



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 13, 2009

Motion 12957

Proposed No. 2009-0225.1

Sponsors Phillips, Dunn and Lambert

1 A MOTION establishing the 2009 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 2009 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

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23 regional water quality issues that the committee believes would benefit from
24 interjurisdictional review and recommendations.

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Motion 12957 was introduced on 3/30/2009 and passed by the Metropolitan King County Council on 4/13/2009, by the following vote:

Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn

No: 0

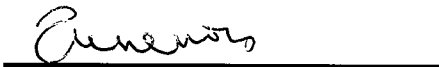
Excused: 1 - Mr. von Reichbauer

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments A. Regional Water Quality Committee 2009 Work Plan Summary



King County

Metropolitan King County Council

Regional Water Quality Committee

2009 WORK PLAN SUMMARY

POTENTIAL 2009 RWQC WORK PROGRAM PRIORITIES:

Work Plan Item: Brightwater Project Progress

Continue to monitor construction of the treatment plant, conveyance and outfall. Council, via budget proviso directed hiring of a consultant to provide independent oversight and monitoring of the treatment plan, conveyance facilities and marine outfall elements of the Brightwater project. The consultant is expected to make quarterly reports to RWQC and Government Operations and Accountability Committee.

In addition to this independent oversight, the council's 2007 budget funded a new function within the King County Auditor's office to oversee King County's large capital construction projects, with the mission of controlling cost overruns and unforeseen expansion of project scopes, schedules and budgets. In 2009 the Brightwater OMC is expected to continue its duties but also coordinate with the broader effort organized under the Auditor's Office to oversee the work of expert consultants who will provide independent oversight and performance assurance on major capital projects, including the Brightwater project.

2009 Task:

RWQC members have expressed interest in on-going quarterly briefings from OMC and WTD staff. The committee toured the treatment plant site in summer of 2008 – another tour of facilities under construction could be arranged if members are interested. A new trend report regarding construction costs is expected in the second quarter or in conjunction with the Executives 2010 rate proposal.

Work Plan Item: Reclaimed Water Comprehensive Plan

The Wastewater Treatment Division is currently developing a draft Reclaimed Water Comprehensive Plan over the next 18 months. The project began in 2008. The planning process is intended to provide an opportunity for a regional discussion about if, how and when King

County should expand its reclaimed water system beyond the existing system. The Plan is intended to provide overall programmatic guidance for King County's reclaimed water program for the next 30 years. The Council included a 2009 budget proviso for a report in June regarding status of the program and comprehensive planning efforts as well as preliminary policy for future pricing on reclaimed water.

2009 Task: WTD has indicated it intends to transmit legislation regarding the "criteria" for the Comprehensive Plan that are intended to guide the efforts to prioritize potential reclaimed water uses and evaluate different system configurations to serve those uses. The committee has also expressed interest in other briefings or opportunities to appropriately "weigh-in" on the comprehensive plan. MWPAAC may have some suggestions about key components of the plan that merit RWQC involvement. In addition, the committee should review and respond to the proviso report.

Work Plan Item: Combined Sewer Overflow (CSO) Program

King County's wastewater system includes 47.5 square miles of combined sewers (within Seattle) which is about 20 percent of King County's service area. King County manages 38 CSOs; City of Seattle manages about 90 CSOs. In the 1950s, more than 20 billion gallons of untreated or poorly treated wastewater flowed from combined sewers into major Seattle lakes, the Duwamish River and Puget Sound. By the 1980s, efforts by King County and Seattle had reduced the CSO baseline to an average of 2.3 billion gallons per year. With construction of CSO control projects since then, King County by 2005 has reduced CSO volume to an average of less than 1 billion gallons per year. The RWSP calls for CSO control to be completed by 2030.

About every five years as part of the National Pollutant Discharge Elimination System (NPDES) permit for King County's West Point Treatment Plant, King County must provide an update on the CSO control program to the state Department of Ecology. The CSO Control Program Updates include the volume and discharge reduction King County has achieved and estimates will be achieved; information on past and future CSO control projects; and discussion of new regulations, initiatives and technologies affecting the CSO control program. The latest update was completed in June 2008 for the current permit renewal.

In the past two years, assessments prior to starting into the next round of CSO "beach" projects revealed higher volumes of discharge that would need to be contained or stored, than had previously been anticipated. WTD has been discussing options for addressing these volumes. MWPAAC will be involved in 2009 as some members have expressed concerns regarding policy regarding CSO control, stormwater management and use of wastewater funds.

2009 Task: The committee should be briefed on the status of the program and projects. Potentially the committee should review adopted policies regarding the CSO program and clarify or amend policies. The committee should start on this work in first or second quarter 2009.

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. The committee was briefed in December regarding evaluation of the odor control improvements achieved through the capital projects. Preliminary assessment is that the investments did not produce results that meet the standards that were established in the RWSP. Some committee members have expressed interest in expeditious steps to achieve the odor control goals.

2009 Task: At a minimum the committee should be briefed on the final assessment/evaluation of current odor control projects and achievement of goals. Committee may want to review and/or adjust policy to achieve odor control policies.

