



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**May 13, 2008**

**Motion 12752**

**Proposed No.** 2008-0240.2

**Sponsors** Phillips

1                   A MOTION establishing the 2008 work plan for the  
2                   regional water quality committee of the King County  
3                   council.

4  
5                   WHEREAS; the regional water quality committee of the King County council is  
6                   established by the King County charter to develop, recommend and review regional  
7                   policies and plans for consideration by the metropolitan county council, and

8                   WHEREAS, the regional water quality committee develops, reviews and  
9                   recommends countywide policies and plans related to the water pollution control  
10                  functions formerly provided by the municipality of metropolitan Seattle, and

11                  WHEREAS, plans and policies that are assigned to the committee include, but are  
12                  not limited to, water quality comprehensive and long-range capital improvement plans,  
13                  service area and extension policies, rate policies, and the facility siting policy and major  
14                  facilities siting process;

15                  NOW, THEREFORE, BE IT MOVED by the Council of King County:

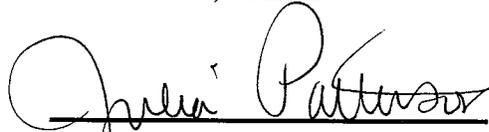
16                  A. The work plan for the regional water quality committee for 2008 shall address  
17                  countywide policies, plans or topics listed in Attachment A to this motion.

18           B. In addition to the items listed in Attachment A to this motion, the work plan  
19 may include countywide policies or plans that respond to emergent concerns related to  
20 water quality that are of regional interest and that relate to multiple jurisdictions. The  
21 committee and council may amend the work plan and assign to the committee other  
22 regional water quality issues that the committee believes would benefit from  
23 interjurisdictional review and recommendations.  
24

Motion 12752 was introduced on 4/28/2008 and passed by the Metropolitan King County Council on 5/12/2008, by the following vote:

Yes: 7 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson and Ms. Hague  
No: 0  
Excused: 2 - Mr. Gossett and Mr. Phillips

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Julia Patterson, Chair

ATTEST:



Anne Noris, Clerk of the Council

**Attachments**     A. Regional Water Quality Committee--2008 Work Plan Summary, dated April 30, 2008



King County

12752

## Metropolitan King County Council

### Regional Water Quality Committee

#### 2008 WORK PLAN SUMMARY

#### Issues for 2008:

##### Work Plan Item: Brightwater Project Progress

Continue to monitor construction of the treatment plant, conveyance and outfall utilizing monthly written progress reports and briefings from executive staff and Oversight Management Consultants (approximately quarterly).

**2008 Task:** RWQC members have expressed interest in on-going quarterly briefings from OMC and WTD staff – and a possible tour of facilities under construction. A new trend report regarding construction costs is expected in the second quarter or in conjunction with the Executives 2009 rate proposal.

**Timing:** Quarterly reports are prepared as follows, Jan – March; April – June; July – September; and October – December. Preparation of a final written report by the OMC can lag behind the completed quarter by as much as 45 - 60 days. Timing for potential briefings by the OMC in 2008 are therefore -- March (for 4th Qtr 2007); May or June (for 1<sup>st</sup> Qtr 2008); August or September (for 2<sup>nd</sup> Qtr 2008); late November or December (for 3<sup>rd</sup> Qtr 2008); and February or March 2009 (for 4<sup>th</sup> Quarter. Briefings on Brightwater progress can be made at any time by Executive staff. And there may be some flexibility for “verbal” briefings by the OMC in advance of the final report with all the financial data, etc. for each quarter.

##### Work Plan Item: Reclaimed Water Feasibility Study

Per the revised RWSP policies, WTD is completing and transmitting a reclaimed water feasibility study. A consultant was retained to conduct the study.

The Reclaimed Water Feasibility Study was to be prepared as a part of the Regional Water Supply Plan and at a minimum the study was to include or address:

1. Review of new technologies for feasibility and cost effectiveness, that may be applicable for future wastewater planning;
2. Review of revenue sources other than the wastewater rate for distribution of reused water;
3. Detailed review and an update of a regional market analysis for reused water;
4. Review of possible environmental benefits of reused water; and
5. Review of regional benefits of reused water.

