

The Brightwater Mitigation Package Summary

In December 2005, King County completed a systemwide mitigation package that is the result of many meetings with the public and negotiations with jurisdictions, Tribal governments, and permitting agencies.

This summary of the Brightwater mitigation package outlines the various measures and actions King County will take to reduce the impacts associated with Brightwater facility construction and operation while enhancing the quality of life in local and regional communities.

This summary also describes how mitigation measures were identified for consideration and ultimately selected, including how stakeholders helped shape the decision making process.

The mitigation package marks a significant milestone in the project, because it helps us to complete the permitting process and begin construction. Construction on the Brightwater project is scheduled to start in spring 2006 and continue until the project's completion in 2010.

Several mitigation projects are already underway. In cases where King County provided funding to implement a specific project, people may want to stay active with their local jurisdiction for opportunities to be involved in how these measures are carried out.

Why invest in mitigation?

Brightwater is needed to protect public health, the environment and the economy as our population continues to grow. While everyone in our region will share in its benefits, not everyone will share equally in the impacts of building and operating these facilities.

The communities hosting Brightwater facilities will be affected most by construction and operation. And because Brightwater is such a complex project, the impacts on each host community will be different.

Mitigation measures will help reduce Brightwater's impacts, protecting the quality of life in communities hosting Brightwater facilities and ensuring that this new treatment system is a good neighbor. Some of the mitigation measures will address the short-term impacts of construction, other measures are intended to cover the longer term impacts, such as the changes visible facilities like the treatment plant will have on the community landscape.

King County weighed all of these issues when working with jurisdictions, Tribal governments, and permitting agencies to develop agreements on mitigation. The county wanted to make sure the final mitigation plan would be fair – to affected host jurisdictions, community members, and sewer ratepayers throughout the service area.



"Nearly 50 years ago, regional leaders came together with a plan to clean up Lake Washington and build our existing wastewater treatment system. Just as the decisions they made continue to benefit our region today, I want to make sure the decisions we make about Brightwater will not only leave a water quality legacy, but also a legacy of community amenities that improve the quality of life in south Snohomish County and north King County.

We are investing \$140 million to make good on our pledge to be a good neighbor while also protecting public health, the environment and the economy by providing state-of-the-art wastewater treatment.

Besides designing Brightwater with the best odor control system in the nation, we are restoring and enhancing habitats, building trails and providing a wide variety of community amenities throughout the system.

In one of the more substantive open space purchases in Snohomish County, we are providing more than \$30 million to purchase 320 acres of forest and open space that will provide parks, trails and recreation for the people of the area as well as wildlife habitat. An additional 30 acres will be purchased and set aside for public use in communities hosting Brightwater conveyance facilities.

Brightwater is a long-term investment in our region's future. The mitigation package we have developed underlines our commitment to making sure these new facilities are good neighbors that will protect public health, the environment, and the quality of life that makes our region unique. "

Ron Sims
King County Executive



King County

Department of Natural Resources and Parks
Wastewater Treatment Division

King County's mitigation commitments will help reassure community members that Brightwater facilities will be good neighbors in addition to being good for the region.

Budget – How much does mitigation cost?

King County is earmarking about \$140 million systemwide for mitigation. In addition to that, about \$50 million will be spent to prevent odors from the Brightwater facilities. Another 1 percent of specific project costs – about \$4.3 million – will be invested in public art on the project sites.

Mitigation goals and guidelines

The purpose of the Brightwater mitigation package is to:

- Address systemwide impacts of construction and operation of Brightwater facilities
- Create facilities that are attractive and complement surrounding neighborhoods
- Secure the required permits to start construction and have facilities operating by 2010

Laws and policies that guide mitigation

Several laws and policies at the local, state, federal and Tribal levels help define mitigation. Examples are the State Environmental Policy Act, the Revised Code of Washington, and the Puget Sound Regional Council's Vision 2020 plan. County policies, including King County Code, clearly outline mitigation-related requirements associated with building new wastewater facilities. Besides addressing long-term and short-term impacts and protecting community interests, the county's policies also ensure that mitigation costs are kept reasonable, that funding stays in affected communities, and that mitigation addresses a specific impact of building or operating Brightwater.

