



TRANSMITTED BY E-MAIL

March 29, 2021

County Council
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I am speaking this morning against Motion 21-117 and to urge the Council to delay proceeding with awarding any contracts related to the Index-Galena Road until the Sno-King Watershed Council's appeal is heard in Appellate Court.

County Council was briefed on February 16th on the requirements in its NPDES permit for projects like the Index-Galena road vested prior to January 22, 2016 that have not be graded to finish grade. This project will not meet this requirement by the July 1st deadline and the County could then be subject to a citizen clean water act lawsuit, if it does not stop and redesign this project to the County's new 2021 *Drainage Manual*.

A redesign will require a new LDA permit application, that will in turn be subject to public comment and potentially to appeal. Having to suspend or cancel an awarded contract is expensive and the County must pay standby costs, mob/demobilization costs, and anticipated profits. PDS cannot issue any new permits while the current project is under appeal.

There is an obvious reason why the County Code does not allow road construction in the CMZ (Channel Migration Zone). These roads wash out.

There is a reason that the County's *Drainage Manual* does not allow stormwater treatment on slopes 2H:1V and steeper. Required water quality treatment does not occur on steep slopes.

The contract that you are about to award at \$1.8-million for just construction inspection is just about the total value of all properties and

structures in Galena. For this amount alone, you could buy out all willing sellers, while non-willing sellers would still have seasonal access over Jack Pass.

The north fork Skykomish will take this road constructed in the CMZ, along with \$30-million of tax payer money. I cannot tell you when this will happen, but it will happen.

I tried to warn the Council it was making a mistake to approve funds to construct the 14th Avenue extension at the Public Works Committee level, but you did not listen. Here again, you are making a big environmental mistake moving forward with the Index-Galena Road, that will not have even “started construction” to be graded to finish grade by July 1st and will require redesign and a new permit.

Thank you for your consideration of these comments.



March 29, 2021

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