



**King County**

**Transportation, Economy and Environment Committee**

**STAFF REPORT**

<b>Agenda Item:</b>	4	<b>Name:</b>	Kendall Moore, Rick Bautista, Kelli Carroll, Beth Mountsier, Mike Reed, Mike Alvine, Mike Huddleston
<b>Proposed No.:</b>	2012-B0045	<b>Date:</b>	April 17, 2012
<b>Invited:</b>	Paul Reitenbach and Harry Reinert, DDES Karen Wolf, Executive's Office		

**SUBJECT**

Briefing on Executive's 2012 proposed amendments to King County Comprehensive Plan ("KCCP") policies and text contained in Chapter 8 (Services, Facilities and Utilities).

The Growth Management Act ("GMA") requires the County's comprehensive plan to include both a capital facilities plan element as well as a utilities element. RCW 36.780A.070 (3) and (4). The GMA directs that the County plan for its existing and future infrastructure needs, as well as a six-year plan to finance those needs. The utilities element is to address the existing and future needs of natural gas, electrical and telecommunication lines. Chapter 8 contains the policies to address these mandatory elements. The six year plans for the County's infrastructure are transmitted with the Executive's annual proposed 2013 budget.

**OVERVIEW OF PERTINENT CHAPTER SUBPARTS/SECTIONS AND ISSUES:**

**ANALYSIS**

**Section I. Regional Services (pp. 8-1 through 8-2):** There are no substantive changes to the text or policies. See matrix for committee staff comments.

**1. Moving of text and policy from Chapter 2 (Urban Communities), Section III (Housing) (from pp. 2-46 and 2-47 to p. 8-2)**

Council staff included the following, which is their analysis of moving some of the Executive's proposed changes in Section III. Housing in Chapter 2 (Urban Communities) that address services for individuals and families living in affordable housing to this chapter 8.

**U-322** King County shall encourage new and preserved affordable housing development in areas with access to well-developed social, educational, and health services, as well as public transportation, sidewalks, and bicycle infrastructure. (p. 2-47)

**U-323** King County should encourage partnerships among housing providers, neighborhood groups and schools at all levels from pre-school through college especially in areas that currently have an abundance of very low- to moderate income housing,. King County should also promote collaboration with libraries, recreational and social service agencies. Among other strategies, these partnerships could involve mutually-supportive planning and sharing of facilities and services. (p. 2-47)

**ISSUES:** In U-322, the Executive proposes a new policy that encourages affordable housing development with access to well developed services. Proposed new policy U-323<sup>1</sup> focusing on the creation of partnerships among housing providers and neighborhood services, but does not address the provision of actual affordable housing. While these new policies reflect best practices for increasing opportunities for individuals and families living in affordable housing, including the proposed policies in a chapter focused on urban unincorporated King County may limit their application. Because these policies are aimed at affordable housing across the County, regardless of the location of the affordable housing, Council staff suggests that these policies and the attending introductory text be moved to this Section I. governing Regional Services, after existing policy F-103. Executive staff are not opposed to this move.

**Section II. Facilities and Services (pp. 8-3 through 8-38).**<sup>2</sup> This Section contains the policies that govern how the County plans and funds the various services and infrastructure it provides or coordinates with others to provide.

#### **Subpart A. Providing a Spectrum of Services (p. 8-3 through 8-4)**

##### **2. p. 8-3**

**F-202** King County should seek to create quality communities by defining the needs and proposing strategies for a full range of public facilities and services, including physical infrastructure and health, human and public safety services. King County should ensure that there is an adequate supply of public facilities necessary to support all communities. Green building and sustainable development practices should be a factor in planning and design.

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<sup>1</sup> In addition, there is a punctuation error that should be corrected in this proposed new policy.

<sup>2</sup> The KCCP chapters use an outline form to divide the chapters. The hierarchy is: Roman numerals for the overall section; then using capital letters to demark subsections; and then a subsection may further broken down into numbered subparts (e.g.: III. Housing, A. Housing Choice and Opportunity Throughout King County, 1. Range of Housing Choices is on page 2-38)

**ISSUES:** The policies in this subpart are not limited to services or infrastructure provided by the County. This policy applies to planning for services or infrastructure that may be provided by others. The proposed sentence is a new thought, and is incongruous with the focus of the existing policy. Executive staff agree that breaking this concept out into a new policy that the County should encourage green building and sustainable design in planning and strategies for public facilities.

A description of green building and sustainable development should be included in the introductory text to give context to these phrases. Such descriptions could be cross referenced to Chapter 2 Section IV (where green building and sustainable development are also discussed). Executive and Council staff are working on appropriate language for the introductory text to be inserted and will use the Green Building and Sustainable Development Ordinance (Ord. 16147) as the foundational document for this description.

**Subpart B. Urban and Rural Services (p. 8.4):** There are no proposed changes to text or policy.

**Subpart C. Identifying Needs for Facilities and Services (pp. 8-4 through 8-5):** There is no substantive change to text. There are no policies in this subpart.

**Subpart D. Capital Facility Planning (pp. 8-5 through 8-6)**

3. p. 8-6

**F-214a** King County capital facilities shall be designed and constructed using green building and sustainable development practices, with consideration for long-term environmental and economic sustainability.

**F-214b** King County shall require all eligible capital projects to meet LEED Gold certification at a minimum and integrate cost-effective sustainable development practices into all other new county infrastructure projects using the King County Sustainable Infrastructure Scorecard.

**F-214c** King County shall establish a standard for achievement on projects using the King County Scorecard that shall be equivalent to achieving LEED Gold for eligible building projects.

**ISSUE:** These policies are directly linked to infrastructure built by the County. The findings in the County's Green Building and Sustainable Development Ordinance (Ord. 16147) provide the foundation for these policies. Council staff recommend that the policies be revised to more closely reflect with the requirements of Ordinance 16147.

**Subpart E. Addressing Service Deficiencies (pp. 8-6 through 8-7):** There is no substantive change to text. There is no substantive change to policies in this subpart. See matrix.

**Subpart F. Financing Strategies (pp. 8-7 through 8-8):** There are no proposed changes to text or policy.

**Subpart G. Essential Public Facilities (pp. 8-8 through 8-9):** There is no substantive change to text. There are no proposed changes to policy.

**Subpart H. Water Supply (pp. 8-9 through 8-22)**

While at first glance, there appears to be much that was changed in the Water Supply section of Chapter 8, except as noted below, Council staff have identified no issues with the proposed changes to text or policy.

As members may recall, over the years, public and private water purveyors ("water utilities") and King County have had a somewhat contentious relationship. Most of this consternation has been centered on the time it takes King County to process the review and approval of water supply plans and more generally, regarding the role King County has asserted in water supply planning.

In 2007, prior to the Executive's submittal of the 2008 Comprehensive Plan update, there was an effort to work with the water utilities to address the issues. However, a number of them could not be resolved prior to the Council acting on the 2008 KCCP. Therefore, compromised language was agreed upon; but neither King County nor the water utilities were satisfied with the policy changes made in the 2008 KCCP update.

In the last three years, Department of Natural Resources and Parks staff and the water utilities staff and representatives have worked diligently to resolve misunderstandings and to bring clarity and transparency to the policies in this subsection, without changing the substance of the policy regarding roles/responsibilities that King County: (a) has under the GMA, and (b) as a local government providing policy guidance for water supply issues in the unincorporated areas. The refined policies have been thoroughly vetted. They are well-intentioned and well-crafted. The text changes, as well as the policy revisions, provide a better road map for planning for this utility than the existing policies currently do. The water utilities are supportive of the policy changes recommended by the Executive and have submitted a letter of support.<sup>3</sup> (Attachment 2)

Council staff do not have any issues or concerns regarding the proposed changes. Please see committee staff comments on the matrix regarding individual policies and text changes.

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<sup>3</sup> The letter is based on a review of the Executive's October 2011 Public Review Draft of the proposed changes to the KCCP. However, the text and policies contained in the Public Review Draft did not change in the Executive's Recommended 2012 KCCP updates.

