



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**September 18, 2001**

**Motion 11288**

**Proposed No.** 2001-0451.1

**Sponsors** Phillips

1           A MOTION pertaining to natural resources, requesting the  
2           executive to convene a citizen advisory committee to  
3           recommend park and recreation projects consistent with the  
4           requirements of the settlement agreement and the 1991 city  
5           of Seattle council conditional use approval for the  
6           expansion of the West Point treatment plant.

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9           WHEREAS the Seattle City council established project-level conditions in the  
10          conditional use approval issued on January 14, 1991 to permit the expansion of the West  
11          Point treatment plant, and

12          WHEREAS, among the project-level conditions in the city of Seattle conditional  
13          use permit was a requirement that Metro attempt to implement technologies which might  
14          permit the removal of digesters from the beach area at West Point, and

15          WHEREAS, in addition to the city of Seattle permit requirements, lawsuits were  
16          filed by stakeholders representing regional, community and environmental interests  
17          seeking to block construction of the West Point treatment plant, and

18           WHEREAS, the stakeholders resolved their particular concerns and ended their  
19 lawsuits by entering into mitigation agreements, including the requirement that efforts be  
20 made to remove digesters from the beach area at West Point, memorialized in a  
21 settlement agreement between the stakeholders and Metro, and

22           WHEREAS, the city of Seattle is not a party to the settlement agreement reached  
23 between Metro and the various stakeholders, and

24           WHEREAS, the West Point treatment plant started operation in 1995, and

25           WHEREAS, King County attempted to establish a privatized solids drying facility  
26 at the West Point treatment plant that could have resulted in the eventual removal of  
27 digesters in accordance with both the settlement agreement and city of Seattle conditional  
28 use permit condition 1c, and

29           WHEREAS, on May 7, 1997 King County terminated the contract for the  
30 privatized solids drying facility based, in part, on eighteen months of full-scale operating  
31 experience and a subsequent third-party engineering report that concluded thermal drying  
32 could not reliably replace digesters at the West Point treatment plant, and

33           WHEREAS, the decision to terminate the privatized solids drying facility at the  
34 West Point treatment plant was reached by consensus among elected officials including  
35 the executive, the Regional Water Quality Committee and the metropolitan King County  
36 council, and

37           WHEREAS, King County has continued to investigate and test technologies that  
38 have the potential to replace some or all of the digesters at the West Point treatment plant  
39 through its applied wastewater technologies program, and

40 WHEREAS, King County's technology assessment efforts to date have not  
41 identified any single technology that, given the facility's physical constraints and  
42 operating objectives, can safely and reliably be substituted for digesters at the West Point  
43 treatment plant in a cost-effective manner and,

44 WHEREAS, the West Point settlement agreement states that if digesters are not  
45 removed by December 31, 2005 King County shall pay the city of Seattle, for deposit in  
46 the city's shoreline park improvement fund, one million dollars for each acre not made  
47 available for public access due to digesters remaining on site, and

48 WHEREAS, calculation of the acreage not made available for public access is  
49 estimated at three million dollars to meet the requirement of the settlement agreement,  
50 and

51 WHEREAS, King County has established a three million dollar reserve in  
52 anticipation of the requirements of the settlement agreement, and

53 WHEREAS, the settlement agreement states that the funds are to be dedicated for  
54 direct mitigation for the West Point treatment plant and that the money is to be used for  
55 "improvements to Discovery Park";

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

57 A. The executive is requested to convene a citizen advisory committee to advise  
58 King County and the city of Seattle on proposed park and recreation or other  
59 mitigation expenditures of the fund in anticipation of the requirements of the  
60 settlement agreement. The executive's citizen advisory committee shall  
61 include adequate representation from each of the settlement agreement parties,  
62 with consultation with the city of Seattle parks department.

63           B. The executive and the citizen advisory committee are requested to prepare a  
64           recommendation for the application of settlement agreement funds to be used  
65           for improvements to Discovery Park consistent with the Discovery Park  
66           master plan.

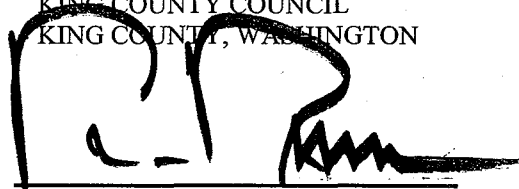
67           C. The executive and the citizen advisory committee are further requested to  
68           recommend legislation and findings needed to resolve the issue of removing  
69           the digesters from the beach area at West Point; and are requested to propose  
70           an appropriate memorandum of agreement between King County and the city  
71           of Seattle to ensure that the digester removal issue is resolved and that any

72                   D. funds that might be transferred to the city of Seattle's shoreline park  
73                   improvement fund are applied only in a manner consistent with the  
74                   requirements of the settlement agreement.

Motion 11288 was introduced on 9/4/01 and passed by the Metropolitan King County Council on 9/17/01, by the following vote:

Yes: 11 - Mr. von Reichbauer, Ms. Miller, Mr. Phillips, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Thomas and Mr. Irons  
No: 0  
Excused: 2 - Ms. Fimia and Mr. Pelz

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Pete von Reichbauer, Chair

ATTEST:

*Jane Masuo Deputy Clerk for*

Anne Noris, Clerk of the Council

Attachments       None