Work Plan Item: **Regional Wastewater Services Plan Financial Policies**

The RWSP financial policies were updated in 2001 to address the capacity charge. The policies were amended again in 2006 following a comprehensive review of all of the RWSP policies in response to an update or review of the RWSP completed by the Executive in 2005. Current economic conditions and other countywide efforts to improve water efficiency and conservation may merit a revisiting of adopted policy particularly with regard to Residential Customer Equivalents (RCEs) that are established in agency contracts, and use of different financial instruments and borrowing strategies.

2009 Task: The committee should review the adopted financial policies and underlying assumptions for the policies in 2009. It may be efficient to use a work group or subcommittee to study and vet issues. It is unlikely the committee, with the advice of MWPAAC and others can review and amend legislation prior to the Executive's rate proposal and adoption for 2010. If the committee plans to amend policy to affect the 2011 rate proposal – committee deliberations should be completed prior to 2010 budget deliberations in the fall.

Work Plan Item: **Status of al Wastewater Treatment Division Capital Projects**

The sewer commissioners' caucus has suggested that the committee should be briefed on capital projects outside the scope of the Regional Wastewater Services Plan projects. These would largely be asset management projects.

2009 Task: Committee staff suggests that the committee schedule one or more briefings on the 6-year CIP that would include both RWSP and asset

management projects. New projects or projects that have changed significantly in scope, schedule or budget should be highlighted.

Work Plan Item: NPDES Permits for WTD Facilities

King County discharges treated wastewater under permits issued by the Washington State Department of Ecology (Ecology). Ecology administers the National Pollutant Discharge Elimination System (NPDES) permits under authority delegated to the department by the U.S. Environmental Protection Agency. These permits outline the conditions under which a municipality can discharge treated wastewater. King County has four NPDES permits for discharging treated wastewater from its regional wastewater system (West Point Treatment Plant, South Treatment Plant, Carnation Treatment Plant and Vashon Treatment Plant).

The West Point NPDES permit is in the process of being renewed. The South Treatment Plant permit expires in September 2009. Ecology has proposed a five-year re-issuance of the discharge permit for King County's West Point wastewater treatment plant and combined sewer overflow (CSO) system that includes new or updated provisions. Some environmental groups have urged that West Point advance or prepare to advance to higher standards of treatment at West Point and South treatment plants given the condition of Puget Sound.

2009 Task: The committee was briefed in March on the proposed conditions for the West Point permit renewal. Committee members may want to have an assessment of the benefits and costs of moving to a higher level of treatment at the existing treatment plants or track similar studies currently underway for all treatment plants on Puget Sound.

Work Plan Item: Water Quality Issues

The RWQC has been briefed in recent years on a range of water quality issues that have spanned from the specifics of CSO sediment management to industrial waste control and new programs to limit pharmaceuticals from entering the waste stream. Most recently the committee was briefed regarding the Puget Sound Partnership (PSP), Stormwater NPDES permits that were issued to King County and all its cities; and last year the committee had a briefing on regional water supply planning efforts.

At the end of 2008 the PSP issued its Action Plan and there are discussions regarding potential funding avenues for this plan/program.

Stormwater NPDES permits are driving capital projects and policy changes for the County and cities. A ruling on permit appeals has determined that all jurisdictions will have to comply with the permit conditions, but cities may have more time to reach compliance. In the meantime, per the permit requirements for public outreach regarding stormwater impacts – King County and many jurisdictions

have coordinated a public relations campaign that is due to launch this fall with a focus on what average people and businesses can do to prevent stormwater pollution.

A "synthesis" report regarding the regional Water Supply Planning efforts is expected to be transmitted to the Council in the second quarter of 2009.

The draft remedial investigation report for the Lower Duwamish Waterway Superfund site was completed and issued for public review at the end of 2007. A draft feasibility study is expected to be released by EPA in 2009.

2009 Task: Staff recommends briefings on nearly all the issues listed above to keep the committee current with water quality issues. It might be useful to have a briefing on Climate Change impacts to water quality and water flows/availability – if the committee is interested in this topic. None of the particular issues appear to have deadlines driving a briefing date. The committee could get briefings as monthly agendas allow.

ON-GOING ISSUES FOR RWQC CONSIDERATION IN 2009:

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 is not referred rate and capacity charge legislation, but sets financial policies in the RWSP.

2009 Task: Review the Executive's proposal for annual rate and capacity charge. Comment/advise the Council as compelled. Rate and capacity charge legislation is typically transmitted to Council in April. A briefing should tentatively be planned for the committee May, 2009. Legislation on annual rate must be passed by the end of June, 2009. The Executive's proposal for the 2010 annual sewer rate is anticipated to remain the same as 2009 -- as it was the Council's intent to adopt a two year stable rate. The capacity charge is anticipated to be proposed at a 3% increase to reflect standard inflation, and per the recommendation of MWPAAC.

Work Plan Item: Monitoring of Component Agency Contract Extensions

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

2009 Task: RWQC members have expressed on-going interest in tracking progress on contract renewals.