Executive staff committed verbally that it is the Executive’s intent to not propose any reclaimed water projects (in addition to the “backbone” project and purple pipe in the Brightwater effluent conveyance committed to in the 2006 budget) until the Feasibility Study is transmitted to the Council.

King County's 2008 budget includes funds over the next two years for a Comprehensive Planning process (but not for any additional "capital projects") for Water Reuse/Reclaimed Water that is expected to involve a broad array of agencies and stakeholders.

Committee members have also expressed interest in reviewing the experience of other jurisdictions with water reuse and reviewing the best available information about the likelihood that water reuse is the most cost effective way to achieve specific environmental and water supply goals.

**2008 Task:** In 2007, the RWQC received some short status reports on the development of the feasibility study – WTD was also regularly briefing and working with MWPAAC's Engineering and Planning Subcommittee as the study was conducted. Staff expect the feasibility study to be reviewed by the committee in the second quarter of 2008. In addition, the committee may want to provide input or legislative direction regarding the content, process to conduct analysis and stakeholder involvement in development of an Executive initiated draft Comprehensive Plan for Water Reuse (that is expected to be developed over the next two years). Staff to research and invite appropriate agencies (in & out of state) to provide materials and/or testimony before the committee regarding reclaimed water planning and usage.

**Timing:** The Reclaimed Water Feasibility Study is expected in April and is tentatively scheduled for the April 30 meeting. The Executive is already soliciting proposals from consultants for coordination of comprehensive planning effort. Input on the content, process and stakeholder involvement might be timely in the second quarter. Staff are planning to have briefings by other agencies regarding their experiences with reclaimed water at the July 30 RWQC meeting.

**Work Plan Item: Annual Rate and Capacity Charge**

Policy FP-12 calls for King County to charge its customers sewer rates and capacity charges sufficient to cover the costs of constructing and operating its wastewater system. Revenues are to be sufficient to maintain capital assets in sound working condition, providing for maintenance and rehabilitation of facilities so that total system costs are minimized while continuing to provide reliable, high quality service and maintaining high water quality standards. In addition, the amount of the capacity charge shall be a uniform charge, to be approved annually and shall not exceed the cost of capital facilities necessary to serve new customers.

The RWQC recommends financial policies for the sewer and capacity charge in the RWSP.

**2008 Task:** The committee typically reviews the Executive's proposal for annual rate and capacity charge and provides comment and advice the Council as compelled. Proposals for the 2009 annual sewer rate and capacity charge are expected to be driven by the final phases of borrowing for the construction of Brightwater.

Related to the discussion of the rate and capacity charge – the Seattle caucus "would like to see an independent audit of how growth is in fact paying for growth". The suggestion from Seattle has been clarified as "not asking for an audit of whether each jurisdiction is collecting capacity charges as it should" but instead

Seattle is “interested in how actual total revenue compares to projections, how the capacity charge and rate have been adjusted in response to differences between actuals and projections, and how costs have been allocated to the capacity charge and rate”. A proposed scope of work is being developed by the Seattle caucus.

**Timing:** The 2009 rate and capacity charge proposal was transmitted April 17th. A briefing is planned for the committee April 30th. Legislation on annual rate must be passed by the end of June, 2008. In preparation for the rate transmittal, RWQC members requested a discussion of the adopted RWSP financial policies. An overview of the policies and components of the rate setting was presented at the March 2008 meeting.

A potential “audit” or review/assessment of how growth is paying for growth (via the capacity charge) – is estimated to take at least a couple of months, possibly more if an outside consultant is retained. The committee has tentatively planned that there would be report on the results of the audit at the October meeting.

**Work Plan Item: Sediment Management/Lower Duwamish Superfund Updates**

The RWSP policies call for the development of a long-range sediment management strategy to prioritize cleanup of contaminated sediments at specific CSO locations. WTD is carrying out a sediment management plan developed in the late 1990s to remediate sediment near some county CSO outfalls that are contaminated with a variety of heavy metals (including lead, copper, and zinc), phthalates, polychlorinated biphenyls (PCBs), and hydrocarbons. King County is responsible for cleaning up sediment contamination related to CSOs under federal laws. WTD is currently conducting several sediment clean-up projects. In addition, the draft remedial investigation report for the Lower Duwamish Waterway Superfund site was completed and issued for public review at the end of 2007.