## Subpart I. Public Sewers and On-site Wastewater Treatment and Disposal Systems (pp. 8-22 through 8-26)

Except for the following (and Item 4 below), the changes to the text and policies on public sewers are primarily grammatical:

- The introductory text has been streamlined to address the regional wastewater treatment responsibilities. It is more succinct and reflects current conditions compared to the prior text; and
- The introductory text had a paragraph on reclaimed water that was somewhat misplaced, since the thrust of this Subpart I is regarding provision of sewers and wastewater treatment. The reclaimed water discussion has been moved to the previous "Water Supply" in Subpart H at page 8-11. While reclaimed water is a by-product or resource produced by the regional wastewater system, the focus of the paragraph is how reclaimed water is to be used and therefore is more appropriately in Subpart H.

### 4. p. 8-25

For ease of reading, the strike-through is removed, but the Executive proposes the following policy be deleted:

**F-249** Public sewer expansions shall not occur in the Rural Area and on Natural Resource Lands except where needed to address specific health and safety problems threatening the existing uses of structures or the needs of public schools or public school facilities, consistent with the paramount duty of the State to make ample provision for the education of all children residing within its borders. Public sewers may be extended, pursuant to this policy, only if they are tightlined and only after a finding is made by King County that no reasonable alternative technologies are technologically or economically feasible and that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility. Utility providers shall ensure, through a signed agreement between the school district and the utility provider, that any sewer service permitted for the school district is designed only to serve public schools or public school facilities. Public sewers which are allowed in the Rural Area or on Natural Resource Lands pursuant to this policy shall not be used to convert Rural Area land or Natural Resource Lands to urban uses and densities or to-expand permitted nonresidential uses.

**ISSUE:** Council staff recommend that this policy be **bookmarked**. As currently written, this policy allows, under limited circumstances, tightlined sewer connection for schools located on rural land along the UGB. In the Executive's proposal, this policy is

proposed for elimination. However, there is a note directly under this policy that the Executive is anticipating that the GMPC will adopt a new CPP to address this issue.

The GMPC created a School Siting Task Force last year. While the Task Force has completed its work, its recommendation has not been presented to the GMPC. The Executive's fallback position, pending GMPC action, is to eliminate the policy.

As to the remainder of the proposed revisions to policies, please see the committee staff comments regarding the changes to the individual policies.

### **Subpart J. Solid Waste (pp. 8-27 through 8-28)**

The new introductory text to this Subpart J. refers to the County's Comprehensive Solid Waste Management Plan. The current version of that Management Plan was adopted in 2001. An update to this Management Plan has been the subject of an extensive Countywide planning effort, involving the cities of the region, the environmental community, waste haulers, labor, and others. However, it has not been transmitted for Council action and ratification by the participating cities.

The extended development and review of the draft Management Plan has resulted in broad agreement on key elements of the solid waste system, including focus on environmental sustainability and waste reduction, a regional transfer system, extending the life of the regional landfill, and other principals. While the proposed revisions are complimentary to the draft Management Plan, they are not solely dependent on that policy document. The County also adopted the Solid Waste Transfer and Waste Management Plan and associated Milestone Reports and the Cedar Hills Site Development Plan, each of which support the solid waste management policies changes proposed in the Subpart. . Therefore, the proposed updates to the Solid Waste policies are grounded in the current Management Plan and these other solid waste policy documents, and represent current operations.

Council staff do not have any concerns with the proposed text or policy revisions. Please see the matrix for committee staff comments related to individual policy revisions.

### **Subpart K. Surface Water Management (pp. 8-28 through 8-30)**

Surface water management policy refinements are minimal but accomplish the following:

- Make it easier to read and comprehend;
- Clarify that stormwater services include programs, as well as facilities;
- Add retrofitting stormwater facilities as a program; and
- Include the concept of recycle, reuse, reclaim of service by-products generated from stormwater facilities

Council staff do not have any issues or concerns regarding the proposed changes. Please see committee staff comments on the matrix regarding individual policies and text changes.

### **Subpart L. Floodplain Management (pp. 8-30 through 8-35)**

There are no new broad initiatives proposed. Instead, most of the Executive's proposed changes are more aimed at:

- Incorporating policy direction of the Flood Hazard Management Plan into KCCP policies;
- Eliminating outdated policies; and
- Adding new policies that highlight contemporary issues currently being addressed by the Flood Control District.

#### **5. pp. 8-32**

**F-268d** King County should encourage property owners on Vashon-Maury Island to consider the estimated increase in water level reflected on the best available sea level mapping and information when constructing new structures or making substantial improvements to existing structures.

**ISSUE:** Council staff have no issue but want to highlight this new policy as a key area of interest for the residents of Vashon and Maury Islands. In August 2011, the Council adopted Ordinance 17173 to implement coastal high hazard areas regulations that are required in order to allow residents living newly mapped coastal floodplains to continue to have the option of participating in FEMA's National Flood Insurance Program.

The outcome of this policy is information will be provided to property owners about the most recent flood mapping so that they can make informed decisions when constructing new structures within the coastal floodplain.

#### **6. p. 8-33**

**F-268g** King County will assess the projects and programmatic actions recommended in the King County Flood Hazard Management Plan for compliance with the Biological Opinion prepared for the National Flood Insurance Program and amend the Plan and implementing development regulations to maintain compliance with the National Flood Insurance Program.

**ISSUE:** Council staff has no issue with the stated purpose, which is: King County's action should be consistent with the National Flood Insurance Program. However, the proposed policy is awkwardly drafted. It will be **bookmarked** so that Council staff can work with the Executive to draft alternative language. This policy is added to gain FEMA approval of King County's floodplain management program under the Biological Opinion.

7. p. 8-34

**F-268j** King County should continue to discourage new, at-risk development in mapped flood hazard areas.

**ISSUE:** Council staff suggests **bookmarking** this item because it is unclear as to the need for a new policy to restate current practice.

**Subpart M. Human Services (p.8-35 through 8-38)**

Council staff do not have issues or concerns regarding the text changes or policy change included in this Subpart M. The proposed changes to the text and policies on human services reflect adopted County policies and plans, including the Framework Policies on Human Services and the County Strategic Plan.

**Section. III Energy & Telecommunications (pp. 8-39 through 8-58):** These series of policies govern how the County will provide for those utilities specifically called out as part of the utility element required by the GMA. This Section also includes the policies regarding energy use. The Section has two subparts: A. Energy, with six subsections<sup>4</sup> and B. Telecommunications, with three subsections (Telecommunications, Cable Services, and Internet Access). There are no changes to text or policy in Subpart B (p. 8-55 through 8-58).

8. p. 8-39-40

In the 2008 KCCP, the County's adopted targets for renewable energy use were listed in the introductory text in this subsection. That text is proposed for removal and to be replaced with text: (a) describing the key objectives of the County's Energy Plan adopted in 2010 (Motion 13368), and (b) how the Plan's energy reduction targets are to be implemented.

**ISSUE:** Council staff suggest a revision to the first sentence of new text to reflect the collaborative effort on establishing the Energy Plan. Additionally discussion of the Strategic Climate Action Plan ("SCAP") should be included in the introductory text as it is integrally linked to the Energy Plan and will set the course of the Council's planning of how the County will adapt and mitigate the impacts of climate change, including green house gas emission reductions resulting from less energy use.

Council staff would also note the last paragraph of this new language (p. 8-40) does not reflect the direction set by the Energy Plan.

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<sup>4</sup> There are no substantive text or policies changes for Subpart A, subsection 3 (Electrical Utilities). There are no text or policy changes proposed Subpart A, subsections 4 (Natural Gas) and 5 (Hazardous Liquid and Gas Transmission Pipelines). There are no substantive changes to text or policy in Subpart A, subsection 6 (Natural Gas Distribution Systems). Please see matrix.



From p. 8-40:

The energy reduction targets adopted in the 2010 Energy Plan include an initial 2012 target of 10 percent for facilities and buildings; in the 2012 Comprehensive Plan, longer term energy targets that build on these initial targets are adopted in Section II,<sup>5</sup> Energy Efficiency, Conservation and Alternative Energy Sources.

From the Energy Plan at p. 6 (attached to Motion 13368):

Once the GMPC makes its recommendations for climate and energy policies, the King County Energy Task Force, an interdepartmental committee that leads the County's energy plan implementation, **will define medium- and long-term energy goals consistent with the Countywide Planning Policies.** These recommendations should inform the next major King County Comprehensive Plan update in 2012 and the Energy Plan update in 2015.

The December 2011 adopted CPPs do not have any policy on long term energy goals. The approved CPPs passed out by the GMPC last September have not been presented to the Council for approval, and thus the ratification process has not been initiated. Additionally, the only approved CPP policy with a target in it is EN-17, which is a greenhouse gas reduction target.<sup>6</sup>

**EN-17** Establish a countywide greenhouse gas reduction target that meets or exceeds the statewide reduction requirement that is stated as the 2050 goal of a 50 percent reduction below 1990 levels.

