

**Elliott Bay Trustee Council
Lower Duwamish River
Resolution 2009-04**

This resolution by the Elliott Bay Trustee Council (Trustee Council) officially adopts the PreAssessment Screen for the Lower Duwamish River, King County, Washington for inclusion in the Administrative Record.

Adopted: November 18, 2009

Attachment: PreAssessment Screen – Lower Duwamish River, King County, Washington

The Trustee Council consists of the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce; the U.S. Department of the Interior, represented by the U.S. Fish and Wildlife Service; the Muckleshoot Indian Tribe; the Suquamish Tribe; and the Washington Departments of Ecology (as lead state Trustee) and Fish and Wildlife (as state co-Trustee). The Trustee Council is operating under the *Memorandum of Agreement for Elliott Bay, the Duwamish River and Eagle Harbor (effective date 1/19/06)*. That MOA provides the framework for implementing joint damage assessment and restoration actions by the Trustee Council in Elliott Bay and the Lower Duwamish River.

The *Pre-Assessment Screen for the Lower Duwamish River (Pre-Assessment Screen)* evaluates the types of natural resource injuries and losses of service that are likely to have resulted from releases of hazardous substances into the Lower Duwamish River. The Trustee Council developed the Pre-Assessment Screen after evaluating information from a number of different sources. Information gathered as part of the United States Environmental Protection Agency and Washington State remediation processes show that releases of hazardous substances have contaminated extensive areas of the LDR. Studies completed in the LDR, at other contaminated sites, and existing scientific literature provide strong evidence that the contamination has injured the LDR organisms that inhabit the estuarine sediments as well as the fish and wildlife that come into contact with the contaminated sediments or eat contaminated prey items. Additionally, there is a fish consumption advisory in the Lower Duwamish River due to contaminants in some fish and shellfish species. The Pre-Assessment Screen concludes that the five regulatory criteria for continuing natural resource damage assessment activities have been met. [43 CFR §11.23(e)].

Now, therefore, it is resolved that:

1. The Trustee Council authorizes the adoption of the Pre-Assessment Screen for inclusion into the Administrative Record.

By their signatures below, representatives of the Elliott Bay Trustee Council hereby certify that this Resolution, 2009-04, was adopted in compliance with decision-making procedures of the Trustee Council.

NOAA:

By: Rebecca Hoff 18 Nov 2009
Rebecca Hoff Date

U.S. Department of the Interior/U.S. Fish and Wildlife Service:

By: Jeff Krausmann 18 NOV 09
Jeff Krausmann Date

Washington State Department of Ecology (Lead State Trustee):

By: Craig Thompson 11-20-09
Craig Thompson Date

The Muckleshoot Indian Tribe:

By: Glen St. Amant 11-18-09
Glen St. Amant Date

The Suquamish Tribe:

By: Richard Brooks 11/18/09
Richard Brooks Date