



Loan offer to King County for a Duwamish Combined Sewer Overflow project

**An Environmental Justice Assessment (per RCW
70A.02.060)**

Water Quality Program

Washington State Department of Ecology

Olympia, Washington

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Language Access

Under the state Environmental Justice law (RCW 70A.02), Ecology is required to conduct Environmental Justice Assessments during development of certain significant actions. This Assessment provides information about the potential impacts to overburdened communities and vulnerable populations, and strategies to mitigate identified harms and fairly distribute known benefits. For translation, interpretation, or accessibility assistance, please contact Courtney Cecale at courtney.cecale@ecy.wa.gov or (360) 480-6270.

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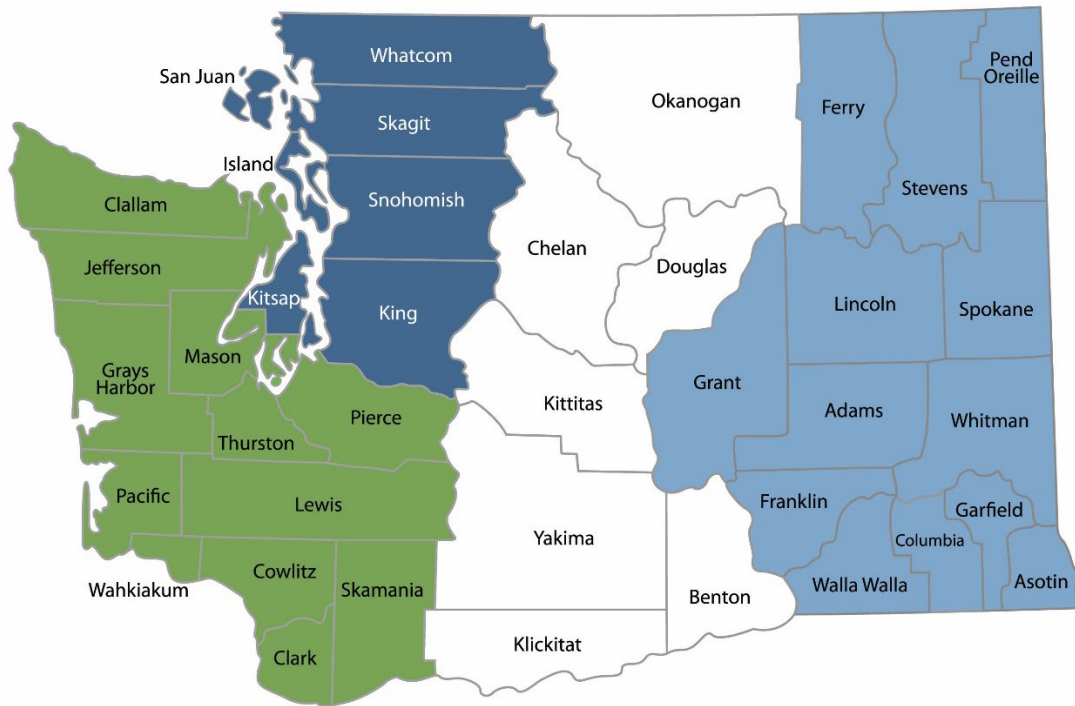
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Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region
360-407-6300

Northwest Region
206-594-0000

Central Region
509-575-2490

Eastern Region
509-329-3400

Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	P.O. Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 West Alder Street Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 North Monroe Spokane, WA 99205	509-329-3400
Headquarters	Statewide	P.O. Box 47600 Olympia, WA 98504	360-407-6000

Water Quality Program loan offer to King County for a Duwamish Combined Sewer Overflow project

An Environmental Justice Assessment (per RCW 70A.02.060)¹

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April 2025 | Publication 25-10-037



¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.02&full=true#70A.02.010>

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Executive Summary

The purpose of the proposed action is to provide King County with \$43.8 million in loan funding to construct a storage facility to contain excess combined sewage (a mixture of domestic sewage and stormwater runoff) during wet weather events. The storage facility will hold combined sewage that would otherwise overflow untreated into the Duwamish River as a combined sewer overflow (CSO). The new facility will release stored combined sewage back into the existing collection system after the storm passes and system capacity has been restored. The increased storage capacity will reduce the number of untreated CSOs discharging into the Duwamish River at two sites and will ensure the wastewater receives treatment at King County's West Point Wastewater Treatment Plant.