Another approved, but yet to be ratified, EN-19 provides a basis for the County implementing energy consumption targets.

**EN-19** Promote energy efficiency, conservation methods and sustainable energy sources to support climate change reduction goals.

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<sup>5</sup> This is a typo and should be the number "2."

<sup>6</sup> **EN-18** Establish a greenhouse gas emissions inventory and measurement framework for use by all King County jurisdictions to efficiently and effectively measure progress toward countywide targets established pursuant to policy EN-17.

**EN-19** Promote energy efficiency, conservation methods and sustainable energy sources to support climate change reduction goals.

**EN-20** Plan and implement land use, transportation, and building practices that will greatly reduce consumption of fossil fuels.

Therefore, Council staff suggest that the introductory text is less than accurate as to the process by which longer-term energy use reductions were to be established. However, this leads to another issue of including in the KCCP energy targets designed to reduce the County's greenhouse gas emissions. See next issue.

**9. p. 8-42**

**F-303a** All divisions shall use the Energy Plan as the basis for strategic energy planning and direction.

**F-303b** King County shall reduce normalized net energy use from government operations in its buildings and facilities, as compared to a 2007 baseline, by at least 10 percent by 2012, 15 percent by 2015, and 20 percent by 2020, consistent with the County's long term goals of reducing operating costs and environmental impacts by maximizing energy efficiency and minimizing waste.

**F-303c** In its vehicle operations, King County shall reduce normalized net energy use, compared to a 2007 baseline, by at least 10 percent by 2015.

**F-303d** King County shall continue to produce, use or procure renewable energy equal to at least 50 percent of total County net energy requirements on an ongoing basis.

**ISSUE:** To give the reader better context to what F-303a applies, Council staff suggest the first line be revised to:

"All King County departments and divisions"

The first target in F-303b, as well as the targets in F-303c and F-303d are directly from the Energy Plan (p. 6). The issue is whether these should be repeated as policies or included in text before policy F-303a.

The longer term targets in F-303b are not included the Energy Plan, are not in the CPPS as currently adopted or as approved, and have not been vetted as part of the Strategic Climate Action Plan that is to be transmitted to the Council by June 29, 2012. The SCAP will identify the strategies and program activities to support and achieve the King County Strategic Plan's goal of environmental sustainability and the objective to reduce climate pollution and prepare for the effects of climate change on the environment, human health, and the economy. Additionally, the SCAP is to identify clear performance targets (how much change the County is attempting to achieve) for those strategies and priority activities. As noted at the time the SCAP was proposed, a key benefit to this approach is that would also allow for the reporting of all strategies, program activities, and performance measures related to climate change in one location.

The policy question is whether these targets should be in KCCP, KCCP text or whether a more robust F-303a should be crafted, with more in-depth introductory text to direct the reader to the SCAP and the energy targets the County will be setting to reduce its greenhouse gas emissions.

10. p. 8-43

In support of its environmental, long-term sustainability and energy security goals, King County will provide leadership by shifting to the use of renewable resources. Although renewable energy sources can be more expensive than traditional power sources on a per unit basis, careful choices of technology and expanded economic considerations including "triple bottom line" life-cycle cost analysis mentioned in the text above this analyses (LCA) show that in proper applications the benefits of some renewable energy technologies already exceed their costs. Additionally, subsidies and grants are available for some renewable power systems. For example, solar electric power is ~~((already))~~ cost effective in ~~((limited))~~ some applications at county facilities and rapid cost changes in this technology will require regular reconsideration of its use as an addition or alternative to traditionally produced electricity. ~~((It at are remote or very small, where a utility electric service would be more expensive. This may include lighting for bus shelters, parks and ride lots, county road signs and remote monitoring equipment.))~~

F-307 King County shall support the conversion of renewable resources and service by-products to energy ~~((reasonably usable waste products, including methane gas generated from the operation of its landfill and wastewater treatment plants,))~~ for beneficial use consistent with E-205. These notably include waste products such as methane gas generated from the operation of its landfill and wastewater treatment plants. Renewable resources shall include those sources listed in RCW 19.285.030(18), now and as may be amended. King County shall claim rights to any and all renewable energy and GHG reduction attributes.

**ISSUE:** Because the term "renewable resource" is first used in the text above this policy and because "service by-products" is not defined, Council staff suggest that the introductory text be modified to give examples of renewable resources and service by-products and remove the added sentence from the policy.

11. p. 8-44

F-310 ~~((King County should achieve LEED certification on all new county construction.))~~ Ensure that the design, construction, maintenance and operation of any capital project owned or financed by King County is

consistent with the latest green building and sustainable design and construction practices.

**ISSUE:** Missing auxiliary verb.

Executive staff report the intent of this revision is to allow for the County to adopt new standards by which to measure the County's green building and sustainable development activities. For example, over the next four years the County may determine that something other than the LEED certification program should be the yardstick against which to measure. As the Green Building and Sustainable Development Ordinance is predicated on the LEED program, and the Ordinance sunsets in 2013, Council staff suggest that this policy be rewritten so that the County should consider the latest green building and sustainable design and construction practice, thereby giving the County flexibility to adapt.

**ATTACHMENT**

1. Matrix
2. October 15, 2011 letter from water utilities

Chapter 8: Facilities

Policy Revision	Executive Purpose	Committee Staff Comment
<p>F-101 King County, the cities, special purpose districts and/or local service providers shall plan as partners. King County's planning will focus on unclaimed urban unincorporated areas and cities' Potential Annexation Areas.</p>	<p>Simple clarification edit</p>	<p>In the 1<sup>st</sup> ¶ in the introductory text at p. 8-1 - the phrase "regional human services" is added to the existing list of regional services the County provides. No issue in including this reference.</p> <p>However, the word added "regional" in the 2d ¶ is redundant and not needed.</p>
<p>F-103 King County will provide or manage countywide services which include but are not limited to:</p> <ul style="list-style-type: none"> <li>a. Transit;</li> <li>b. Economic development;</li> <li>c. Harborview Hospital;</li> <li>d. Public health;</li> <li>e. Regional park, trails and open space systems;</li> <li>f. Regional wastewater collection and treatment, and reclamation;</li> <li>g. Solid waste management ((and recycling));</li> <li>h. Hazardous waste management;</li> <li>i. Water resource management;</li> <li>j. Surface water management;</li> <li>k. Flood warning and flood hazard management;</li> <li>l. Protection and preservation of natural resource lands;</li> <li>m. Regional law and criminal justice services (including law enforcement, courts, prosecution, public defense, and the detention of adults and juveniles); and</li> <li>n. Affordable housing.</li> </ul>	<p>It is not necessary to call out recycling, as it is an integral part of solid waste management.</p>	<p><b>No issue</b></p>

Chapter 8: Facilities		
Policy Revision	Executive Purpose	Committee Staff Comment
F-104 King County will, in cooperation with special purpose districts and/or local service providers, continue to plan for and provide public services to the Rural Area, consistent with rural standards and needs.	Simple clarification edit	
F-201 All facilities and services should be provided in compliance with provisions and requirements of the Endangered Species Act <u>and the Clean Water Act.</u>	Adds Clean Water Act as additional federal requirement to be met	<b>No issue</b> but wants to highlight that the addition of words noting compliance with the Clean Water Act is merited. Nearly all of the services and policies guiding services addressing water supply, sewage and wastewater treatment and surface water management are driven by the Clean Water Act and its implementation through federal and state regulations.
F-202 King County should seek to create quality communities by defining the needs and proposing strategies for a full range of public facilities and services, including physical infrastructure and health, human and public safety services. King County should ensure that there is an adequate supply of facilities necessary to support all communities. <u>Green building and sustainable development practices should be a factor in planning and design.</u>	Adds notion of green and sustainable building when planning and designing facilities, consistent with adoption of Green Building Ordinance	<b>BOOKMARK</b> Policy does not deal specifically with design and planning of facilities. New sentence seems incongruous with rest of policy. Working with Executive staff to formulate a new policy, separate to address this issue
F-214a King County capital facilities <del>shall</del> be designed and constructed using green building <u>and sustainable development practices, with consideration for long-term environmental and economic sustainability.</u>	New policy, to incorporate and implement sustainability concepts, consistent with the Green Building Ordinance.	<b>BOOKMARK ALL OF P-214</b> Need introductory text to link these policies back to the green building and sustainable development

