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Title: A RESOLUTION related to the Duwamish Waterway Cleanup and the health of communities adjacent to the Lower Duwamish Waterway.

Sponsors: Mike O'Brien, Sally Bagshaw, Bruce Harrell, Nick Licata

Indexes:

Attachments: 1. Res 31567: Fiscal Note, 2. Signed Resn 31567

Date	Ver.	Action By	Action	Result
2/20/2015	1	City Clerk	attested by City Clerk	
2/20/2015	1	Mayor	Signed	
2/20/2015	1	Mayor	returned	
2/11/2015	1	City Clerk	submitted for Mayor's signature	
2/9/2015	1	City Council	adopted	Pass
2/3/2015	1	Planning, Land Use, and Sustainability Committee	adopt	Pass
2/2/2015	1	City Council	referred	

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION related to the Duwamish Waterway Cleanup and the health of communities adjacent to the Lower Duwamish Waterway.

WHEREAS, the Duwamish Waterway flows into Seattle's Elliott Bay, and from its source in the foothills of Mount Rainier, ends as a five mile long "Superfund" Site - a designation reserved for the most hazardous waste sites in the nation; and

WHEREAS, local businesses and populations that include Tribal members, low-income, immigrant, and refugee families, live, work and fish along the Lower Duwamish Waterway (LDW); and

WHEREAS, for the past fourteen years the City of Seattle has been a primary participant in investigating contamination in the Duwamish and in developing approaches for cleanup of the Waterway; and

WHEREAS, Seattle Public Utilities has voluntarily conducted successful source control activities in the Duwamish drainage basin for over a decade; and

WHEREAS, the City has spent approximately \$60 million on the those efforts plus the successful cleanup of two Early Action Areas, Slip 4 and Terminal 117; and

WHEREAS, the City has successfully cleaned up Slip 4 with a combination of dredging, capping, and enhanced natural recovery methods; and

WHEREAS, Seattle City Light is developing plans to create 4 acres of habitat along the Duwamish Waterway in the vicinity of the Hamm Creek area; and

WHEREAS, the City of Seattle and King County recently launched the Green/Duwamish Watershed Strategy, coordinating work by governments, nonprofits, and businesses across 500-square-miles of critical watershed; and

WHEREAS, the United States Environmental Protection Agency (EPA) recently published its final Record of Decision (ROD), with sediment cleanup goals designed to best protect human health; and

WHEREAS, the ROD identifies areas appropriate for different types of active cleanup, with Recovery Category assignments that inform the selection of dredging and capping, enhanced natural recovery, and monitored natural recovery; and

WHEREAS, during the remedial design phase of the cleanup, EPA may change Recovery Category assignments based on additional information, including a survey of Waterway users; and

WHEREAS, the City of Seattle expects to participate with other parties in portions of the remedial design and/or remedial construction to implement the ROD under EPA oversight; and

WHEREAS, the City of Seattle will participate in source control activities throughout the City's drainage and sewer systems in the LDW watershed, to implement the source control strategy under Ecology oversight; and

WHEREAS, the ROD emphasizes the need to engage the community throughout remedial design and implementation of the cleanup, including convening an advisory group as a means for the affected community and local agencies to work together on mitigating the impacts of the cleanup on the affected community; and

WHEREAS, the City of Seattle's Race and Social Justice Initiative (RSJI) requires the city to proactively work to prevent and mitigate race-based disparities in communities; and

WHEREAS, the RSJI requires the City to engage communities of color, immigrants, refugees, limited-English proficiency communities, people with low incomes and other most impacted communities in the design and implementation of City projects and programs to ensure racial and social equity and increased community benefit; and

WHEREAS, the City has recently administered the Duwamish Opportunity Fund, granting \$250,000 to nine community-based projects, to address overall health impacts in the area; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR

CONCURRING, THAT:

Section 1. ROD Implementation.

a. As the remedial design work moves forward, the City of Seattle encourages implementation of the ROD with an analysis of race and social justice impacts that best protects the health of its diverse communities - residents (including but not limited to: people of color, immigrants, refugees, and people with low incomes), fishermen, Native Americans, recreational users, workers, and businesses.

b. The City Council and the Mayor expect City representatives to participate in the EPA-led advisory group along with representatives from the affected communities and other local governments, advocate for transparency and racial and social equity throughout remedial design and ROD implementation, and work together on mitigating the negative impacts of the cleanup on the community. The City of Seattle respectfully requests the EPA annually provide to the City a written report on the EPA-led group's engagement of communities of color, immigrants, refugees, limited-English proficiency communities, people with low incomes and other most impacted communities in the design and implementation of the ROD.

c. As new technologies and new information emerge over the course of the remedial design phase and subsequent clean up, the City of Seattle encourages EPA and all responsible parties to ensure appropriate applications of cleanup technologies, including dredging, based on the waterway use survey and re-evaluation of Recovery Categories during remedial design. The City of Seattle further urges the use of environmental dredging technologies and best practices to limit sediment disruption while removing contaminated sediments as outlined in the ROD, and consideration of the use of electric dredges to limit air emissions.

d. The City Council and the Mayor encourage continued strong City participation in Source Control efforts as part of the overall strategy being led by Washington Department of Ecology and urges Seattle Public Utilities to periodically revise and strengthen Seattle's Implementation Plan for source control, as new information and new technologies emerge.

Section 2. Community Health and Quality of Life Efforts beyond the scope of the ROD.

a. The City of Seattle encourages continued involvement in and the application of a racial equity lens with the Green/Duwamish Watershed Strategy, fostering greater cooperation between affected communities, nonprofits, businesses, and the relevant City, County, State, and Federal agencies to address controls on new and ongoing pollution sources, including those from upriver.

b. The City Council and Mayor request an Interdepartmental Team (IDT) to continue to identify ongoing projects that serve resident, tribal, and fishing communities in the Duwamish River Valley, coordinate outreach efforts, and consider further actions to protect the health of Duwamish River Valley communities.

1. This IDT should include the Seattle Department of Neighborhoods, Office of Housing, Office of Sustainability and Environment, Office of Economic Development, Department of Transportation, Department of Planning and Development, Department of Parks and Recreation, Seattle City Light, and Seattle Public Utilities.
2. Such actions for the IDT's consideration may include, but are not limited to, the following: assistance in housing preservation and energy efficiency, environmental health, environmental justice, transit access, providing access to healthy food, and working with responsible city agencies to ensure Women- and Minority-Owned Businesses (WMBE) inclusion and local hire for cleanup work.
3. The City Council and Mayor further request the City departments represented in the IDT to coordinate with relevant agencies among other responsible parties and explore the feasibility of creating an inter-agency fund to improve overall community health in the Duwamish River Valley, as a possible extension of the Duwamish River Opportunity Fund.
4. The City Council requests the IDT to create and report back on its proposal for engaging with the community to identify community needs, as well as coordinate community engagement around distribution of grant funds and implementation of existing community-benefit projects relating to priority areas noted in the community health impact assessment. This proposal should reflect an analysis that uses the Racial Equity Toolkit and the IDT should report back to the City Council on progress, within 180 days after the adoption of the resolution.

Adopted by the City Council the ____ day of _____, 2015, and signed by me in open session in authentication of its adoption this _____ day of _____, 2015.

President _____ of the City Council

THE MAYOR CONCURRING:

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)