The loan project is located in the southwest portion of the City of Seattle, at the West Michigan Street Regulator Station and Terminal 115 (T115). The project includes two outfalls (where the water pipes empty to the river) for combined sewer overflows, which release untreated or partially treated sewage and stormwater to the Duwamish River, which flows into Elliott Bay and the Puget Sound. Two neighborhoods border the Duwamish River here, South Park and Georgetown.

The community affected by this action experiences high environmental burdens compared to other areas of the state. This location has many environmental issues and pollution burdens that impact the community.

- The project locations are part of the Environmental Protection Agency's Superfund National Priorities List and the Washington Hazardous Sites List.
- The community in the census tracts anticipated to be affected by this action are considered overburdened according to the Washington State Office of Financial Management's criteria for Overburdened Communities of Washington State.
- The Duwamish River has a higher concentration of wastewater discharge than other areas in the state, as indicated by the EPA's Risk-Screening Environmental Indicators (RSEI) model².
- The Duwamish River is closed for all resident fish and shellfish harvesting.
- The people who live near the project site and downstream tend to experience socio-economic vulnerabilities, and the nearby areas have higher populations of people of color than other parts of the state.
- Some of the area in the vicinity of this action may experience more frequent storm events due to climate change, leading to higher risk of floods.

² [Modeling Water Releases in RSEI | US EPA](#)

Ecology began community engagement beginning in February 2024. Ecology offered broad public involvement with an online webinar and public comment period. We also tried to connect directly with members of the surrounding overburdened community. While this message was shared with many people, we did not receive any formal comments or feedback from people with identified socio-economic or health related vulnerabilities.

Ecology invited Tribal consultation from the Muckleshoot Indian Tribe, the Port Gamble S’Klallam Tribe, the Puyallup Tribe of Indians, the Snoqualmie Indian Tribe, the Stillaguamish Tribe of Indians, the Suquamish Tribe, and Tulalip Tribes. No Tribal government responded to our invitation to consult.

Ecology assessed ways to minimize harms resulting from this action. The only harm to vulnerable populations identified from taking this action is that neighbors and travelers may experience construction impacts during facility renovations. Construction nuisances will be managed according to construction laws and permit requirements as specified in the loan contract.

Anticipated benefits from this loan offer include:

- Investment of \$43.8 million in low-interest loan funding to support community wide infrastructure updates in a highly overburdened community with multiple socio-economic challenges and cumulative health burdens.
- Reducing combined sewer overflows to an average of one per year at each outfall, which would comply with federal and state regulations.
- Improved water quality in the Lower Duwamish River as less pollution will enter the river during severe rains.
- Reduction in potential exposure to contaminants for people and wildlife because combined sewer overflow can carry contaminants such as pathogens, oxygen-consuming pollutants, solids, nutrients, and toxics.

Overall, Ecology supports this subsidized loan offer to King County, in support of water quality improvements to the Duwamish River.

Environmental Justice Assessment

Purpose of the Environmental Justice Assessment

The Environmental Justice (EJ) Assessment process helps assess the environmental justice impacts of Significant Agency Actions (SAAs). The assessment informs and supports consideration of overburdened communities and vulnerable populations when making decisions. This information assists with the equitable distribution of environmental benefits, the reduction of environmental harms, and the identification and reduction of health disparities.

The EJ assessment process aligns with Washington’s Environmental Justice law called the Healthy Environment for All (HEAL) Act ([RCW 70A.02³](#)), as well as federal commitments in the [Performance Partnership Agreement⁴](#) with the Environmental Protection Agency (EPA).

Section 1: Background

Background Information

Related Environmental Cleanup

This area of the Duwamish River, called the Lower Duwamish Waterway, is recognized as one of the most contaminated sites in the state and the nation, requiring investigation and cleanup⁵. In the early 1900s the river was dredged and straightened for industrial development and continues to serve as a shipping route, harbor for cargo transfer from land, and location for industrial operations, all of which contribute to contamination in the river and in the mud at the bottom of the river (sediment).

Restoring the river is a long-term, multi-step process carried out under Federal and State authorities. Ecology is leading efforts to control sources of pollution from the drainage area surrounding the Lower Duwamish Waterway (LDW) Superfund site to prevent further contamination of the river. The U.S. Environmental Protection Agency (EPA) has oversight for cleanup of the river sediments.

Ecology’s proposed loan action will fund wastewater infrastructure updates to help reduce sources of pollution from flowing into the lower Duwamish Waterway. Ecology’s loan will contribute to restoration of the river, which is a large environmental cleanup and a key concern for many people who live in South Park and Georgetown.

