



July 8, 2005

Tricia Miller
 Water Quality Permit Coordinator
 Department of Ecology Northwest Regional Office
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 Via email: tmil461@ecy.wa.gov

RE: Permit No. ST-7396 Nichols Brothers Boat Builders, Inc.

To Ms. Miller:

Thank you for the opportunity to comment on the State Waste Discharge permit for Nichols Brothers Boat Builders. The project is located in Holmes Harbor, which has several fish and wildlife conservation areas including wetlands, eelgrass beds and herring and smelt spawning areas, as well as recreational and commercial shellfish beds.

People for Puget Sound is a citizens' organization whose mission is to protect and restore Puget Sound and the Northwest Straits. We focus on water quality and habitat, advocating that the State of Washington devote more resources to the protection and restoration of the Sound. We are currently engaged in a major effort to save the 2000 miles of Puget Sound's shoreline through advocacy, education and habitat restoration and protection.

This property is a highly contaminating site that is not adequately protective of human health (nearby drinking water wells) and wildlife health. This site should be regulated under a site-specific NPDES permit rather than under a State Waste Discharge Permit. Stormwater and wastewater are commingled and are flowing into the ground, into a wetland and into Puget Sound.

We strongly support Puget Soundkeeper Alliance's comment letter, which mentions a number of important water quality issues. In addition, we have the following comments.

1. Sensitive wetland. Puget Sound has lost over 90% of its wetlands due to filling and development over the past century. The remaining wetlands must be protected as a high priority. Wetlands provide critical ecological functions including cleaning water, aquatic nursery habitat and bird habitat. The wetland that is adjacent to this site must be protected from the impacts of this site. It appears that the infiltration basin for wastewater from this site is constructed in a Class A wetland. This siting is unacceptable to People For Puget Sound because

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contaminated water is being infiltrated too close to a sensitive wetland. The Fact Sheet does not mention this illegal siting of the infiltration basin.

2. **Treatment.** The fact that the soils in the infiltration pond have to be cleaned out so often indicates that this site requires a system that cleans the stormwater more thoroughly before it reaches the infiltration bed. The treatment system includes settling and filtration through fabric filters. For a project using toxic chemicals in the process (both sandblasting and painting) and that includes a number of toxic chemicals used on-site, more filtering should be required such as carbon filters. This issue is of serious concern given the proximity of the wetland, drinking water wells and sensitive habitat in Holmes Harbor.

3. **Groundwater Monitoring.** Given that drinking water wells are within a sensitive zone at this site, groundwater and infiltration bed and soils monitoring should include toxic contaminants, such as metals and organic chemicals, which are known to be used on this property. These pollutants that appear to be entering Holmes Harbor must be monitored and stopped. The site location in Holmes Harbor is a “shoreline of the state” (to minus 4.5 feet MLLW) and “shoreline of statewide significance” (waterward of extreme lower low water).

3. **Cradle Work.** Although the draft Fact Sheet states that no work is done on boats while on the cradle, the Holmes Harbor community group has stated that they have photos to the contrary. It is unacceptable for work to be allowed on the cradle violating permit requirements.

4. **Current Work.** People For Puget Sound requests that this property be brought up to clean water standards immediately. Work continues at this site even though it is unpermitted. As noted by Puget Soundkeeper Alliance, Nichols Brothers should be held accountable for its past expansion (as well as its past discharges to surface waters), and should be required to meet modern standards now. Extensive impervious surfaces that have been created in the past five years lead to unacceptable overflows of polluted water to Holmes Harbor and the wetland.

Please make People For Puget Sound a party of record for this site.

If you have any questions, please feel free to call me or Heather Trim of my staff at (206) 382-7007 or Mike Sato at (360) 336-1931. Thank you for the opportunity to comment.

Sincerely,

Kathy Fletcher
Executive Director

cc:

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