Citizens for a Healthy Bay

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US Army Corps of Engineers
Planning, Environmental, & Cultural Resources Branch
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Re: Comments on the Tacoma Harbor, WA Navigation Improvement Project

To Whom It May Concern,

Thank you for providing the opportunity to review and comment on the Tacoma Harbor, WA Navigation Improvement Project.

Citizens for a Healthy Bay (CHB) is a 28-year-old organization whose mission is to represent and engage people in the cleanup, restoration, and protection of Commencement Bay, its surrounding waters and natural habitat. We are a 501(c)3 nonprofit providing practical, solutions-based environmental leadership in the Puget Sound area. We work side-by-side with residents, businesses, and government to prevent and mitigate pollution and to make our community healthier and more vibrant.

Staff and expert members of CHB's Policy and Technical Advisory Committee have reviewed the Notice of Preparation, Review Plan, Project Management Plan and Sediment Sampling and Analysis Plan, and attended the January 17th informational session. Our comments are outlined below.

Background

The Port of Tacoma (the Port) has requested the US Army Corps of Engineers (the Corps) to investigate the feasibility of deepening and widening the Blair Waterway (the Blair) in Commencement Bay, Tacoma, Washington. The project proposes deepening the Blair from -51 feet MLLW to -58 feet MLLW, widening it from 330 feet to 520 feet, and to expand the turning basin at the head of the Blair. The stated need of the project is to ease navigation access for larger container ships. The Corps has determined an Environmental Assessment (EA) is satisfactory for analyzing the environmental impacts of this project. CHB disagrees with the Corps statement that "this project has low potential risk to pose a significant threat to human life or the environment."[1] Given the complexity, environmental risks and public concern over this project, CHB requests a full Environmental Impact Statement be conducted, rather than an EA. Below are our specific technical comments that we encourage the Corps to incorporate into their continued assessment.

Communities, Species, and Habitats Impacted

The Tacoma Harbor, WA Feasibility Study Project Management Plan (PMP) shows that the majority of the work will be conducted in the Blair, and that training walls will be installed at the mouths of the Puyallup River and Thea Foss Waterway[1]. A majority of this project falls within the Puyallup Tribe of Indians Reservation and lands covered by the 1988 Puyallup Land Claims Settlement.[2] Commencement Bay and the Puyallup River watershed contain fish and marine mammal species listed under the Endangered Species Act (ESA), as well as designated critical habitat and Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act. These areas also provide juvenile and adult habitat for salmonids and their prey resources.[3, 4] In addition to being federally protected, these species and habitats are culturally important to the Puyallup, Nisqually, Squaxin Island, and Muckleshoot Tribes, and other Coast Salish peoples.

The Olympic View Restoration Area sits at the head of the Foss-Middle Waterway peninsula is a Natural Resource Damage Assessment restoration site that includes an extensive area of eelgrass habitat. Surf smelt spawn have been documented at this site by the Washington Department of Fish and Wildlife and are a critically important food source for salmon and marine mammals and birds (WDFW)[5]. Forage fish spawning samples will need to be taken before any work can begin in this area, to ensure that construction activities will not impact spawning events. Additionally, a Hydraulic Project Approval (HPA) will need to be obtained before any construction can be done around the Olympia View Restoration Area. All construction will need to comply with in-water work windows for Commencement Bay.

The Puyallup River watershed supports many salmonid populations including federally-listed Chinook, coho, chum, and pink salmon and steelhead trout and bull trout. Sockeye salmon are occasionally observed.[6] All of these salmonid species including the listed species are found in the Puyallup River estuary and nearshore areas of Commencement Bay. The Puyallup River estuary and the nearshore areas of Commencement Bay also support several species of resident fish and their prey resources. Multiple restoration projects have been completed within the Puyallup River estuary and nearshore areas, and need to be maintained and protected from disturance[3, 4] Both surf smelt and sand lance spawn has been documented by WDFW on either side of the Puyallup River mouth[5]. Forage fish spawning samples will need to be taken before any work can begin in this area, to ensure that construction activities will not impact spawning events. Additionally, an HPA will need to be obtained before any construction can be done around the mouth of the Puyallup River. All construction will need to comply with in-water work windows for Commencement Bay.