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.02&full=true>

⁴ <https://ecology.wa.gov/About-us/Accountability-transparency/Government-coordination/Partnering-with-the-EPA>

⁵ [LOWER DUWAMISH WATERWAY | Superfund Site Profile | Superfund Site Information | US EPA](#)

Section 2: Notification that an Environmental Justice Assessment has been Initiated

This section instructs Ecology staff to notify OFM about the initiation of the action.

Section 3: Identify Affected Tribes

This section summarizes preliminary planning for Tribal Consultation. Ecology must offer consultation with Tribes on significant agency actions that affect federally recognized Tribes' rights and interest in their tribal lands.

Preparing for Tribal Consultation

1. Is the proposed action likely to have any local or regional impacts to federally reserved Tribal rights and resources, including but not limited to, those protected by treaty, executive order, or federal law? Choose one of the following:

- ☒ Yes
- ☐ No
- ☐ Unsure

2. List any federally recognized Tribes that are expected to be affected by the proposed action. If it is determined during consultation that Tribes do not wish to be included, then do not include them.

Tribes that may be affected by this proposed action include the Muckleshoot Indian Tribe, Port Gamble S'Klallam Tribe, Puyallup Tribe of Indians, Snoqualmie Indian Tribe, Stillaguamish Tribe of Indians, Suquamish Tribe, and Tulalip Tribes.

3. If it is determined at any other point in the process of the assessment that Tribes have self-identified as being potentially impacted by the action, then include them in the assessment and offer consultation.

No additional Tribes self-identified as being potentially impacted.

4. Describe plans to offer consultation to identified Tribes.

Ecology offered consultation to all potentially affected Tribes through formal letters to Tribal Chairs and Department of Natural Resource Directors.

Section 4: Offer Consultation:

This section directs Ecology staff to offer consultation with Tribes on significant agency actions that affect federally recognized Tribes' rights and interest in their tribal lands.

Section 5: Summary of Tribal Consultation & Engagement

Tribal consultation is intended to inform the answers to all questions in this section.

Summary of Tribal Consultation

5. Describe potential impacts (including harms and benefits) to federally recognized Tribal rights and interests in their tribal lands.

There are no anticipated potential impacts directly on Tribal lands.

6. Describe potential impacts related to Tribal rights and interests that are not in Tribal lands?

Potential impacts outside of Tribal lands include improving water quality through a state investment in water quality infrastructure. Improved water and sediment quality will benefit aquatic species, including fisheries, which are important for Treaty protected harvest rights.

Construction activities could potentially impact cultural and historic resources. This project will undergo review through Section 106 of the National Historic Preservation Act to identify any potential adverse effects prior to the project proceeding, and Ecology will invite consultation with Tribes again at that stage.

7. Summarize recommendations from Tribes to:
 - a. Mitigate or eliminate potential harms from the action

N/A. Ecology did not receive any responses from affected Tribes as part of its offer of consultation for this proposed action.

- b. Equitably distribute benefits from the action

N/A. Ecology did not receive any responses from affected Tribes as part of its offer of consultation for this proposed action.

8. Describe how consultation, engagement, and analyses of impacts to Tribes has informed the development of the action. If it has not, explain why.

N/A. Ecology did not receive a response from any of the affected Tribes. As initially proposed, Ecology anticipates that this project will provide water quality and public health benefits to Tribal communities, among others.

9. Describe any plans to continue consultation or engagement with Tribes related to this action.

Ecology will respond to any requests for consultation from affected Tribes. In addition, this project is subject to the National Historic Preservation Act Section 106 review, which requires Ecology to consider the effects of federally funded projects on historic properties. Ecology will

invite consultation with each Tribe's Tribal Historic Preservation Officer regarding cultural resources that may be impacted by the project before construction.

Section 6: Identification of Overburdened Communities & Vulnerable Populations

This section identifies overburdened communities and vulnerable populations, as identified in the [definitions of RCW 70A.02⁶](#), who will be affected by the action.

Identify Overburdened Communities and Vulnerable Populations

1. Identify the geographic area(s) anticipated to be affected by the action.

The primary project location is in the southwest portion of the City of Seattle, King County, along the west bank of the Duwamish River, which flows into Elliott Bay of the Puget Sound. Conveyance piping project elements will occur along W Michigan Street because combined sewer flows need to be connected to the new storage facility.