Chapter 8: Facilities

Policy Revision	Executive Purpose	Committee Staff Comment
		<p>ord. ("GBSD")</p> <p>GBSD §3C: All capital projects to which this chapter applies shall utilize relevant LEED criteria to implement sustainable development practices in planning, design, construction and operation as set forth in this chapter. Potentially the "<del>shall</del>" should be a "should" because under the GB&amp;SD Ord., recognize not every project will meet LEED gold</p>
<p>F-214b <u>King County shall require all eligible capital projects to <del>meet</del> LEED Gold certification at a minimum and integrate cost-effective sustainable development practices into all other new county infrastructure projects using the King County Sustainable Infrastructure Scorecard.</u></p>	<p>New policy, to incorporate and implement sustainability concepts, consistent with the Green Building Ordinance.</p>	<p>Revise to tie back to requirement in Ord. 16147</p> <p>GBSD §3.D.: All LEED-eligible construction shall be registered through LEED group and should plan for and achieve a LEED Gold certification, ... with no incremental cost impact to the current expense fund over the life of the asset and an incremental cost impact of no more than two percent to other funds over the life of the asset as compared to a project not achieving a LEED rating shall evaluate projects for LEED eligibility</p>
<p>F-214c <u>King County shall establish a standard for achievement on projects using the King County Scorecard, that shall be equivalent to achieving LEED Gold for eligible</u></p>	<p>New policy, to incorporate and implement sustainability concepts, consistent with the Green Building</p>	<p>Revise to tie back to requirement in Ord. 16147.</p> <p>County has created a sustainability</p>

Chapter 8: Facilities		
Policy Revision	Executive Purpose	Committee Staff Comment
<u>building projects.</u>	Ordinance.	Score Card that is to be used for non LEED projects GBSD §3.E:All capital projects, where the scope of the project or type of structure limits the ability to achieve LEED certification, shall incorporate cost-effective green building and sustainable development practices based on relevant LEED criteria and other applicable sustainable development goals and objectives. These projects shall use a project scorecard that is to be developed
F-217 If an area-wide sewer, water, <u>solid waste</u> , or transportation service deficiency is identified, King County and the applicable service providers shall remedy the deficiency through a joint planning process addressing capital improvement programs and long-term funding strategies. If financing and level of service remedies cannot solve the deficiency, King County shall change zoning to address the problem.	To ensure provision of essential solid waste services.	<b>No issue</b> adding solid waste as a it is regional service , parts of which are supplied by others
F-226 <del>Group A water systems shall be responsible for meeting their duty to provide service within their retail service areas as required by RCW 43.20.260 and the King County Comprehensive Plan, and for planning to meet future water needs within the boundaries of their future service areas approved under the Public Water System Coordination Act (chapter 70.116 RCW), RCW 43.20.260 and King County Code Chapter 13.28. Retail service areas may include future service areas identified in plans approved under the Public Water System Coordination Act or under RCW 43.20.260. Water utilities that obtain water from, or distribute water in unincorporated King County, and water utilities formed as special purpose districts under Title 57 RCW</del>	Intent was to shorten and clarify policy without losing original policy intent, and to be clearer and more concise as to who must submit water system plans to King County.	<b>No issue</b> – the changes to this policy are intended to remove redundant citation of state law and to state in plain, understandable language about what is required of water utilities providing service in unincorporated areas. The new policy wording is more succinct and to the point.



Chapter 8: Facilities

Policy Revision	Executive Purpose	Committee Staff Comment
<p>are required to submit water system plans to the county for review and approval under RCW 43.20.260 or King County Code Chapter 13.24 and shall describe in their plans how they intend to <u>meet their duty</u> to provide service within their retail service areas, and generally <u>how they</u> plan to meet water service needs in their future service areas, consistent with King County Code Section 21A.28.040 and Policies F-227 through 231. The UTRC shall be responsible for ensuring that water system plans include this information.</p>		
<p>F-227 Water service delivery within the Urban Growth Areas shall meet the requirements of King County Code Section 21A.28.040, and be addressed in capital facility and infrastructure portions of water system plans, as provided for in Policy F-209. In <u>both</u> the Urban Growth Area <u>and Rural Areas of King County</u>, all new construction and all new subdivisions shall be served by an existing Group A public water systems except in the circumstance when no Group A public water system can provide service in a timely and reasonable manner per RCW 70.116.060 <u>and RCW 43.20.260</u> or when no existing system is willing and able to provide safe and reliable potable water with reasonable economy and efficiency per RCW 19.27.097.</p>	<p>Intent is to shorten the policy without losing intent – deletion of the first two sentences proposed because it is already addressed by policy F-209. Policy will now also address rural areas in addition to urban areas</p>	<p><b>No issue</b> – the changes to this policy are intended to remove redundant citation of King County code and other policies -- and to state in plain, understandable language about what is required of water utilities providing service in unincorporated areas. The new policy wording is more succinct and to the point.</p>
<p>F-229 In the Urban Growth Area, if an existing Group A water provider cannot provide direct <u>or indirect</u> service to new development in a timely and reasonable manner as required under RCW 70.116.060 or chapter 43.20 RCW, <u>under F-227</u>, a new public water system may be established if it is owned <u>and or</u> operated by the following, in order of preference:</p> <ol style="list-style-type: none"> <li>a. By the Group A system, in whose service area the system is located, via satellite management, or</li> <li>b. By a satellite management agency approved by the State Department of Health under contract with the Group A system in whose service area the system is located, , provided that the existing Group A water system remains responsible for</li> </ol>	<p>Proposed change eliminates some duplicative language with F-227; clarifies the satellite management options. Eliminate language related to all costs being funded at the permit stage because DDES does not require this.</p>	<p><b>No issue</b> - Policies F-229 and F-230 are 'companion' policies for the urban and rural areas of the County. Both policies are more clearly and succinctly stated in the proposed policy revisions. In urban areas, the preferred method of water supply is through a Group A water provider. If that is not available then water supply may be provided by a 'satellite management agency that is either a.) under contract with a Group A system or b.) approved as a</p>

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<p>meeting the duty to serve the new system under RCW 43.20.260.</p> <p>c. <u>By a satellite management agency approved by both the State Department of Health and King County.</u></p> <p>All new public water systems formed in the UGA shall connect to the Group A water system in whose service area the new system is located when direct service becomes available. <del>All known and projects costs for anticipated connection shall be funded at the permitting stage of any proposed new construction or new subdivisions.</del></p>		<p>standalone agency approved by the State Department of Health and King County.</p> <p>Eliminates language that is not accurate regarding DDES requirements.</p>
<p>F-230 In the Rural Area, King County land use and water service decisions <del>shall be guided generally by the principle of maintaining support</del> the long-term integrity of Rural Area ecosystems, <del>consistent with Countywide Planning Policy LU015.</del> Within the Rural Area, individual private wells, <u>rainwater catchment</u>, Group B water systems and Group A water systems are all allowed. <u>If an existing Group A water provider cannot provide direct or indirect service to new development per the exceptions in Policy F-227, a new public water system or private well may be established if it is owned or operated by the following, in order of preference:</u></p> <p>a. <u>By a satellite management agency approved by the State Department of Health under contract with the Group A system in whose service area the system is located, provided that the existing Group A water system remains responsible for meeting the duty to serve the new system under RCW 43.20.260.</u></p> <p>b. <u>By a satellite management agency or an existing Group B system approved by both the State Department of Health and King County.</u></p> <p><u>If service cannot be obtained by means of the above stated options, then water</u></p>	<p>Adds rainwater catchments as an option in rural areas; for consistency purposes, the proposed change establishes similar policy hierarchy as F-229; adds new intent for all new water systems to connect to Group A systems once available.</p>	<p><b>No issue</b> - Policy F-230 deals with water supply in the rural area where water supply decisions are more nuanced and now clearly stated to 'support' the long-term integrity of rural area ecosystems. A broader array of supply sources are allowed, including rainwater catchment, which is now allowed under state law. Otherwise the same policies as in F-229 stand with regard to provision of service by satellite agencies either under contract to a Group A system – or approved on their own.</p>

