



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

May 27, 2015

Motion 14368

Proposed No. 2015-0167.1

Sponsors Upthegrove, McDermott,
Dembowski and von Reichbauer

1 A MOTION related to the Lower Duwamish waterway
2 cleanup and the health of communities adjacent to the
3 Lower Duwamish waterway.

4 WHEREAS, the Green-Duwamish river flows from its source in the Cascade
5 mountains and the foothills of Mount Rainer meandering through the Kent valley and the
6 industrial lands of Tukwila and south Seattle before it empties into Seattle's Elliott Bay,
7 and

8 WHEREAS, the last five miles of the river has served as a major conduit for
9 shipping and receiving of materials and goods from around the northwest and was
10 engineered and dredged over one hundred years ago to assist in the navigability of what
11 is known as the Lower Duwamish waterway to serve the hundreds of businesses that have
12 located along its banks, and

13 WHEREAS, over time industries along and around the waterway and
14 development along the length of the river in urban areas have led to the degradation of
15 the sediment quality and designation by the U.S. Environmental Protection Agency of
16 the sediments in the last five miles as a Superfund site in need of cleanup, and

17 WHEREAS, local businesses and communities include tribal members, low-
18 income, immigrant and refugee families who continue to live, work and fish along the
19 Lower Duwamish waterway, and

20 WHEREAS, for the past fourteen years King County has been a participant in the
21 Lower Duwamish Waterway Group ("LDWG") along with the city of Seattle, Port of
22 Seattle and Boeing to investigate contamination in the Lower Duwamish waterway,
23 develop approaches for cleanup of the waterway and means to prevent recontamination
24 through source control, and

25 WHEREAS, LDWG has collectively spent approximately \$40 million on the
26 remedial investigation and the feasibility study to inform the Environmental Protection
27 Agency's final Record of Decision for the Lower Duwamish waterway, and King County
28 and the wastewater treatment division have spent approximately \$5.8 million on Lower
29 Duwamish waterway source control activities and another \$13 million on the successful
30 cleanup of several Early Action Areas, and habitat restoration of twenty-five acres at five
31 sites, and

32 WHEREAS, King County has prioritized and hastened the completion of
33 combined sewer overflow control projects (CSO) along the Lower Duwamish waterway
34 with the adoption of its 2012 Long-term CSO Control Plan Amendment, and

35 WHEREAS, King County and the city of Seattle recently launched the
36 Green/Duwamish Watershed Strategy, coordinating work by governments, nonprofits,
37 and businesses across five hundred square miles of critical watershed, and

38 WHEREAS, the U.S. Environmental Protection Agency recently published its
39 final Record of Decision, with sediment cleanup goals designed to best protect human
40 health, and

41 WHEREAS, the final Record of Decision identifies areas appropriate for different
42 types of active cleanup, with Recovery Category assignments that inform the selection of
43 dredging, capping, enhanced natural recovery and monitored natural recovery, and

44 WHEREAS, during the remedial design phase of the cleanup, the U.S.
45 Environmental Protection Agency may change Recovery Category assignments based on
46 additional information, including a survey of waterway users, and

47 WHEREAS, King County expects to participate with other parties in portions of
48 either the remedial design or the remedial construction, or both, to implement the final
49 Record of Decision under the U.S. Environmental Protection Agency's oversight, and

50 WHEREAS, King County will participate in source control activities throughout
51 the county's wastewater treatment service area and in the Green/Duwamish watershed, to
52 implement the source control strategy under the state Department of Ecology's oversight,
53 and

54 WHEREAS, the final Record of Decision emphasizes the need to meaningfully
55 and appropriately engage the community throughout remedial design and implementation
56 of the cleanup, including convening an advisory group as a means for the affected
57 community and local agencies to work together on mitigating the impacts of the cleanup
58 on the affected community, and

59 WHEREAS, the city of Seattle recently adopted Resolution 31567 laying out the
60 actions Seattle departments will take related to the cleanup of the Lower Duwamish
61 waterway and addressing the health of communities adjacent to the Duwamish River,
62 providing an opportunity for King County to collaborate and link its services and actions
63 with those of the city of Seattle, and

64 WHEREAS, King County's Strategic Plan and equity and social justice ordinance
65 require departments and staff to proactively work to prevent and mitigate race and
66 income-based disparities in communities, and