Ecology identified census tracts that may be affected by the action at, adjacent to, and downstream from the project location. These census tracts include:

- 53033010800 (project location)
 - 53033011200 (immediately adjacent to the project location)
 - 53033010900 (downstream of project location)
 - 53033009900 (downstream of project location)
 - 53033009300 (downstream of project location)
2. When applicable, using the [Washington State Department of Health's Environmental Health Disparities Map \(EHD Map\)⁷](#), identify the EHD Map rankings for all census tracts likely to be impacted by the action.

The environmental health disparities index rankings for the census tracts likely to be impacted are shown as follows.

- 53033010800 is at a 10 ranking
- 53033011200 is at a 10 ranking
- 53033010900 is at a 10 ranking
- 53033009900 is at a 9 ranking
- 53033009300 is at a 9 ranking

⁶ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.02.010>

⁷ <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>

3. From the rankings identified in question 2, are there any census tracts ranked 9 and 10?

☒ Yes

☐ No

If yes, describe.

All the adjacent census tracts have a ranking of 9 or 10, with 10 being the highest ranking for environmental health disparities.

4. Please describe additional cumulative health considerations relevant to this action.

There are several cumulative health considerations for the community who live in the census tracts anticipated to be affected by this action.

- This area is overburdened and highly impacted by criteria air pollution according to Ecology's efforts to improve air quality under the Climate Commitment Act⁸.
- This community is designated an overburdened community by the Washington State Office of Financial Management. An overburdened community is defined as a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts⁹.
- This portion of the Duwamish River is on the Environmental Protection Agency's Superfund National Priorities List and the Washington Hazardous Sites List due to pollution and contamination in the water, beaches, and sediment¹⁰.
- The area includes several formal cleanup sites, where hazardous substance releases require remediation. In 2011, Ecology and the Port of Seattle entered an Agreed Order to initiate a cleanup process at Terminal 115, a portion of which will be the location of the storage facility funded by this loan action.

While the communities face many health considerations, the most relevant component to this action is wastewater discharge through combined sewer overflows. Ecology's proposed loan funds a step towards controlling a source of pollution to the Duwamish River, combined sewer overflows.

⁸ <https://apps.ecology.wa.gov/publications/SummaryPages/2502004.html>

⁹ [Identifying overburdened communities for HEAL & CCA investments | Office of Financial Management](#)

¹⁰ [Lower Duwamish Waterway - Washington State Department of Ecology](#)

Wastewater discharge

The Environmental Health Disparities Map provides an overall cumulative index rank based on several criteria that consider environmental exposures, environmental effects, socioeconomic factors, and sensitive populations. The proximity and severity of wastewater discharge is one environmental effect considered in the overall index rank. Every census tract in the geographic area (refer to question 6.1) was ranked 9 or 10 for wastewater discharge, demonstrating its significant impact in this geographic area compared to other parts of the state. When grouped with other factors, wastewater discharge contributes to a higher cumulative health impact.

How combined sewer overflows can affect health

This part of Seattle has a combined sewer system, a type of sewage system where both stormwater (runoff) and wastewater from homes and businesses (sanitary sewage) flow through the same pipes to a treatment plant. Combined sewer systems are commonly found in older cities that were built before separate sewer and stormwater systems became standard practice. During heavy rain, a combined sewer system can become overloaded with stormwater and wastewater. When this happens, it can release untreated sewage, stormwater, and the pathogens and other pollutants they carry into nearby waterways. This process is known as a "combined sewer overflow" (CSO). Overflows can harm the aquatic environment, fish, and people. CSOs can carry bacteria, viruses, and other pathogens, and contact with CSO discharges can cause health issues such as diarrhea and nausea; ear, respiratory, and wound infections; and potentially life-threatening illnesses such as dysentery and cholera.

This Ecology funded project will protect water and sediment

This project will improve water quality and protect public health by reducing combined sewer overflow events. Based on a 20-year average, untreated wastewater mixed with stormwater currently overflows into the Duwamish River 4.4 times per year at one of the CSO locations and 1.9 times per year at the other. This action will construct a storage facility so that sewage mixed with stormwater can be stored and released back into the conveyance system after storms pass and system capacity is restored. The increased storage capacity will reduce the number of untreated combined sewer overflows discharging at two sites along the Duwamish River.

5. When applicable, using the EPA's Environmental Justice Screening and Mapping Tool (EJScreen)¹¹, identify areas likely to be impacted by the action that are at or above the 80th

¹¹ Ecology completed use of EJScreen for this assessment while EJScreen was still active, prior to Feb 5th, 2025.

percentile¹² (in state) for the “People of color” and “Low income” socioeconomic indicators.