We sought mitigation measures that would:

- Address construction or operational impacts of the Brightwater project
- Keep funds in the affected community
- Create a public benefit
- Serve the needs of multiple agencies, groups or committees
- Expand opportunities for other sources of funding, such as grants
- Assist in obtaining matching funds
- Have infrastructure in place or planned to support the proposed idea
- Enjoy community support

Though the number of stakeholders in the project was significant, King County made sure local governments, individuals and interest groups had an opportunity to weigh in on matters that would ultimately affect their communities. This input contributed to developing a systemwide package.

How was mitigation determined?

Several factors influenced how measures were identified and ultimately selected.

Public input during the siting process

During the four-year siting process that began in 1999, King County held hundreds of meetings to involve community members in the Brightwater project. Brightwater's extensive public involvement process gave people many opportunities to share their concerns, ideas and suggestions at meetings, through correspondence, and phone calls to Brightwater staff. As people expressed concerns about Brightwater's potential impacts, quite often their comments were accompanied by ideas and suggestions on mitigation. The comments people made helped influence how the facilities would be designed, built and operated. And it helped us understand how mitigation could respond to people's concerns and attain the goal of making Brightwater facilities an asset to the community.

After a decision was made in 2003 on where Brightwater facilities would be located, King County held meetings in the new host communities to discuss what people could expect during and after Brightwater construction. Several of these meetings focused specifically on what types of mitigation should be considered to ensure the facilities would be good neighbors. Community ideas about mitigation were shared with the agencies and jurisdictions that would grant permits to build and operate Brightwater.

Environmental Review under Washington's State Environmental Policy Act, or SEPA

In 2002, King County began an extensive environmental review of the Brightwater project to study in detail the types of impacts the project could have in the area where it would eventually be built, and proposed mitigation that would reduce or avoid those impacts.

The process began with scoping, where agencies, jurisdictions and the public had an opportunity to weigh in on what King County should focus on in its analysis. After scoping, the county issued a Draft Environmental Impact Statement, or draft EIS, that studied three alternatives being considered for Brightwater, the likely impacts the project would have on the natural and built environments, and how these impacts could be mitigated. King County received hundreds of formal public comments from individuals and government agencies, and each comment received a response in the final EIS that was issued in 2003.

The final EIS presented an analysis of the project that was revised in response to public comment and continued technical and environmental study. The environmental review process continued in 2004 and 2005 with the release of four addenda to the final EIS as well as a supplemental EIS. These documents presented new or updated information and analysis that wasn't available when the draft and final EIS were issued. With this new information, King County continued to revise the proposed mitigation to reflect these newly considered impacts.

Permitting requirements

Many of the mitigation suggestions proposed by community members are also required by the local, state and federal permits King County needs in order to build and operate Brightwater.

Each of these permits outlines very specific terms and conditions King County must meet in order to build and operate Brightwater. Mitigation measures required as a condition of permitting pertain to all facets of the project. At the local level, permits might require a traffic management plan that includes designated haul routes to keep roadways from being overwhelmed by construction vehicles. Local permits also establish the hours of construction, limits on noise and requirements for noise mitigation, and specifications on the appearance of buildings, such as height limits and other design standards.

Permits issued at the state level required King County to submit a detailed facilities plan for the Brightwater project to ensure the design would meet state standards for protecting public health and the environment. The permits issued by the state Department of Ecology require King County to follow strict environmental laws both during construction and after the facilities begin operating. These permits also require mitigation that includes protecting and improving habitat and environmentally sensitive areas.

King County received the Army Corps of Engineers' Section 404 permit, which grants approval for the project under the federal Clean Water Act. Brightwater was also subject to review under the federal Endangered Species Act by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration. Permitting requirements help protect the environment, endangered species, and the interests of the community.

Agreements with jurisdictions, agencies and Tribal governments

King County worked with each jurisdiction, agency and Tribal government that would be affected by Brightwater construction and operation to negotiate formal agreements committing to specific measures to mitigate project impacts. The Memoranda of Agreement, or MOAs, spell out the mutual obligations King County and these affected communities have in working together to get the Brightwater project permitted, built and operating by 2010.