**2008 Task:** Committee members have expressed interest in the on-going early action clean-up projects, recontamination by phthalates and the next phase of developing an action plan by 2010 (in response to the remedial investigation report) over the next two years. Staff expect RWQC to have on-going interest in studying the relationship between Duwamish River conditions and efforts to restore Puget Sound to a healthy estuary.

**Timing:** The Regional Water Quality Committee was given an in-depth briefing at its July 2007 meeting regarding the sediment management program and actions being taken at various sites on the Duwamish River. In December 2007 the committee was given a short summary and update to activities, specifically regarding the release of the remedial investigation report. A more in-depth briefing by the Department of Ecology and study consultants is anticipated in 2008 regarding the contents of the report and the investigations. The committee may also hear directly from some of the stakeholders/community that is impacted by the Duwamish. A specific date for the briefing is not required. DOE is currently commenting on the draft – a revised draft will not be ready until Fall, 2008. A briefing during this period might be timely.

**Work Plan Item: Stormwater NPDES Permits and related water quality issues**

The RWQC was briefed regarding new statewide NPDES Phase I and Phase II permits and the appeal to the permits. In addition, there was some discussion (and a briefing by a panel of experts from various agencies) regarding new stormwater

quality standards, regulatory measures that are expected and options/strategies for improving stormwater quality. Related to this was information specific to the impact of domestic car washing and stormwater. The RWQC directed the Executive to report to the committee regarding coordinating public information regarding stormwater and pollutants.

**2008 Task:** Staff anticipates the report regarding public education from Executive second quarter along with information regarding the appeals to the Phase I & II permit requirements. In addition, RWQC staff have discussed the inter-relationship of stormwater, wastewater and potential strategies in the future to utilize treatment and/or other complementary prevention and control of pollutants to improve water quality. Staff anticipates further education and discussion of the stormwater and water quality issues may be beneficial to the region and individual jurisdictions. In addition, staff noted the relationship of improved stormwater quality to efforts to restore Puget Sound to a healthy estuary.

**Timing:** Hearings on the appeals to the stormwater NPDES permits are scheduled for April and June. Rulings could come some months later. In the meantime, the Stormwater Treatment Division reports that it has been successful in acquiring several grants to test or pilot different approaches in different settings (rural and urban) to improving stormwater quality. A briefing on the broader issues of stormwater quality, permit appeals and pilot projects might be timely in the 2<sup>nd</sup> or 3<sup>rd</sup> Quarter of 2008.

**Work Plan Item: Review of Puget Sound Partnership Recommendations**

In December 2006 the Puget Sound Partnership released its final report to Governor Gregoire outlining a series of recommendations to reach a healthy Puget Sound by 2020. Titled "Sound Health, Sound Future -- Protecting and Restoring Puget Sound," the report addressed all of the Governor's charges to the Partners.

The Partnership recommended six top-priority areas for immediate work that were subsequently codified through the formal formation of the Puget Sound Partnership as an agency of Washington State. These action areas are:

- Clean up areas with immediate septic problems.
- Protect Puget Sound habitat.
- Restore damaged habitat.
- Accelerate control and cleanup of toxic pollution at in-water sites and within one-half mile of Puget Sound.
- Significantly reduce polluted stormwater runoff
- Engaging and educating the public regarding issues and efforts to restore the Sound

The new agency is to develop an action plan by December, 2008. There is a structure of a leadership council, science advisory committee and environmental action areas. The Council requested and received in 2007 a report from the Executive regarding immediate steps King County could take to organize itself and engage in this effort.

**2008 Task:** The Executive's final report regarding a plan to engage with the Puget Sound Partnership efforts was received December 2007. At a minimum, staff expect the

RWQC to be briefed on the report and potentially identify actions and/or legislation the RWQC/Council may want to propose to facilitate moving forward on monitoring activities and other projects to advance the restoration of Puget Sound.