Wapato Creek, which drains into the Blair, is also a salmon-bearing body of water, hosting runs of coho salmon, chum salmon, and steelhead.[5] An HPA will need to be obtained before any construction can be done around the mouth of Wapato Creek. All construction will need to comply with in-water work windows for Commencement Bay.

To protect federally-listed salmonids and marine mammals, an underwater noise study is necessary for this project. Southern resident killer whales (SRKWs) are found in south Puget Sound all times of the year, but especially during the summer and fall months.[7] Other marine mammals found in the area include humpback whale, gray whale, porpoise, seals and sea lions. The Commencement Bay in-water work window is August 16 through February 15, directly overlapping with SRKW movement patterns. SRKWs are particularly vulnerable to underwater noise, as it interrupts their communication that leads to successful foraging, reproduction, migration and the passing of information between generations.[8] Given the severity of the dwindling SRKW population and the frequent use of the area by other marine mammals and both listed and resident fish species, CHB requests the Corps and Port take the precautionary approach and conduct an underwater noise study for this project. The results of the study can be used to determine the times of year that will cause the least amount of harm to our SRKWs and listed salmonids, of which Chinook salmon are a critical prey resource for SRKWs.

Benthic surveys should also be conducted prior to any dredging. Dungeness crabs are present throughout Commencement Bay, including inland waters of the Blair Waterway.[9] The recreational Dungeness crab fishery remains closed in south Puget Sound while the population rebuilds.[10] CHB requests the Corps and Port take the precautionary approach and conduct benthic surveys, the results of which can be used to determine a dredging plan that is the least harmful to benthic populations.

Sediment Sampling and Analysis Plan

The 2018 Dredged Material Evaluation and Disposal Procedures User Manual (DMEDP) clearly states, "Before embarking on the dredged material evaluation process, the proposed final resting place of the dredged material must be determined."[11] Sediment quality standards differ widely for dredged materials to be disposed of in-water, for beneficial use, or at upland disposal sites. CHB requests that the ultimate destination of the dredged sediments be confirmed, and the SAP adapted accordingly with a thorough Sampling and Analysis Plan (SAP) that includes contaminants from all Tideflats industries, and then released for public review and comment before any sampling activities occur.

CHB recommends the project site be ranked as “moderate-high,” and the sampling and testing intensity be increased to reflect this rank. The Blair falls into an “urban and industrialized area” which are ranked as “high,” and contains “fueling and ship berthing or construction facilities,” which is ranked as “moderate.”[11] Legacy contamination is present in much of the surrounding project areas, along the slopes and upland areas of the Blair. Groundwater of the Blair-Hylebos peninsula generally flows southwesterly towards the Blair.[12] Precaution is needed to prevent legacy contamination from re-entering the waterway, and can be achieved through a more robust sampling design. Additionally, as discussed above, the Puyallup River estuary and Commencement Bay contain designated critical habitat and essential fish habitat for federally listed salmonids including Chinook salmon, a critical prey resource for SRKWs. The area also provides habitat for ESA listed marine mammals, particularly SRKWs.

The current SAP lacks site information required by the DMEDP.[13] The following information needs to be included in an updated draft of the SAP so that a thorough environmental review can be conducted: “one or more cross-sections of the dredging prism, dredging depth (MLLW) including overdepth, side-slope ratios, and proposed disposal site….” and; “site history including past characterization data.”[11] CHB

requests the SAP include a review of the 2016 Alexander Avenue site evaluation report conducted by Robinson Noble. This report details the historical use of portions of the Blair Waterway, including significant information on the presence of legacy contamination, including volatile organic compounds (VOCs) "and semi-VOCs, specifically tetrachloroethylene (PCE) and associated breakdown products, and pentachlorophenol (PCP) and associated breakdown products…." as well as arsenic, benzene and vinyl chloride.[12]

