



**Environmental Impact Statement
for the
Brightwater Regional
Wastewater Treatment System**

**Addendum 5 to Final EIS
and
Addendum 2 to Final Supplemental EIS**

January 3, 2007

This information is available in
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King County

Department of Natural Resources and Parks

Wastewater Treatment Division

King Street Center, KSC-NR-0503

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Seattle, WA 98104

Addendum to Brightwater Environmental Impact Statement

The King County Department of Natural Resources and Parks, Wastewater Treatment Division, is issuing an addendum to the Environmental Impact Statement (EIS) for the proposed Brightwater Regional Wastewater Treatment System. The EIS was prepared in compliance with the Washington State Environmental Policy Act (SEPA)(RCW 43.21C), the SEPA Rules (WAC 197-11), and Chapter 20.44 King County Code. This addendum, issued January 3, 2007, reports on the results of seismic trenching on the Brightwater Treatment Plant site in the summer of 2006 and the approach to seismic design on the site. The Brightwater Treatment Plant is being constructed on a site that is generally bounded by State Route (SR) 9, SR-522, and 224th Street SE (if extended), in unincorporated Snohomish County. This document is Addendum No. 5 to the Brightwater Final EIS (issued November 19, 2003) and Addendum No. 2 to the Final Supplemental EIS (issued July 17, 2005).

Ruling on Hearing Examiner's Decision

The Supplemental EIS was prepared under protest in response to the King County Hearing Examiner's Decision issued on August 3, 2004. The Hearing Examiner's Decision found the Final EIS adequate but required that King County both conduct additional investigative trenching at the Route 9 site and prepare a supplemental EIS if a seismic fault were found. King County appealed the Hearing Examiner's Decision to the King County Superior Court. The Superior Court upheld the adequacy of the Final EIS and concluded that because King County had conducted additional trenching and had already prepared the Supplemental EIS as ordered by the Hearing Examiner, King County's claim was moot. In a subsequent proceeding, the Court of Appeals ruled on October 3, 2006, that the Hearing Examiner exceeded his jurisdiction in ordering the trenching and the preparation of the Supplemental EIS. That decision is now final.

Report on Trenches Constructed in Compliance with Agreements

On October 17, 2005, the Snohomish County Council adopted a Settlement Agreement (Brightwater Settlement Agreement) which established a process for the permitting and construction of the Brightwater Project. As part of the Brightwater Settlement Agreement, King County and Snohomish County also adopted a Development Agreement for construction of the Brightwater Project (Brightwater Development Agreement).

Section 3.2 of the Brightwater Development Agreement required that King County construct two additional trenches related to the two proposed chemical storage facilities on the Route 9 site to determine if there was an active earthquake fault beneath either or both of the two proposed facilities. King County constructed several trenches and issued a report entitled *Chemical Building Seismic Trenches, Brightwater Wastewater Treatment Plant Site, Snohomish County, Washington* (prepared by MACTEC Engineering and Consulting, Inc., October 19, 2006) (MACTEC Report). King County also issued a memorandum entitled *Treatment Plant Approach to Seismic Design* (prepared by CH2M HILL, October 9, 2006) (Memorandum). The MACTEC Report concludes that there are no active faults beneath the two proposed chemical storage facilities. The Memorandum describes the seismic design of the treatment plant site.

On December 8, 2006, Snohomish County Planning and Development Services issued a letter stating:

“[a]nalysis of the MACTEC report by [Snohomish County] consultants Milbor-Pita and Associates has confirmed the findings that no active earthquake faults exist beneath the two proposed chemical storage facilities.

“Snohomish County’s investigation included a review of a report by Earth Consultants International (ECI) ... The ECI Report ... concurred that the MACTEC Report documented compliance with the seismic investigation standards found in the Brightwater Development Agreement.

“The assumptions and design parameters identified in the [Memorandum] are in compliance with the 2003 International Building Code and the Brightwater Development Agreement.

“The [MACTEC] Report and the Memorandum adequately satisfy the requirements of Section 3.2, Seismic Investigation and Construction Standards, of the Brightwater Development Agreement.”

Purpose of Addendum

Under SEPA, issuance of an addendum is appropriate to provide additional information or analysis that does not substantially change the analysis of significant impacts and alternatives in existing environmental documents (WAC 197-11-600[4][c], -706). This Addendum attaches the following documents:

Chemical Building Seismic Trenches, Brightwater Wastewater Treatment Plant Site, Snohomish County, Washington. Prepared for King County Department of Natural Resources and Parks, Wastewater Treatment Division, by MACTEC Engineering and Consulting, Inc., Los Angeles, CA. October 19, 2006.

Treatment Plant Approach to Seismic Design. Prepared for King County Department of Natural Resources and Parks, Wastewater Treatment Division, by CH2M HILL, Bellevue, WA. October 9, 2006.

These documents add analysis and information about the Brightwater Regional Wastewater Treatment System but do not substantially change the analysis of significant impacts in the Final EIS and/or the Final Supplemental EIS.

Availability of EIS and Addenda

The MACTEC Report and the Memorandum are available electronically at <http://dnr.metrokc.gov/wtd/brightwater/sitegeo/index.htm>

Brightwater SEPA environmental review documents are available electronically at <http://dnr.metrokc.gov/wtd/brightwater/env/index.htm>

Hard copies can be obtained from the Wastewater Treatment Division at the address below, or by calling the Brightwater Project Team at (206) 684-6799 or toll free 1-888-707-8571. For accessible formats, call (206) 684-1280 or 711 (TTY). EIS documents are also available at the following libraries: Bellevue, Bothell, Edmonds, Everett, Kenmore, Kingsgate, Lake Forest Park, Lynnwood, Mountlake Terrace, Richmond Beach, Seattle Main Branch, Shoreline, Woodinville, King County Technical Document and Research Center, Municipal Research and Services Center, and University of Washington Suzzallo.

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Date