**Timing:**

It might be advisable to brief the committee on the Executive's report and progress being made by the Puget Sound Partnership in the 2<sup>nd</sup> or 3<sup>rd</sup> Qtr – prior to finalization of the state's action plan later in the year. Staff have already noted that the Executive's report highlights the lack of adequate funds in public health to assess failing septic systems that can affect surface water, ground water and directly impact the Sound. Failing septic systems and the necessity of hooking up to the wastewater treatment system and/or alternative community systems falls within the purview of the committee/WTD in particular.

**Work Plan Item: Water Supply Planning**

Multiple agencies and organizations are voluntarily participating in a regional water supply planning process for the purpose of identifying, compiling information on, and discussing many of the key issues that relate to or may affect water resources of the region. The goal is to develop the best available data, information, and pragmatic tools that the participants may use, at their discretion, to assist in the management of their respective water systems and resources, and in their water supply planning activities. Information developed by each technical committee is advisory only and development of that information in no way expands or limits the authority of any entity. All information generated is being shared among all those interested in receiving it. The planning process is not required by statute, but is expected to provide useful data that may support other processes that any participant may use to address water resource and water supply issues. Each of the participants is free to accept or reject the results of this process.

The regional water supply planning process (planning process) now under way is an effort to develop substantive technical information regarding current and emerging water resource management issues in and around King County. The planning process is generally guided by a Planning Framework developed in October 2005. The Framework outlines a multi-year schedule for studying water resource conditions and management approaches related to meeting the combined needs of water for people and fish from all available sources, including reclaimed water and conservation. In addition, the planning process is exploring the potential impact of climate change on water planning, as well as small water system issues and problems. Efforts of this planning process will produce analyses, information and potential projects which may be used in future water planning activities.

In addition to the Supply and Demand committees, there are five technical committees being overseen by the Coordinating Committee on each of the remaining study areas. They include:

- **Climate Change**—assessing climate change impacts on water demand, water supplies and instream flows
- **Reclaimed Water**—assessing the use, cost, and benefit of reclaimed water as a feasible source of supply for non-potable purposes
- **Source Exchange Strategies**—identifying, evaluating, and helping develop voluntary projects for the replacement or supplementation of water supply sources that have been shown to adversely affect salmon runs with water from supply sources with less impact on salmon runs

- **Tributary Streamflow**—identifying the location and ranking priority of flow-impaired tributary streams that are evaluated to most benefit from flow restoration in order to help maintain and recover salmon runs
- **Small Water Systems**—addressing public health, resource management, and planning problems associated with the creation of new small water systems, failing small water systems, and associated well issues.

Each of the technical committees is producing reports and recommendations based on best science available on elements that could be included in water planning processes in the region.

**2008 Task:** Committee members noted that it might be beneficial to the committee to be briefed regarding the results and/or products of the on-going water supply planning process, as it also includes reclaimed water.

**Timing:** There is no specific requirement for the timing of a briefing regarding the water supply planning efforts – however, it might be beneficial to have this in conjunction with discussions of Reclaimed Water and efforts related to the Puget Sound Partnership – since climate change, waterflow, habitat issues seem to be related to the health of streams and the Puget Sound estuary. A briefing is tentatively planned for July 30<sup>th</sup>.

### **ON-GOING ISSUES FOR RWQC CONSIDERATION IN 2008:**

**Work Plan Item:** **Monitoring of Component Agency Contract Extensions**

As noted, in various venues, including briefings before the committee in 2006 and 2007, contract extensions have not been completed for all agencies.

**2008 Task:** RWQC members have expressed on-going interest in tracking progress on contract renewals.

**Timing:** There is no specific requirement for the timing of a briefing.

**Work Plan Item:** **RWSP Comprehensive Review Report**

The 1998 Regional Wastewater Services Plan called for a regular comprehensive review of RWSP to evaluate the validity of planning assumptions used to identify capital facilities and programs outlined in the RWSP. In 2006 the RWQC and Council changed the due date of this report from every three years to every three to five years. This flexibility is intended to result in more comprehensive and accurate reports by allowing DNRP to include the most up-to-date information on items such as population and flow forecasts (based on census data), recently completed key milestones, and water quality data.