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<p><del>service may be obtained; however, water service shall first be obtained when available from an existing Group A system, or, if such service is not available, then from an existing Group B system, before by creation of a new system, or use of private wells or rainwater catchment, is allowed. Water service delivery within the Rural Area shall meet the requirements of King County Code Section 21A.29.040, and if provided by a water system Policy F-209. Creation of a new public water system or the expansion of an existing Group B system may be allowed to serve new construction or new subdivisions when no Group A public water system can provide service in a timely and reasonable manner pursuant to RCW 70.116.060, or when an existing system is not willing and able to provide safe and reliable potable water with reasonable economy and efficiency pursuant to RCW 19.27.097. All new public water systems formed in the Rural Area shall connect to the Group A water system in whose service area the new system is located when direct service becomes available.</del></p>		
<p>F-233 <del>King County has an obligation to protect groundwater quality and quantity in rural areas; supports uses of groundwater that meet public health, resource protection land use, planning, and fish recovery objectives and obligations; and supports tracking and measuring of groundwater use as it relates to the County's interests and responsibilities. King County shall work with water service providers, the State Department of Ecology and the State Department of Health to track and measure groundwater use and to meet the County's obligation to protect groundwater quality and quantity in rural areas, while supporting uses of groundwater that meet public health, resource protection, land use planning, and fish recovery objectives and obligations. ensure that such provisions of state law are fully utilized to meet these objectives and obligations. The discussions with water service providers and state agencies shall include the need for state or local procedures or additional authority to address (a) the construction of new exempt wells within existing water utility service areas, (b) decommissioning of wells no longer in service, and (c) other issues identified by the participants. King County shall require any new or expanding Group B water</del></p>	<p>Original policy F-233 was lengthy and addressed multiple policy issues. The intent of the revision to F-233 and the following 2 new policies is to break the policy into three separate policies, with each one addressing a separate, specific policy issue.</p>	<p><b>No issue</b> – the changes to this policy basically break a single policy into two additional policies for clarity and readability.</p>

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systems to have a totalizing source meter and make information from the meter available upon request of King County.		
F-233a <u>King County shall require any new or expanding Group B water system to have a totalizing source meter and make information from the meter available upon request of King County.</u>	Original policy F-233 was lengthy and addressed policy issues. The intent of the revision to F-233 and the following 2 new policies is to break the policy into three separate policies, with each one addressing a separate, specific policy issue.	See comment for F- 233
F-233b <u>King County shall encourage the adoption of state or local laws and codes to limit the construction of new exempt wells within existing water utility service areas and promote the safe and timely decommissioning of wells no longer in service.</u>	Original policy F-233 was lengthy and addressed policy issues. The intent of the revision to F-233 and the following 2 new policies is to break the policy into three separate policies, with each one addressing a separate, specific policy issue.	See comment for F- 233
F-236a <u>Prior to initiation of any process to develop a regional water plan as described in Policy F-235, King County shall work with utilities to conduct a joint assessment of the state of water planning and coordination in the region. Such an assessment should identify where current planning and coordination efforts by and among water utilities addresses County interests and where there are gaps. The assessment should be used to guide any efforts related to development of a regional water plan.</u>	Water utilities believe that they are already accomplishing a number of County objectives. This new policy calls for an assessment to determine what current planning and coordination work is already underway, and how that work addresses County objectives related to a regional water plan in order to eliminate duplicative effort and make a regional	<b>No issue</b> – the changes to this policy are a direct result of discussions between King County DNRP staff and Water Utilities. This language was 'negotiated' to reflect the goals of King County to be interacting with Water Utilities in future water supply planning – while also respecting that future assessments will be done in a joint manner with regard to any effort

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	water planning process as efficient as possible.	to develop a regional water plan.
<p>F-237 King County supports interties that allow the transfer of water resources among water utilities to meet the projected demands for growth. <del>The transfer of water must be consistent with state law in where such interties meet the requirements of RCW 90.03.383 and are also consistent with any applicable,</del> locally adopted comprehensive plans, regional water supply plans, <u>adopted groundwater management plans</u>, watershed plans, and approved Coordinated Water System Plans, and implement approved Endangered Species Act response requirements, and Clean Water Act requirements.</p>	Minor edits for clarification.	<b>No issue</b> – the edits improve readability and clarify the policy intent.
<p>F-239A King County shall partner with utilities to publicize water conservation and encourage best management practices that conserve potable water supply through measures that include use of alternative supplies such as reclaimed water. <del>In exercising its role in reviewing utility water system plans, the UTRC shall ensure water system plans include an evaluation of reclaimed water opportunities and encourage water purveyors to include aggressive conservation and reuse measures where applicable, as well as development of new sources to support planned land use with reliable service at a reasonable cost. Utilities shall be encouraged to assess all potential uses of reclaimed water authorized under the Reclaimed Water Act (chapter 90.46 RCW), including those for environmental enhancement (such as groundwater recharge and wetlands enhancement) as well as those augmenting or replacing potable supply for notpotable purposes. The provisions for the use of reclaimed water in any plan approved by the county should be included by the county in its review of provisions for water suppliers for any proposed new land subdivision or short subdivision in unincorporated King County, as required under RCW 58.17, where the proposed subdivision or short subdivision is within the service area covered by the water system plan.</del></p>	Breaks one long policy, with multiple issues, into three separate policies. Language also written more simply and clearly.	<b>No issue</b> – the changes to this policy are intended to remove redundant citation state law and remove fairly strident or aggressive policy language with regard to reclaimed water considerations in water supply plans. The overly long original policy is broken into three. The policy F-239b replaces the stricken language, with straight forward directive regarding <i>which</i> utilities are required to evaluate reclaimed water opportunities via a 'Water Reclamation Evaluation Checklist' (that has been developed in conjunction with the Water Utilities); and policy F-239c speaks to King County actions to 'encourage' private developers to consider integrating or utilizing reclaimed water where

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		appropriate.
F-239B <u>Utilities with more than one thousand service connections required to submit water system plans for approval to King County shall include an evaluation of reclaimed water opportunities by completing King County's water Reclamation Evaluation Checklist.</u>	As noted above, breaks one long policy, with multiple issues, into three separate policies. Language also written more simply and clearly.	See comments above for F-239A
F-239C <u>The County shall encourage local developers with new projects in unincorporated King County to explore the possibility of using reclaimed water for nonpotable purposes when a plan for reclaimed water has been approved for the area.</u>	As noted above, breaks one long policy, with multiple issues, into three separate policies. Language also written more simply and clearly.	See comments above for F-239A
F-242 <u>Consistent with Countywide Planning Policies CO-3, CA-6, CA-9, and FW-5, the UTRC should develop a water accounting program in conjunction with affected water utilities that serve in unincorporated King County. The water accounting program should coordinate information on rate, timing, and location of new development with the projected ability of water utilities to issue certificates of water availability. The UTRC, in conjunction with Department of Development and Environmental Services, should ensure that the certificate of water availability contains the information necessary to meet the requirements of K.C.C. 13.24.120 and 21A.28.040 and the King County Comprehensive Plan.</u>	Deletes overly detailed language.	<b>No issue</b> – this policy has never been implemented and should be eliminated. The county and its UTRC does not have the resources nor inclination to actually establish a water accounting program with affected water utilities. Water availability is ensured through the water supply plans submitted by utilities to the UTRC.
F-244 <u>Groundwater-based public water supplies should be protected by preventing land uses that may adversely affect groundwater quality or quantity to the extent that the supply might be jeopardized. Consistent with Countywide Planning Policies CA-5 and CA-6, <del>the county shall ensure that it protects the quality and quantity of groundwater used as water supplies by such actions as implementation of groundwater management plans, development of best management practices within aquifer recharge areas, and developing plans for replacement of depleted or degraded aquifers through</del></u>	Simplifies and shortens policy by simply referring to policies E-465 through E-469 rather than repeating text.	<b>No issue</b> – simplifies policy directive by eliminating redundant policy references, and referring to more applicable policies E-465 and E-469.