The Sampling Design Plan as currently published is lacking details required by the DMEP that are needed to conduct a thorough environmental review of the project.[13] The following needs to be included in the SAP: "Table with DMMU identification, DMMU volume, designation as surface or subsurface DMMU, and number of samples for each DMMU…. Table of sampling locations including coordinates, mudline elevation (MLLW), design depth, overdepth, Z-depth, and preliminary determination of required core lengths to be assigned to DMMUs and Z-samples."[11]

The Conceptual Dredging Plan as currently published is lacking details recommended in the DMEDP that will aid in the thorough environmental review of the project.[13] The following needs to be included in the SAP: "the depth and physical characteristics of the sediment; side slopes; practicable dredge cut widths and depths; physical and logistical constraints; dredging priority of various portions of the project; available dredging methods and equipment, and; conventional construction practices at similar dredging projects."[11]

CHB recommends the SAP compress Tier 2 and Tier 3 sediment testing due to the presence of arsenic and pentachlorophenol found in excess of MTCA cleanup levels in the groundwater at the former Reichhold Chemical site.[12] Conducting chemical and biological testing concurrently will save time and money given the high likelihood of encountering chemicals of concern, and will aid in a more thorough environmental review of the area. CHB also requests sampling be conducted for all contaminants associated with the ongoing cleanup of the Occidental Chemical site. These contaminants can be found in the 2015 Site Characterization Report Groundwater and Sediment Remediation for the Occidental Chemical Corporation.[14] Because the Occidental Site has yet to be fully remediated and the extent of the contamination has not been verified with monitoring wells in the Blair, analysis of the contaminants associated with the Occidental Site is needed as a precautionary approach to allow for a thorough environmental review.

CHB recommends a Health and Safety Plan be drafted in the SAP, including at a minimum, safety and emergency procedures.

Beneficial Use of Dredged Materials

CHB tentatively supports the use of clean dredged materials for use at the Saltchuk Aquatic Habitat Site to rebuild native eelgrass beds. Our support is dependent on the quality of the dredged material meeting standards for beneficial use placement and only after early consultation with the relevant permitting agencies, like the Department of Natural Resources and the Department of Fish and Wildlife, as required in the 2018 DMEDP.[11] Sea level rise needs to be considered to avoid losing any beneficial placement of materials. CHB recommends including large raised areas or islands, as well as the installation of large boulders or clean concrete slabs, to aid in the settlement of bull kelp beds. Designing a complex intertidal habitat will bolster a more diverse intertidal community, create forage fish spawning habitat, and provide refuge for juvenile salmonids and other resident fishes and invertebrates, including Dungeness crab.

Fossil Fuels

While not mentioned in any of the project management plans, if any element of this project is intended to improve or create access for more fossil fuel infrastructure, including expanding operations or resumption of any paused operations at any existing fossil fuel facility, CHB expressly opposes all elements of this project.

Public Participation

The PMP states that this project is not likely to cause significant public dispute or controversy due to the project nature, size, or environmental or economic effects[1]. The local community is very concerned and engaged in all activity occurring in the Tacoma Tideflats. The PMP and public participation plan should be updated to reflect the concerns of the community.

CHB requests that the descriptions of Existing Conditions, including Hazardous Toxic and Radioactive Waste and Geologic Conditions be released for public review and comment during early stages of the project, before any construction activities begin.

Please contact me if there are questions regarding my comments. Thank you for the opportunity to provide feedback on the Tacoma Harbor, WA Navigation Improvement Project.

Sincerely,

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cc: Port of Tacoma
EPA Region 10 Office of Environmental Review and Assessment
Aquatic Lands Manager for Department of Natural Resources
Toxics Cleanup Program, Department of Ecology
Habitat Program, Department of Fish and Wildlife

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