The census tract immediately adjacent to the project location (census tract 11200) has a higher representation of people of color (91st percentile) than the state average (50th percentile). That census tract also has a higher percentage of individuals that have lower incomes (81st percentile), compared to the state average (50th percentile).

A census tract downstream of the project location (09300) has a higher representation of people of color (87th percentile) than the state average (50th percentile). For that census tract, individuals are also more likely to have lower incomes (70th percentile) than the state average (50th percentile).

The census tract for the project location and other downstream census tracts do not exceed the 80th percentile in the state for people of color or low-income socioeconomic indicators.

6. Identify other EJScreen “Socioeconomic” and “Health Disparities” indicators at or above 80th percentile (in state) that are most relevant to this action.

Several populations in the census tracts affected by this action were in the 80th percentile or higher on EJScreen for socioeconomic and health disparity indicators such as:

- Limited English proficiency
- Less than high school education
- Population over 64 years of age
- Low life expectancy

While these social vulnerabilities are considerations for the population impacted by this action, the funding action or project should not change the prevalence of these conditions.

7. Using EJScreen, identify additional anticipated impacts from climate change in the impacted area, if relevant.

Some of the area impacted by this action may experience an increase in the magnitude of storm events and sea level rise due to climate change leading to higher risk of floods. The project location is in a census tract (10800) with a flood risk at the 80th percentile in the state.

¹² EPA identified the 80th percentile as an initial starting point and potential indicator of environmental justice considerations.

8. Using the federal Climate and Economic Justice Screening Tool (CEJST)¹³¹⁴, identify if the potentially affected area is considered disadvantaged for climate risks for additional indicators (as relevant).

The census tract immediately adjacent to the project location (11200) is considered disadvantaged in CEJST.

The following table shows the indicators pertaining to climate change, legacy pollution, water, and wastewater above the 90th percentile. The wastewater discharge indicator is included, even if below the 90th percentile, because it is the indicator most relevant to the project.

Table 1. Percentiles for additional risk indicators by census tract in the anticipated affected area.

Census track number	10800 (project location)	11200 (immediately adjacent)	10900 (downstream)	09300 (downstream)	09900 (downstream)
Expected building loss rate	n/a	99	94	n/a	97
Expected population loss rate	99	99	91	99	99
Flood Risk	n/a	94	99	n/a	n/a
Proximity to hazardous waste facilities	95	98	99	98	93
Proximity to Risk Management Plan facilities	91	90	98	96	92
Proximity to Superfund sites	96	92	95	98	99
Underground storage tanks	n/a	n/a	99	99	90
Wastewater discharge	46	96	81	77	48

9. Identify additional overburdened communities and vulnerable populations that are likely to be affected by the action.

¹³ CJEST was a national tool and may provide relevant information and understanding of the climate related context of the action.

¹⁴ Ecology completed use of CJEST for this assessment while CJEST was still active, prior to Jan 22nd, 2025.

Due to the high levels and types of environmental pollution in the area, people with social and health vulnerabilities such as the unsheltered, those with pre-existing health conditions, and those who rely on fish consumption from the Duwamish River or Elliott Bay, are at increased risk from cumulative environmental threats. Since the project will reduce combined sewer overflows, these people will be exposed to fewer pollutants and pathogens from untreated sewage mixed with stormwater in the river.

10. Through community engagement, were additional overburdened communities and vulnerable populations identified who are likely to be affected by the action? Describe additional communities or populations identified, and the reasons they would be considered overburdened and vulnerable.

No additional overburdened communities or vulnerable populations were identified as likely to be affected by this action during community engagement.

11. Through Tribal Consultation, were additional overburdened communities and vulnerable populations identified who are likely to be affected by the action? Describe additional communities or populations identified, and the reasons they would be considered overburdened and vulnerable.

No additional overburdened communities or vulnerable populations were identified as likely to be affected by this action during Tribal consultation.

Section 7: Summary of Community Engagement

This section summarizes community engagement activities. Community Engagement should be tailored to specifically reach overburdened communities and vulnerable populations.

Community engagement is required for all significant agency actions, but the engagement methods will vary depending on the size, scope, and topic of the project. The level, type, and form of engagement is based on the likelihood that the actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population.

Summarizing Community Engagement

1. Describe the engagement activities with identified overburdened communities and vulnerable populations.

Ecology took several steps to engage with the overburdened community about the proposed funding of this project.