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<p>implementation of Policies E-465 through E-469 where applicable.</p>		
<p>F-245 In the Urban Growth Area, all new development shall be served by public sewers unless:</p> <ul style="list-style-type: none"> <li>a. Application of this policy to a proposal for a single- family residence on an individual lot would deny all reasonable use of the property; or</li> <li>b. Sewer service is not available for a proposed short subdivision of urban property in a timely or reasonable manner as determined by the Utility Technical Review Committee. These on-site systems shall be managed by one of the following entities, in order of preference:                             <ul style="list-style-type: none"> <li>1. The sewer utility whose service area encompasses the proposed short subdivision; or</li> <li>2. The provider most likely to serve the area; or;</li> <li>3. ((a))An Onsite Sewage System Maintainer certified by the Seattle-King County Department of Health.</li> </ul> </li> </ul> <p>The onsite system shall meet all state and county approval requirements. The approved short subdivision shall indicate how additional lots to satisfy the minimum density requirements of the zoning will be located on the subject property in case sewers become available in the future. There shall be no further subdivision of lots created under this policy unless served by public sewers.</p>	<p>Formatting change.</p>	<p>No issue – grammatical change</p>
<p>F-246 In the Urban Growth Area, King County and sewer utilities should jointly prioritize the replacement of ((on-site)) onsite systems that serve existing development with public sewers, based on the rise of potential failure. King County and sewer utilities should analyze public funding options for such conversion and should prepare conversion plans that will enable quick and cost-effective local response to health and pollution problems that may occur when many onsite systems fail in an area.</p>	<p>Simple grammar edit</p>	<p>No issue – grammatical change</p>
<p>F-248 The existing public sewer system in the Town of Vashon cannot be expanded to</p>	<p>Simple grammar edit</p>	<p>No issue – grammatical change</p>

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serve land beyond the boundaries of the town, except as provided in Policy F-249 and as consistent with Title 57 RCW. ((On-site)) <u>Onsite</u> systems, community on-site systems or decentralized treatment systems may be used as appropriate for planned growth in other Rural Towns.		
<del>((F-249 — Public sewer expansions shall not occur in the Rural Area and on Natural Resource Lands except where needed to address specific health and safety problems threatening the existing uses of structures or the needs of public schools or public school facilities, consistent with the paramount duty of the State to make ample provision for the education of all children residing within its borders. Public sewers may be extended, pursuant to this policy, only if they are tightlined and only after a finding is made by King County that no reasonable alternative technologies are technologically or economically feasible and that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility. Utility providers shall ensure, through a signed agreement between the school district and the utility provider, that any sewer service permitted for the school district is designed only to serve public schools or public school facilities. Public sewers which are allowed in the Rural Area or on Natural Resource Lands pursuant to this policy shall not be used to convert Rural Area land or Natural Resource Lands to urban uses and densities or to expand permitted nonresidential uses.))</del>	The issue of sewer service to new or existing public schools and public school facilities is being deliberated by the School Siting Task Force. New policy language will be transmitted to the King County Council after the Task Force and the Growth Management Planning Council complete their work.	<b>BOOKMARK</b> –The issue of sewer service to new or existing public schools and public school facilities is/was being deliberated by the School Siting Task Force. The Task Force just made their recommendations to the GMPC the week of April 9, 2012. Council staff will bring this issue back before the committee at the appropriate time after GMPC takes action.
F-251 <del>On-site</del> <u>Onsite</u> wastewater treatment systems in the Rural Area and Resource Lands should be designed, built and operated as permanent methods of sewage disposal.	Simple grammar edit	<b>No issue</b> – grammatical change
F-252 King County should monitor <del>on-site</del> <u>onsite</u> systems that have shown evidence of failure or potential failure. The data should be used to correct existing problems and	Simple grammar edit	<b>No issue</b> – grammatical change



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<p>prevent future problems. King County should analyze public funding options for correcting on-site wastewater system failures which may include, where feasible and otherwise consistent with this plan, conversion to community sewage systems or installation of public sewers.</p>		
<p>F-253 Collective on-site systems may be used only in the following circumstances in the Rural Area and Resource Lands:</p> <ul style="list-style-type: none"> <li>a. Existing on-site systems are failing within an area and the Seattle/King County Department of Public Health concurs that long-term individual on-site system repairs are not feasible <del>((and/))</del> or water quality is threatened by the presence of or potential for health hazards resulting from inadequate on-site wastewater disposal methods;</li> <li>b. An authorized public agency will manage the community system; and</li> <li>c. The community system is designed only to serve existing structures and lots and cannot be used as a basis to increase density or to expand permitted nonresidential uses. Substandard vacant lots must be combined to the extent feasible to meet rural density policies. Management of the community system must be by an authorized public agency.</li> </ul>	<p>Grammatical correction.</p>	<p><b>No issue</b> – grammatical change</p>
<p>F-255 <del>((Solid waste should be handled and disposed of in environmentally sound ways that protect the quality of air, water and public health.))</del> <u>Regional solid waste planning should integrate the principles of environmental stewardship and sustainable development into all aspects of solid waste management.</u></p>	<p>Update to include concepts of environmental stewardship and sustainability.</p>	<p><b>No issue</b> – This is consistent with KCC mandates on waste reduction in 10.08.080, 10.14.020, 10.14.050, and with current plans and strategies</p>
<p>F-255a <u>Solid waste should be collected, handled, processed, and disposed in ways that reduce waste, conserve resources, and protect public health and the environment.</u></p>	<p>To affirm the mission of the SWD.</p>	<p><b>No issue</b> – This is consistent with KCC mandates on waste reduction in 10.08.080, 10.14.020, 10.14.050, and with current plans and strategies</p>

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F-256 ( <del>King County shall divert as much material as possible from disposal to reduce the overall costs of solid waste management to county residents and businesses, conserve resources, protect the environment, and strengthen the county's economy.</del> ) <u>King County should achieve Zero Waste of Resources – to eliminate the disposal of materials with economic value – by 2030, through a combination of efforts in the following order of priority: a. waste prevention and reuse, b. product stewardship, recycling, and composting, c. beneficial use.</u>	Update to reflect county goal.	Zero Waste of Resources is provided for in KCC 10.14.020
F-257 Solid waste management should be planned and <u>transfer and disposal</u> capacity provided on a regional basis.	To clarify.	<b>No issue</b> – Consistent with Council-adopted Solid Waste Transfer and Waste Management Plan
F-258 ( <del>Solid waste handling facilities should be dispersed throughout the county in an equitable manner.</del> ) <u>King County shall operate a transfer system that is dispersed throughout the county to ensure access to safe, reliable, efficient, and affordable solid waste services.</u>	Update to recognize decisions made in the adopted <i>Transfer And Waste Management Plan</i> .	<b>No issue</b> – Consistent with Council-adopted Solid Waste Transfer and Waste Management Plan
F-258a <u>Solid waste system planning should incorporate principles of equity and social justice.</u>	To incorporate ESJ.	<b>No issue</b> – Consistent with County Strategic Plan
F-258b <u>King County should maximize the capacity and lifespan of the Cedar Hills Regional Landfill, subject to environmental constraints, relative costs to operate, and stakeholder interests.</u>	To recognize decisions made in the adopted <i>Transfer and Waste Management Plan</i> .	<b>No issue</b> – Consistent with Council-adopted Cedar Hills Site Development Plan
F-258c <u>King County shall encourage sustainable development and provide consumer education in the public and private sectors regarding green building practices, product stewardship, recycling, purchasing, and consumption in order to reduce the amount of waste disposed.</u>	To incorporate sustainability concepts.	<b>No issue</b> – This is consistent with KCC code mandates on waste reduction in 10.08.080, 10.14.020, 10.14.050, and with current plans and strategies
F-259 To reduce flooding, erosion and sedimentation, prevent and mitigate habitat loss,	Clarifying language to add specificity	<b>No issue</b> – the change provides