The most recent RWSP Comprehensive Review Report was transmitted to the Council September 2007 and the committee was briefed on it the same month. There were no substantive questions regarding the report at the time of the briefing.

**2008 Task:** The Council and RWQC set the transmittal date for the next Comprehensive Review as September 2012 via Proposed Motion 2008-0080. Discussion of

RWSP policy may occur at any time and need not wait for the transmittal of the next report.

**Timing:** The committee acted on Proposed Motion 2008-0080 (setting a date for the Comprehensive Review) at its March 2008 meeting.

**Work Plan Item: Inflow/Infiltration (I/I) policy follow up and project development**

RWSP policies call for controlling I/I in the regional and local systems, if cost-effective. The RWQC and Council approved the Executive's "Recommended Regional Infiltration and Inflow Control Program" report and recommendations in April 2006. Based on the recommendations, WTD is working with MWPAAC to select "initial projects" to be designed and constructed in the next couple of years. The selection process isn't expected to be completed until some time this summer.

**2008 Task:** The committee should probably be briefed on I/I program progress – with at least an update on the initial I/I projects selected.

**Timing:** Based on the schedule for selection and finalization of pilot projects, the I/I project manager for WTD suggests that RWQC be briefed in the 4<sup>th</sup> Qtr regarding initial project work including the results of predesign and project selection outcome.

**Work Plan Item: Conveyance System Improvement Program**

Per Regional Wastewater Services Plan, the Wastewater Treatment Division (WTD) completed and transmitted proposed policy amendments related to an update to the Conveyance System Improvement (CSI) Program in fall, 2007.

In 1999, the conveyance system Improvement (CSI) program began by developing a system to identify and prioritize ten planning areas, or basins in the wastewater service area. Regional conveyance system improvement planning was completed in 2003 for each of the basins. This initial work culminated in the 2003 regional conveyance system plan. The plan identified improvements that would help the system meet projected capacity demands based on wastewater flow, infiltration and inflow (I/I), and urban growth projections made at the time, as well as ensure the facilities meet the twenty year peak flow storm design standard. Since 2003, new flow monitoring and modeling information was developed with the assistance of the local agencies that contribute wastewater flows to King County's regional system. This new flow monitoring and modeling information was developed as part of the I/I control program and reported on in the Regional Needs Assessment (transmitted to the Council and RWQC in March 2005). This information provides a more accurate basis for projecting future flow and capacity demands. In 2005 and 2006 planning, vetting and prioritizing of potential projects has continued (along with the design and construction of projects needed in the near-term).

**2008 Task:** The committee was briefed on the CSI Program Update and proposed policy amendments in fall, 2007. RWQC took action on the legislation to update CSI Program policies (2007-0580) in December 2007. The legislation was adopted by the Council in March 2008. Suburban cities representatives have indicated interest in follow-up field monitoring and application of the newly adopted policies.

**Timing:** No specific timing for a follow up briefing is recommended. Additional field monitoring is not anticipated in 2008 – however, the committee should be briefed regarding a post-wet weather season to summarize how the system performed. As noted, given the assumed deficiencies in the system in some areas (that is, portions of the system were not expected to be meeting the 20-year storm standard). A briefing is tentatively scheduled for June.

**Work Plan Item: Odor Control**

In 2003 the Council (following RWQC review and recommendations) adopted new odor control policies for new and existing facilities. RWSP Policy TPP-4 calls for King County to upgrade and retrofit existing treatment facilities in a phase manner. The first phase of improvements were completed in 2007 and 2008.

**2008 Task:** Committee should continue to be briefed regularly on progress implementing the phased improvements to WestPoint and South Treatment Plants. Tentatively should plan for a briefing in the third quarter, 2008.

**Timing:** The committee affirmed its interest in a briefing on progress with odor control projects. It might be advisable to have a briefing following transmittal of the 2007 Annual Report in September. The Odor “complaint” summary is contained in the report – and members can review. A briefing is tentatively scheduled for October.