limited. There was no mention of the Snohomish County project to widen Woodinville-Snohomish Road south of SR 9, MP 0.00.

Page 16-33, Section 16.2.3

Comment: No information regarding the basis and assumptions used to develop the trip generation were provided. The proposed number of trips seems too low for a project this size and magnitude. Inaccurate trip generation numbers would create inaccurate reporting of predicted impacts and mitigation. More information regarding the predictive methodology needs to be provided before the impacts can be fully analyzed.

Page 16-43, Table 16-21 & Table 16-22

Comment: Woodinville-Snohomish Road, NE 195th St. (in Woodinville) and Woodinville-Duvall Road corridors and the roadway system south of SR 9, MP 0.00 were not identified as being impacted by construction traffic. No construction haul routes were identified or addressed. This information must be provided before an analysis of the impacts can be performed.

Page 16 to 45, Section 16.1.3–Section 16.2.3.2

Comment: The report did not identify impacts nor discuss mitigation options for impacts caused by the construction activity. The report mentions roadway closures but does not address time of

day, types of closure – full or partial, detours, length of time, advance notices or the societal costs to the adjoining agencies.

Page 16-50, Section 16.2.6.1

Comment: The report did not identify nor provide sufficient information of upcoming private developments in the vicinity of Brightwater, i.e. Costco or Northshore School District Bus Barn. These developments are important as they generate both construction traffic and regular traffic when completed and they are significant traffic generators. Brightwater’s traffic impact analysis should be performed in the context of these projects.

Page 16-51, Section 16.3.1.1, SR 9 Site

Comment: The report identified the trips generated by the construction activity to be significant but yet there was no analysis of what the exact impacts will be, i.e. trip distribution, parking, nor the proposed mitigation methods, i.e. carpooling, TDM, on-site mobile amenities. This information needs to be provided before the impacts can be fully analyzed.

Page 16-51, Section 16.3.1.1, SR 9 Site

Comment: The report identified the use of rail for construction materials delivery; however, the report did not provide any analysis of projects that are adjacent or along the rail line that could affect the rail activity. The City of Woodinville has a project to replace the railroad trestle on SR 202 with a completion date in 2006. The project has just recently received TIB funding. This construction project may also impact truck traffic to Portal 41, if access is needed through the SR 522/SR 202 Interchange. Also, the rail option for removing or restoring fill as referenced in Chapter 4, Section 4.2.1.1 does not address the potential for disrupting traffic at surface rail crossings in the City of Woodinville.

Page 16-56, Section 16.4.1.2

Comment: The operational ADT information is vague and needs more supporting information.

Page 16-56, Section 16.4.2.1

Comment: The construction impacts identified were vague and lack sufficient information to determine the actual impacts to the adjoining agencies and business communities. The report cited temporary lane closures without discussing fully the effects of queue spillback to the downstream traffic and roadway system. The combination of local traffic, emergency traffic and construction traffic was not analyzed and addressed. The report did not provide construction haul route maps, with haul times, and trip distribution combined with all other demands of the roadway.

Chapter 17 Public Services and Utilities

Page 17-5, Section 17.1.2.2 - The DEIS states there are “no solid waste facilities located on or close to the Route 9 site.”

Comment: A new facility designed to handle construction-related waste is under construction in Woodinville, a short distance from the Route 9 site. The FEIS should analyze the potential of this facility to accept construction waste from the project construction and potential impacts to traffic and other relevant sections of the impact statement. This site will also handle all common recyclables. This site is a large regional facility and its presence should be recognized in the FEIS.

Page 17-13, Section 17.1.3.2 - The DEIS states response times from the City of Woodinville Police Department (if the City should be called to assist under mutual aid agreements).

Comment: These response times are accurate provided there are no traffic issues. However, construction activities could cause an inability to circumvent traffic back-ups for emergency vehicles. The impact will affect City of Woodinville emergency response units in the event of a mutual aid response from Snohomish County agencies. An additional concern is the potential for traffic back-ups during due to increased truck traffic or possible chemical spills related to project operations.

Thank you for the opportunity to comment. If you should have any questions regarding these comments, you may direct them to me at 425 489-2700 extension 2205 or Community Development Director Ray Sturtz, at extension 2281.

Sincerely,

Pete Rose
City Manager

Ray Sturtz
Community Development Director
SEPA Responsible Official

c: City Council Members
Department Directors