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<p>enhance groundwater recharge and prevent <u>groundwater and surface water</u> quality degradation, the surface waters of King County shall be managed through plans, programs and regulations developed by King County in cooperation with affected jurisdictions whenever possible.</p>		<p>more specificity regarding protecting water quality for surface and groundwater.</p>
<p>F-260 A watershed approach shall be taken to surface water management, with responsibility shared among King County and affected jurisdictions. This approach should emphasize prevention of water quality degradation through education programs and implementation of best management practices to reduce pollution entering <u>the region's groundwater and surface waters</u>, including Puget Sound.</p>	<p>Language added for groundwater protection; i.e., in recognition of and to clarify that we do not want to put groundwater quality at risk while infiltrating stormwater for surface water protection, groundwater recharge, and restoration of stream base flows.</p> <p>Anticipated outcome is better groundwater quality protection, in balance with better surface water protection.</p>	<p><b>No issue</b> – the change clarifies that watershed surface water management is meant to protect surface AND groundwater.</p>
<p>F-261 In the Rural Area, King County shall minimize the use of constructed facilities for surface water management and maximize the use of natural systems, provided that the ecological functions of the natural systems are not harmed. The county should provide incentives to keep these natural systems intact. Natural systems are also preferred in the Urban Growth Area, but it is recognized that structural systems will be needed to realize urban growth and density goals. <del>((King County will plan and manage surface waters on a watershed basis pursuant to Policies E 123 through E 129. To accomplish this goal, water should not be diverted from one watershed into another, nor from one drainage basin into another, unless no other reasonable alternative is available for managing surface water run-off within the same watershed and drainage basin. Where such diversions are permitted, King County will require such environmental analysis and mitigation as is needed to protect surface water resources from significant adverse impacts.))</del></p>	<p>The prior version of the Comprehensive plan included the stricken text in double parentheses as part of F-261. F-261 was broken up into two sections for clarity: F261 has to do with water quality and flow control 'best management practices' and structural facilities. It emphasizes maximizing use of natural systems while recognizing that facilities will still be required. F261a deals with watershed hydraulic integrity, stating intent to minimize diversion of water from one drainage basin to another.</p> <p>Anticipated outcome is a clearer reading of intent, which should enhance</p>	<p><b>No issue</b> – the changes to this policy are intended to more clearly state the policy for the reader by dividing the policy into two. It is still the same wording and same substance with regard to managing surface waters within a watershed.</p>

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	environmental protection.	
F-261a <u>King County will plan and manage surface waters on a watershed basis pursuant to Policies E-123 through E-129. To accomplish this goal, water should not be diverted from one watershed into another, nor from one drainage basin into another, unless no other reasonable alternative is available for managing surface water run-off within the same watershed and drainage basin. Where such diversions are permitted, King County will require such environmental analysis and mitigation as is needed to protect surface water resources from significant adverse impacts.</u>	This is the text having to do with watershed management, stricken from F-261.  Anticipated outcome is a clearer reading of intent.	See comment for F-261
F-263 <u>Stormwater programs including ((R))regional and shared stormwater facilities, retrofitting developed areas, and operations and maintenance programs should be funded through an adequate and equitable funding mechanism. Stormwater facilities required ((ef)) for new development, redevelopment and retrofitting should be designed and built for low-cost, long-term maintenance.</u>	Language added in recognition of the broader range of stormwater programs and facilities for which we are responsible, and that require funding.  Anticipated outcome is more realistic expectations for funding requirements, ideally resulting in full funding for the full range of programs for which we are responsible.	<b>No issue</b> – the changes to these policies clarify that control of stormwater is accomplished through 'programs' not just facilities. The policy refinements also acknowledge that improvements to stormwater control include redevelopment and retrofitting. In Policy F-265, the changes reflect that like all of the other utilities, what are otherwise considered to be waste products are now being noted for their potential use as a resource and/or appropriately recycled or reused.
F-264 King County shall continue to encourage, support and require the use of low impact development as a part of its strategy to mitigate stormwater impacts from new development to the maximum extent ((practicable)) <u>feasible</u> , as discussed in policies U-405, U-406, U-407 and R-336.	'Feasible' replaces 'practicable' because it is a more stringent requirement, and for consistency with the draft 2012 NPDES Municipal Stormwater Permit and the draft Stormwater Management Manual for Western Washington. We	<b>No issue</b> - the wording change in F-264 is a matter of semantics – 'practicable' is being phased out of state requirements and instead expressed as 'feasible'. It makes this policy also consistent with

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	<p>expect the term feasible to be retained by Ecology.</p> <p>Anticipated outcome is more robust application of low impact development, and consistency with the Department of Ecology.</p>	<p>policies in the Urban Chapter that use the term</p>
<p>F-265 King County should work cooperatively with other jurisdictions to develop and implement plans and programs that address the <del>((proper treatment))</del> <u>appropriate recycling, reuse, reclamation and</u> <del>((fer))</del> disposal of the <u>materials and</u> wastes generated from maintenance of stormwater facilities.</p>	<p>'Proper treatment' is an ambiguous term that could be interpreted a couple of different ways, one of which implies that the material inherently needs treatment (i.e. to be cleaned or processed somehow), and that it is treatable. The other meaning of treatment is more generic. The changes in language make it clear that some material may be suitable for reuse or recycling with little or no processing, while other material may need substantial processing and or disposal appropriate to its hazard level.</p> <p>Anticipated outcome is clearer understanding of stormwater facility waste handling; resulting in more efficient / less wasteful handling with respect to handling costs.</p>	<p><b>No issue</b> the policy changes reflect that like all of the other utilities, what are otherwise considered to be waste products are now being noted for their potential use as a resource and/or appropriately recycled or reused.</p>
<p>F-267 King County shall participate with cities to prepare, update and implement comprehensive flood hazard management plans that meet or exceed standards established by the National Flood Insurance Program <u>and Washington State Flood Control statues.</u></p>	<p>This change is to recognize that the state also has adopted flood control.</p>	<p><b>No issue.</b> The intent of the policy is unchanged and is consistent with policy direction contained in the Flood hazard Management plan.</p>

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		No regulatory change is anticipated
<u>F-267a King County shall consider equity and social justice in implementing the King County Flood Hazard Management Plan to assure floodplain property owners and residents are given equal access to flood risk reduction services. Outreach should consider vulnerable populations that may face barriers based on age, income, language, race or other factors.</u>	This policy is added to support the outreach efforts currently implemented and future efforts planned. The anticipated change would be enhanced outreach efforts to vulnerable populations.	<b>No issue.</b> The is consistent with policy direction contained in the Flood Hazard Management Plan and currently implemented by King County in carrying out the work programs of the Flood Control District.
<u>F-268a King County should continue to assess and revise current flood warning phases based on the most current data on hydrology and climate change predictions and modify the King County Flood Warning Program, as needed, to reflect these revised flood phases.</u>	This policy is added to address the impacts of climate change on flooding. The anticipated outcome is adjustments to King County's flood warning phases when flood events indicate that need.	<b>No issue.</b> The is consistent with policy direction contained in the Flood Hazard Management Plan and currently implemented by King County in carrying out the work programs of the Flood Control District.
<u>F-268b King County should assess the most appropriate level of service for flood risk reduction along river segments based on existing and predicted development density, land use, and hydrologic conditions.</u>	The policy calls for development of design standards for flood structures that will be based on land use and hydrology rather than a single county-wide standard.	<b>No issue.</b> The is consistent with policy direction contained in the Flood Hazard Management Plan and currently implemented by King County in carrying out the work programs of the Flood Control District.
<u>F-268c King County will review available information on the potential impacts of climate change on winter floods, and consider those potential impacts when updating the flood risk reduction policies and capital improvement projects for the King County Flood Hazard Management Plan.</u>	This policy is added to address the impacts of climate change on flooding. The anticipated outcome is to incorporate the best available information on climate change when updating the King County Flood Hazard Management Plan and identifying capital projects.	<b>No issue.</b> The is consistent with policy direction contained in the Flood Hazard Management Plan and currently implemented by King County in carrying out the work programs of the Flood Control District.

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Policy Revision	Executive Purpose	Committee Staff Comment
<p>F-268d <u>King County should encourage property owners on Vashon-Maury Island to consider the estimated increase in water level reflected on the best available sea level mapping and information when constructing new structures or making substantial improvements to existing structures.</u></p>	<p>This policy is added to address the impacts of climate change on flooding. The anticipated outcome is that information will be provided to property owners about the most recent flood mapping so that they can make informed decisions when constructing new structures within the coastal floodplain.</p>	<p><b>No issue</b> but want to highlight this as a key area of interest for the residents of Vashon and Maury Islands.</p> <p>In August 2011, the council adopted Ordinance 17173 to implement coastal high hazard areas regulations required to continue allowing residents living newly mapped coastal floodplains to participate in FEMA's National Flood Insurance Program.</p>
<p>F-268e <u>King County shall continue to work with the U.S. Army Corps of Engineers, the Puget Sound Partnership and other regional partners to develop a regional variance from the federal levee vegetation standard that will allow, riparian vegetation to remain on P.L. 84-99 levees to protect habitat for federally listed endangered species of salmonids.</u></p>	<p>This policy is added to reflect King County's commitment to maintaining habitat for endangered species in spite of conflicting requirements from federal agencies. The anticipated outcome is a regional variance to the US Army Corps vegetation standards for levees.</p>	<p><b>No issue</b> but want to highlight this as a key area of interest for the Flood Control District, in that it's eventual outcome will have a significant impact on future capital improvement project and on-going maintenance costs</p>
<p>F-268f <u>King County will assess participation in the U.S. Army Corps of Engineers P.L. 84-99 Program to ensure compliance with the National Marine Fisheries Services Biological Opinion on the Federal Emergency Management Agency (FEMA) National Flood Insurance Program standards for levee vegetation, as well as cost-effective maintenance and repair of levees.</u></p>	<p>The policy is added to reflect King County's commitment to compliance with the National Flood Insurance Program Biological Opinion related to listed species as well as pursuing cost-effective floodplain management. The anticipated outcome is that King County may receive less funding from the US</p>	<p><b>No issue</b> but want to highlight this as a key area of interest for the Flood Control District, in that it's eventual outcome will have a significant impact on future capital improvement project and on-going maintenance costs</p>