- Ecology contacted Rainier Avenue Radio, an internet radio station that specializes in elevating diverse perspectives, local voices, and youth leaders in South Seattle. The station has covered Ecology's work on wastewater previously.
- Ecology shared messages about this action with the South Seattle Emerald, whose mission statement is "to amplify and preserve the authentic narratives of South Seattle's BIPOC and historically marginalized/misrepresented communities."
- Ecology announced this proposed funding action and provided ways for people to share their input in its Lower Duwamish Waterway newsletter, a monthly communication focused on the environmental cleanup and source control activities in the community.
- Ecology sponsored the Duwamish River Festival, an annual event that brings communities together to celebrate local diversity and the cleanup and restoration of the Duwamish River. Ecology staff shared information about this funding action and the proposed project with many of the 700 festival participants.
 - As the proposed fund recipient and implementor of the proposed infrastructure project, King County also attended the festival and shared additional multi-lingual resources about the wastewater project as well as information about job training opportunities in the King County Wastewater Treatment Division.
- Ecology hosts regular "office hours" in the nearby South Park and Georgetown communities. These informal events provide consistent and casual opportunities for members of these overburdened communities to collaborate and engage with Ecology across a variety of relevant pollution control topics. In June and July 2024, staff involved in this loan action and the proposed infrastructure project attended the office hours to share information and hear about community perspectives on the draft loan offer.

- In addition, Ecology provided general mechanisms for the public to submit their input on this loan action and the overall list of projects proposed for funding in the Water Quality Combined Fund FY2025. In February 2024, Ecology notified the public of the intent to offer the subsidized loan to King County (along with other funding).
- Ecology sent a blog post to multiple subscriber lists (with a total of 7,000 subscribers) and to many news outlets to advertise a public comment period and shared on social media.
- Ecology held a 30-day public comment period and hosted a 90-minute webinar to explain the funding process, funding decisions, and some elements of the funding award offers and answer questions.
- Every comment received during the public comment period was considered and Ecology responded to them all.
- In June 2024, Ecology issued a press release announcing the final funding. The press release was sent to about 7,000 subscribers on multiple subscriber lists maintained by Ecology and shared on social media. Ecology also sent individual emails to news outlets that cover communities impacted by the loan offer.

2. What actions were taken to help address barriers to meaningful engagement?

Ecology addressed barriers to meaningful engagement for grant and loan applicants during the application and awarding processes, well before this loan action was drafted. This significant agency action is part of a larger program that distributes subsidized loans and grants to Washington's utility providers to upgrade deteriorating infrastructure to protect water quality. This competitive program is standardized for all applicants with many opportunities to receive one-on-one technical assistance with submitting their applications.

Ecology takes steps to minimize barriers to engagement for applicants and members of the public who may lack technical knowledge of funding processes or utility infrastructure projects, those who may be members of vulnerable populations, and people who have concerns about the affordability of utility rate increases.

- Ecology reached out to news outlets and local community-serving organizations with missions and expertise in engaging with vulnerable populations (see list above in #1).
- Ecology holds online public meetings for our funding program to increase access and attendance.
- Ecology provides accessible communications related to this action in three digital formats:
 1. PDF document
 2. Spreadsheet
 3. Interactive data dashboard and map

- All of Ecology’s documentation related to this action can be provided in languages other than English.
 - Ecology staff provide technical assistance to potential applicants throughout the application process and with the online application portal. Applicant workshops for state fiscal year 2025 were held August 22-24, 2023.
3. Identify overburdened communities or vulnerable populations potentially affected by the action who were not engaged and explain why not.

Ecology engaged the overburdened community in the nearby area who are potentially affected by this loan action. Ecology is not aware of any additional communities or vulnerable populations affected by the action who were not engaged.

4. Summarize recommendations from members of overburdened communities and vulnerable populations to mitigate or eliminate potential harms from the action and/or equitably distribute benefits from the action.

Ecology did not receive information or recommendations from members of overburdened communities and vulnerable populations identifying potential harms from this loan action.

5. Describe any plans for ongoing engagement with overburdened communities and vulnerable populations related to this action.

Ecology has considered the importance of ongoing engagement with the overburdened community about this project and has determined that ongoing engagement would be more appropriately conducted by the loan recipient. Moving forward, King County will lead the wastewater infrastructure project and communicate with the community about these wastewater infrastructure changes.