The MOAs serve to protect the interests of local agencies, governments and community members by clearly defining the measures King County must take to mitigate impacts. In return, the affected communities commit to work productively with the county to ensure a timely permitting process. In the event of disputes or disagreements, the MOAs contain provisions for a timely dispute resolution process.

Provisions in each MOA are different because impacts to each community affected by the Brightwater project are different. Brightwater will have a significant long-term effect on neighborhoods where large permanent facilities will remain after construction is completed. Other areas will experience temporary impacts of varying degrees during construction, though the area will largely return to its normal state after construction.

The attached chart on Pages 5-7 provides an overview of what was included in the MOAs. People who want more detail can read the full MOAs on the Brightwater project Web site at <http://dnr.metrokc.gov/wtd/brightwater/> or call the project office at 206-684-6799 to request paper copies.

The agreements that make up the mitigation package are the culmination of several years of public involvement and interagency negotiations. In addition to working with King County, members of the public also worked with their jurisdictions to discuss mitigation.

The county has entered into formal agreements on mitigation with the following:

- Suquamish Tribe
- Muckleshoot Tribe
- Snohomish County
- City of Woodinville
- City of Bothell
- Bothell Business Park
- City of Kenmore
- City of Shoreline
- Cross Valley Water District
- Alderwood Water District
- Lake Forest Park Water District

Schedule

Many mitigation projects and measures will be implemented as construction gets underway starting in 2006. Other projects, such as those where King County gave funding directly to the community, will be carried out by the jurisdiction, Tribal government or agency. People needing more information about a schedule for one of those projects should contact their local jurisdiction.

Breakdown of the package

Mitigation Measure	Jurisdiction
Habitat	
40 acres of new and restored forest and salmon habitat including wetlands, enhanced vegetation, nature preservation on the plant site	Snohomish County
Restoration to Howell Creek on the plant site	Snohomish County
Preservation and restoration of watersheds and improvements to fish habitat at Little Bear Creek and Cutthroat Creek	Snohomish County

continued

Mitigation Measure	Jurisdiction
Public Space/Recreation	
Plant site education/community meeting center	Snohomish County
Public access to Richmond Beach Pump Station for park land use and views to Puget Sound	City of Shoreline
Plant site boardwalks, overlooks and educational signage in natural areas at the Brightwater treatment plant and the Bothell Business Park	Snohomish County, Bothell Business Park
Funding for park development and/or acquiring land for parks or public use	City of Shoreline, Snohomish County, City of Kenmore

Active Recreation	
Little Bear Creek trail improvements	City of Woodinville
North Creek Trail expansion, Bothell to Mill Creek	Snohomish County

Natural stormwater treatment	
Enhanced, natural stormwater treatment systems	Snohomish County and cities of Shoreline, Kenmore, and Bothell

Traffic and pedestrian	
Road surface, traffic and intersection improvements	Cities of Kenmore, Bothell, Woodinville, and Snohomish County
Entryway access improvements	Bothell Business Park, Snohomish County
Barge or rail to move construction spoils	City of Shoreline
New sidewalks and bike paths	Snohomish County

Enhanced construction mitigation	
Screening walls, noise barriers, and expanded noise monitoring during construction	Cities of Bothell, Kenmore, Shoreline, and Snohomish County

Visual improvements	
Enhanced landscaping and architectural finishes at the plant site	Snohomish County
Enhanced landscaping	Bothell Business Park

Community mitigation	
Job retention	Snohomish County

continued

Mitigation Measure	Jurisdiction
Monitoring and restoration at outfall	
Intertidal, near-shore, and off-shore monitoring and/or removal of derelict fishing gear	Washington State Department of Natural Resources
Replacing eelgrass and shoreline vegetation	Snohomish County, Washington State Department of Fish and Wildlife, Suquamish Tribe, and Tulalip Tribes
Tribal fisheries research and resource improvements	Muckleshoot Indian Tribe, Suquamish Tribe, and Tulalip Tribes
Water supply resource protection	
Groundwater/aquifer monitoring and supply protection	City of Bothell, Lake Forest Park Water District, Cross Valley Water District, and Alderwood Water District

Need more information?

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