67 WHEREAS, King County's equity and social justice principles support
68 engagement of communities of color, immigrants, refugees, limited-English-proficiency
69 communities, people with low incomes and other most impacted communities in the
70 design and implementation of county projects and programs to ensure racial and social
71 equity and increased community benefit;

72 NOW, THEREFORE, BE IT MOVED by the Council of King County:

73 A.1. As the remedial design work moves forward to implement the final Record
74 of Decision, the King County council encourages analysis of equity and social justice
75 impacts and development of a remedial design that best protects the health of its diverse
76 communities of residents, including, but not limited to: people of color, immigrants,
77 refugees and people with low incomes; fishers; Native Americans; recreational waterway
78 users; workers; and businesses.

79 2. The King County council expects county representatives to engage with the
80 U.S. Environmental Protection Agency-led community advisory group along with
81 representatives from the affected communities and other local governments, to advocate
82 for transparency, equity and social justice throughout remedial design and final Record of
83 Decision implementation and to work together on mitigating any unanticipated
84 community impacts and promoting opportunities presented by the cleanup, such as those
85 identified in the Duwamish River Cleanup Coalition's 2013 Community Health Impact
86 Assessment. The King County council respectfully requests the U.S. Environmental

87 Protection Agency to annually provide written reports or updates on the Environmental
88 Protection Agency-led group's engagement of communities of color, immigrants,
89 refugees, limited-English proficiency communities, people with low incomes and other
90 most impacted communities in the design and implementation of the final Record of
91 Decision.

92 3. As new technologies and new information emerge over the course of the
93 remedial design phase and subsequent clean up, the King County council encourages the
94 Environmental Protection Agency and all potentially responsible parties to ensure
95 appropriate applications of cleanup technologies, including dredging, based on the
96 waterway use survey and any reevaluation of Recovery Categories during remedial
97 design. The King County council further urges the use of environmentally sensitive
98 dredging technologies and best practices to limit sediment disruption while removing
99 contaminated sediments as outlined in the final Record of Decision, and consideration of
100 the use of electric-powered dredging equipment to limit air emissions.

101 4. The King County council encourages continued participation by the county in
102 source control efforts as part of the overall strategy being led by Washington state
103 Department of Ecology. These efforts should be consistent with the King County Lower
104 Duwamish Waterway Source Control Implementation Plan, 2014-2018, as developed by
105 the King County department of natural resources and parks, which will be updated every
106 five years to revise and strengthen plans for source control, as new information and new
107 technologies emerge.

108 B.1. The King County council encourages continued involvement in and the
109 application of an equity and social justice lens with the Green/Duwamish Watershed

110 Strategy, fostering greater cooperation between affected communities, nonprofits and
111 businesses and the relevant city, county, state and federal agencies to address controls on
112 new and ongoing pollution sources, including those from upriver.

113 2.a. The King County council requests that the department of natural resources
114 and parks ("DNRP") and Public Health - Seattle & King County ("public health"), with
115 the support of the King County office of equity and social justice, continue to work with
116 their interdepartmental team to identify ongoing projects and services that serve resident,
117 tribal and fishing communities in the Duwamish River valley, and to coordinate those
118 efforts with the city of Seattle's interdepartmental team, to complement implementation
119 of the final Record of Decision.

120 b. The King County council requests that DNRP and public health, with the
121 support of the King County office of equity and social justice, coordinate with relevant
122 agencies to explore the feasibility of creating an interagency fund to improve overall
123 community health in the Duwamish River valley, as a possible complement to the city of
124 Seattle's Duwamish river opportunity fund.

125 c. The King County council requests that DNRP and public health, with the
126 support of the King County office of equity and social justice, report to the King County
127 council the work being coordinated with the city of Seattle by January 30, 2016. The
128 report shall be filed in the form of a paper original and an electronic copy with the clerk

129 of the council, who shall retain the original and provide an electronic copy to all
130 councilmembers.
131

Motion 14368 was introduced on 4/20/2015 and passed by the Metropolitan King
County Council on 5/26/2015, by the following vote:

Yes: 7 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski and Mr. Upthegrove
No: 0
Excused: 2 - Mr. Phillips and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments: None