



Snohomish County

Conservation and Natural Resources

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Everett, WA 98201-4046
425-388-3400
www.snoco.org

September 13, 2023

Peter McVeigh, Attorney
Environment & Natural Resources Division United
States Department of Justice
P.O. Box 7415
Washington, D.C. 20044-7415

Dave Somers
County Executive

RE: Consent Decree, *Puget Soundkeeper Alliance v. Port of Everett*

Dear Mr. McVeigh:

Snohomish County, Washington (the "County"), would be pleased to accept funds pursuant to the proposed Consent Decree in the above-referenced case settling a dispute regarding National Pollutant Discharge Elimination System (NPDES) permit requirements.

As stated in the Consent Decree in this case, the County agrees to the following:

1. The County is the proposed recipient of the supplemental environmental project ("SEP") funds from the Port of Everett in settlement of the above-referenced case.
2. The County is a municipal entity organized under the laws of the State of Washington and a tax-exempt organization under the Internal Revenue Code.
3. The funds will be used only for the water quality project planned at Kayak Point Park in Snohomish County. A project description is below.
4. The County will not use the SEP funds for political lobbying activities.
5. Once the project is completed, the County will provide the Court, the United States, and the parties in this case a report describing the work done on the project and showing how the funds were spent.

Project Description

The County is proposing to use the SEP funds to improve water quality in Puget Sound through a project to remove creosote pilings and replace them with steel pilings at a recreational fishing pier located in a public regional park that is owned and managed by the County. The dock improvement project will be part of a larger, multi-million dollar project to renovate Kayak Point to protect the park from anticipated sea level rise, reduce erosive wave energy, provide ecological enhancement for fish and wildlife habitat, improve the site's recreational opportunities, maintain a popular public beach access area, and install a new stormwater collection and treatment system for currently untreated stormwater runoff. The funds provided by the SEP are integral to the water quality improvement project that will be achieved by the piling replacement. Without the SEP funds, these creosote piles would not be removed at this time.

Thank you for the opportunity to put these funds toward improving water quality along the waterfront of Puget Sound. If you have questions, please contact Tom Teigen, Director, Department of Conservation and Natural Resources at 425-388-6617 or tom.teigen@snoco.org.

Sincerely,

Dave Somers, Executive
Snohomish County