However, as the funder, Ecology can ensure vulnerable populations are protected and involved in the project through our contracting process with King County. The formal, legally binding agreement between Ecology and the recipient (King County) requires community engagement actions to ensure the loan funding promotes equity in the project’s implementation.

Specific terms and conditions include:

- Project evaluations: survey, interviews, and site inspections.
- Translating materials into languages other than English in accordance with civil rights requirements.
- Completing cultural resources review to avoid, minimize, or mitigate adverse effects to archaeological and historic archaeological sites, historic buildings/structures, traditional cultural places, and sacred sites in accordance with the National Historic Preservation Act.
- Offers to consult with Tribes during cultural resources reviews

- Contracting for project implementation with firms from small, minority owned, and women’s businesses (40 CFR, Part 33)
- Providing accommodations that ensure access to materials and participation in public forums for individuals with disabilities (as per Section 504 of the Rehabilitation Act, codified in 40 CFR Part 7).
- Communicating regularly with Ecology and other interested parties on the progress of this funded project.
- Using best practices to communicate with different segments of the population who may be impacted.
- Implementing transparent public processes and fund management.
- Procuring goods and services in fair, legal, and open public processes without benefiting people with conflicts of interest.

Section 8: Potential Environmental Benefits & Harms from Action

Identify Potential Environmental Benefits & Harms from Action

1. Describe the anticipated benefits (direct and/or indirect) from this action.

This low-interest loan helps lower the costs of wastewater treatment for King County, easing the financial burden for the community with this state supplied resources. The \$43.8-million-dollar investment helps King County mitigate high per-capita costs for wastewater treatment, potentially reducing utility rate increases, which especially benefits lower-income ratepayers.

The loan offer helps King County address environmental and water quality improvements, which creates public health and recreation benefits and supports regulatory compliance.

Public health benefits

As a result of this action, people will be less likely to encounter untreated or partially treated sewage in the river. Despite pollution in the river, people use the water for a variety of uses including swimming and boating. Unhoused people may use the water for basic needs. Untreated and partially treated sewage contains E. coli and other pathogens that can be harmful to human health. Consuming water with fecal pathogens can lead to diarrhea, stomach cramps, nausea, headaches, vomiting, and low-grade fever. Swimming in water with fecal pathogens can also increase the risk of getting skin or eye infections.

Progress towards safe fishing

Both the Duwamish River and Elliott Bay are currently closed to fishing (except for salmon) and shell fishing (clams, geoduck, scallops, mussels, and oysters) due to pollution¹⁵. Shellfish absorb pollutants from the water because they are filter feeders, meaning they pump large volumes of water through their bodies to extract food particles, which can also include contaminants like bacteria, viruses, and other pollutants present in the water. These pollutants can harm people. Pregnant people, infants and young children are the most at risk – impacting their memory, attention, motor skills and language development¹⁶.

Reducing untreated discharges from combined sewer overflows will improve water quality in the Duwamish River, but not to the point where fish and shellfish are safe for consumption. Due to the cumulative contamination in the river, additional environmental cleanup is needed and is in progress through efforts by multiple parties.

Regulatory compliance

Federal and state regulations require King County to reduce the frequency of untreated combined sewer overflows, allowing no more than one overflow event per outfall per year, on average. This is particularly important for the area that benefits from this loan action, the Lower Duwamish Waterway, because sources of ongoing pollution must be reduced or stopped as a necessary precursor to cleaning up legacy contamination in the river¹⁷. This project will help King County meet federal and state requirements.

2. Who will primarily benefit from this action?

The primary beneficiaries of this action are King County (Wastewater Treatment Division) and its utility customers. Subsidized loan funding may reduce the financial impact of this project on ratepayers within the King County utility service area. As identified above in Section 6, a subset of this ratepayer group includes people who have lower than average incomes in Washington State and may have difficulty managing utility rate increases. People in this situation will benefit from the low interest loan this action provides to King County, which is responsible for keeping local rates affordable to its ratepayers.

There are many secondary beneficiaries of this action including people who use the Duwamish River and Elliott Bay downstream. This may include adjacent communities who are identified as overburdened, Tribal members, and others who use these areas for fishing and recreation. Infrastructure improvements will improve water quality, helping to restore the river and support aquatic life.

¹⁵ [Washington Shellfish Safety Map](#)

¹⁶ [Fishing for safe seafood to eat - King County, Washington](#)

¹⁷ [Latest information - Washington State Department of Ecology](#)

3. How is the action expected to benefit specifically overburdened communities or vulnerable populations? If there is no benefit, identify potential barriers to benefitting from the action.

