



City of Seattle

Gregory J. Nickels, Mayor

Fleets and Facilities Department

Brenda Bauer, Director

MEMORANDUM

DATE: September 28, 2007

TO: Honorable Members of the Seattle City Council

FROM: Brenda Bauer 

RE: Report from the State Department of Ecology on the Joint Training Facility

At Council briefing Monday, you asked me to report to you as soon as I received the State Department of Ecology (DOE) report on the Joint Training Facility (JTF). Enclosed is the report we received yesterday.

There are three key points in the DOE report:

1. Contrary to allegations that this site provides a water source for Hamm Creek, water flowing from the site does not now, nor did it ever, go to Hamm Creek. Instead it flows into a separate drainage system about 1.5 miles north of Hamm Creek;
2. Contrary to allegations that water features were a natural part of this site, water features were manufactured to support mining the hillside and thus the City's development of the site did not disrupt an existing natural area; and
3. Contrary to the allegations the City is required to have a water right, DOE has concluded the management of stormwater and water on the site, including use of water in wetlands required under the U.S. Corps of Engineers permit, does not require a water right.

The DOE report validates the work of our expert consultants, AMEC and CH2MHill, concerning this environmentally responsible project.

The Duwamish River Clean-up Coalition's (DRCC) and the Center for Environmental Law and Policy's complaints regarding this project are completely unfounded.

Furthermore, the recent allegation by the DRCC that the wetlands and features on the JTF will "divert water from the 'Lost Fork' in order to provide water to its new wetlands, reducing or eliminating flows to the creek downstream" is false. The expert consultants working on this project disagree. The same volumes of water are intended to leave the site through the two drainage facilities that have been draining from this site for decades.

The City is making significant environmental improvements to this site. These improvements are good for the environment – we're improving fish and wildlife habitat and enhancing wetlands, both on site and along the Duwamish. We're creating, enhancing and restoring nearly 2½ acres of wetlands and buffer zone at JTF site. An added bonus are the enhancements along the Duwamish – we are working on about 2½ acres there as well. We have turned an old sand and gravel mine into a state-of-the-art training site.

cc: Emelie East, Mayor's Office

700 Fifth Avenue, Suite 5200, P.O. Box 94689, Seattle, WA 98124-4689

Tel: (206) 684-0484, Fax: (206) 684-0188, <http://www.cityofseattle.net>

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

Key Findings from DOE Report:

Page 5, Conclusion:

An investigation of available evidence, including modern and historical topographic, geological and hydrological material indicates that surface and groundwater flows originating at the JTF site are not hydraulically connected with base flows of Hamm Creek, but with a separate drainage system referred to in Ecology records as Durham Creek, which prior to the construction of the Duwamish Waterway entered the estuary of the Duwamish River about 1.5 miles north of the JTF site.

Page 6, Conclusion:

Upon completion of the JTF facility, drainage at the site will be in part redirected within the same flow regime and utilized as part of an USACE approved mitigation plan. Water flow at the completed site will remain part of a site drainage management system. It does not appear that the proposed mitigation plan envisions creating more wetlands than were previously associated with the site.

The current and proposed water facilities and associated wetlands at the JTF site are intended to manage water flow from the site. These facilities are mandated under water quality and mine reclamation permits that are applicable to the site.

JTF site wetlands are secondary consequence rather than the primary purpose of these water management systems, the proposed mitigation plan will not add new wetlands, and the flow regime of the site drainage system essentially mimics the hydrology of the site, as closely as is practicable, to what existed prior to development. These facts indicate that the proposed diversion of drainage at the JTF site under its wetland mitigation plan do not constitute a beneficial use requiring a water right permit.