This action benefits communities along the Duwamish River at the project site and downstream, which are identified as overburdened. Low-income households are considered a vulnerable population and are primary beneficiaries as described in 8.2 above.

4. Describe anticipated harms (direct and/or indirect) from this action.

Ecology does not anticipate direct harms from this loan offer to any population, including overburdened communities or vulnerable populations. Since the project will involve construction, there may be some temporary localized impacts related to traffic revisions, noise, and dust. There is an indirect impact on local business owners that will need to relocate. The project site is home to two tenants that lease the property for business purposes.

5. Who will primarily experience the harms?

The project funded by this action may be unwanted from the perspective of the project site's two tenants. The funded project involves construction of a new storage structure in an area of the Port of Seattle's Terminal 115 that is currently under lease. Once the leases expire in 2025, King County will acquire the property through negotiations with the Port of Seattle. The tenants that lease this property may be indirectly harmed by the project this loan action funds because they will need to find new locations for their businesses.

People near the construction sites such as those traveling through areas of construction and businesses located near areas of construction may be affected by construction nuisances.

6. Describe how the action may harm overburdened communities or vulnerable populations?
Be as specific as possible.

Ecology does not anticipate long-term harms from this action to any population, including overburdened communities or vulnerable populations.

However, people who are vulnerable to impacts from construction, such as fine particle air pollution, noise, and travel disruptions could be temporarily affected during the construction phase of this project.

7. Describe how the action would address environmental and health disparities.

This loan action would fund an infrastructure project that alleviates environmental health disparities related to wastewater and water quality in an overburdened community.

The Lower Duwamish Valley community experiences lower environmental quality due to wastewater exposure, compared to the state average. If Ecology makes this loan offer to King County, it will support funding infrastructure modifications and construction that alleviate some threats to the community from pollution during combined sewer overflows.

Section 9: Options to Eliminate, Reduce, or Mitigate Harms and Equitably Distribute Benefits

This section summarizes options identified for eliminating, reducing, or mitigating harms, as well as options for equitably distributing anticipated benefits. The answers in this section should be informed by engagement, answers from the previous subsections, and any legislative or regulatory boundaries that limit possible decision making.

Identify Options to Eliminate, Reduce, or Mitigate Harms & Equitably Distribute Benefits

1. Describe options to reduce, mitigate, or eliminate the identified probable harms to overburdened communities and vulnerable populations; and options to equitably distribute the benefits.

Ecology will include a funding agreement (contract) term and condition that requires King County and their subcontractors to follow all legal and permit requirements for protecting people from travel disruptions and health impacts. Travel disruptions and potential environmental contaminants released during project construction (such as fine particle dust and noise) will be mitigated by the project implementer (King County) and their subcontractors in accordance with local and State requirements.

2. Describe methods chosen for this action to reduce, mitigate, or eliminate the identified probable harms to overburdened communities and vulnerable populations; and methods chosen to equitably distribute the benefits. You must consider the following methods, but are not limited to them:
 - Eliminating the disparate impact of environmental harms on overburdened communities and vulnerable populations;
 - Reducing cumulative environmental health impacts on overburdened communities or vulnerable populations;
 - Preventing the action from adding to the cumulative environmental health impacts on overburdened communities or vulnerable populations;
 - Providing equitable participation and meaningful engagement of vulnerable populations and overburdened communities in the development of the significant agency action;
 - Prioritizing equitable distribution of resources and benefits to overburdened communities;
 - Promoting positive workforce and job outcomes for overburdened communities;
 - Meeting community needs identified by the affected overburdened community;
 - Modifying substantive regulatory or policy requirements; and

- Any other mitigation techniques, including those suggested by the council, the office of equity, or representatives of overburdened communities and vulnerable populations.

See answer to Section 9, #1 above

3. If the agency determines it does not have the ability or authority to eliminate, reduce, or mitigate environmental harms caused by the action, or address the equitable distribution of environmental benefits, explain why that determination was made.

Ecology does not anticipate environmental harms or the inequitable distribution of environmental benefits resulting from this action. Traffic mitigations, quiet hours, and providing communications and alternate routes to impacted travelers are all routine components of large-scale construction projects and are mitigated through laws and construction permits enforced by the appropriate jurisdictions.

Section 10: Notification of Completed Assessment

This section summarizes processes for staff to take once they have completed their assessment, including steps for sharing the final product. Learn more about all ongoing and completed Environmental Justice Assessments on our agency webpage.