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Policy Revision	Executive Purpose	Committee Staff Comment
	Army Corps of Engineers for levee maintenance and repair, but will be in compliance with ESA.	
F-268g <u>King County will assess the projects and programmatic actions recommended in the King County Flood Hazard Management Plan for compliance with the Biological Opinion prepared for the National Flood Insurance Program and amend the Plan and implementing development regulations to maintain compliance with the National Flood Insurance Program.</u>	This policy is added to show King County's commitment to compliance with the National Flood Insurance Program Biological Opinion. The anticipated change is FEMA's approval of King County's floodplain management program under the Biological Opinion.	<b>BOOKMARK</b> No issue with the stated purpose, but feel that the proposed text is awkward. Will work with the Executive to draft alternative text.
F-268h <u>King County will work cooperatively with the King County Flood Control District, cities and other stakeholders to implement the Flood Hazard Management Plan protect public safety, prevent property damage, and help protect the greater King County economy.</u>	This policy is added to reflect King County's support for maintaining a strong floodplain management program to help protect the regional economy. The anticipated outcome is a sustained economy in the Puget Sound region.	<b>No issue</b>
F-268g <u>Consistent with guidance from FEMA and the USACOE, King County's risk reduction strategies should focus first on risk avoidance, followed by actions intended to reduce vulnerability in at risk areas. New levees and other flood facilities should be the last rather than the first line-of-defense.</u>	This policy establishes in the KCCP priorities for floodplain management strategies for reducing flood risks	<b>No issue.</b> Since these priorities are already included in the Flood Hazard Management Plan, adopted by King County on behalf of the Flood Control District, no regulatory change anticipated.
F-268i <u>King County shall continue to promote the purchase of flood insurance to businesses located within the floodplain, including those businesses located behind accredited levees, to protect the economic value of the business and reduce the vulnerability to the region's economic activity from a larger but less frequent flood event.</u>	This policy reflects King County's recognition that levee accreditation does not remove the risk from flooding and that flood insurance can provide some economic security for businesses. The anticipated outcome will be an increase in the number insurance policies for	<b>No issue.</b> Council staff note that the decision to buy insurance is made by business, as opposed to being mandated by either King County or the Flood Control District.



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Policy Revision	Executive Purpose	Committee Staff Comment
	businesses in the floodplain.	
F-268j <u>King County should continue to discourage new, at-risk development in mapped flood hazard areas.</u>	This policy recognizes that structures located within floodplains are at risk from flooding and the way to reduce or eliminate that risk is discourage their location within a floodplain	<b>BOOKMARK</b> <b>No issue</b> but Council staff are not convinced that a new policy is needed to restate current practice.
F-268k <u>King County should seek to site new critical public facilities outside the 500-year floodplain.</u>	This policy recognizes that critical facilities, such as fire, police, hospitals are essential for public safety and should not be located within a floodplain.	<b>No issue</b>
F-268l <u>The county should work with cities, businesses, and landowners to evaluate the alternatives for levee setbacks that would provide a higher level of risk reduction, reduce long-term maintenance costs, and enhance habitat while promoting long-term economic resilience and vitality.</u>	This policy recognizes the need to analyze the need for levee setbacks in areas that present severe space constraints.	<b>No issue</b> , but council staff notes that this new policy was not included in the Executive's public review draft. The proposed policy was been raised in various discussions by the Flood Control District.
((F-269 Maintenance of flood protection facilities in King County shall reflect a prioritized approach, based upon the Flood Hazard Management Plan policies, within available funding levels. Additional funding sources and partnerships in support of maintaining and improving flood protection facilities should be sought whenever possible.))	This policy is being eliminated because it predated the establishment of the King County Flood Control District and adoption of a county-wide floodplain management fee.	<b>No issue</b>
((F-270 Responsibility for the costs of flood hazard management, including, but not limited to capital improvements, repair, operation and maintenance, and flood warning, should be shared between King County, the King County Flood Control Zone District, and incorporated cities.))	This policy is being eliminated because it predated the establishment of the King County Flood Control District and adoption of a county-wide floodplain management fee.	<b>No issue</b>

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<p><u>F-271 King County has a regional role in human services, working with many partners to help those most in need. King County will work as one partner among many to promote healthy families and safe communities. In concert with federal, state, and local governments, service providers, non-profit organizations, foundations, faith communities, businesses, schools, the criminal justice system and others, King County will seek to build and sustain a coordinated regional human services system to provide services, supports, safety and opportunity to those most in need.</u></p>	<p>The Human Services policies in the Comp Plan are drawn from the Framework Policies for Human Services. This change adds language from the Framework Policies that was previously omitted in the Comp Plan. The policies will now match.</p>	<p>No issue</p>
<p>Text at 8-39 - 40:</p> <p><u>Toward that goal, the King County Council has adopted the 2010 King County Energy Plan prepared by the Executive. The Energy Plan includes the following key objectives for reducing energy use and greenhouse-gas emissions in King County:</u></p> <ol style="list-style-type: none"> <li><u>1. Reduce energy use through continuous improvements in facility and equipment efficiency, procurement, construction practices, and resource conservation;</u></li> <li><u>2. Increase transit use and provide transportation choices that reduce overall energy use and emissions in the county, while improving the efficiency of King County's fleet;</u></li> <li><u>3. Be a leader in early adoption and promotion of innovative technology for buildings and vehicles with a focus on electric vehicles;</u></li> <li><u>4. Increase production and use of renewable energy; and</u></li> <li><u>5. Pursue sustainable funding strategies for energy efficiency, renewable energy projects, waste-to-energy projects and greenhouse-gas-reduction efforts.</u></li> </ol> <p><u>The 2010 Energy Plan provided initial targets for reducing energy usage in operations and increasing the amount of renewable energy that the county produces or uses. These targets are measured for the county as a whole; divisions are directed to make policies and plans consistent with the King County Energy Plan and implement those as practical, considering the Plan and their other service priorities. Some divisions may exceed the targets, while others may not meet them in given years – but all divisions will use the Energy Plan as the basis for strategic energy planning and direction.</u></p> <p><u>King County divisions are taking steps to translate countywide targets into agency specific plans and action. Agency specific plans are important steps that support progress towards countywide targets. If such plans or supporting targets are developed, they should be incorporated into updates of the Energy Plan.</u></p> <p><u>The energy reduction targets adopted in the 2010 Energy Plan include an initial 2012 target of 10 percent for facilities and buildings; in the 2012 Comprehensive Plan, longer term energy targets that build on these initial targets are adopted in Section II, Energy Efficiency, Conservation and Alternative Energy Sources.</u></p>		<p>1<sup>st</sup> sentence of new text at p. 8-39 should be revised to reflect collaborative formation of Energy Plan.</p> <p>Should include discussion of Strategic Climate Action Plan ("SCAP")</p> <p>Last ¶ of new text to be rewritten to reflect current CPPs and Energy Plan and SCAP.</p> <p>Technical Correction at p. 8-40 changing roman numeral II. to numerical 2( if ¶ stays the same)</p>

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F-303a <u>All divisions shall use the Energy Plan as the basis for strategic energy planning and direction.</u>	Refers to existing adopted 2010 Energy Plan as a guiding plan for County energy efficiency and renewable energy strategies and policy.	Insert "King County departments and" before <u>divisions</u>
F-303b <u>King County shall reduce normalized net energy use from government operations in its buildings and facilities, as compared to a 2007 baseline, by at least 10 percent by 2012, 15 percent by 2015, and 20 percent by 2020, consistent with the County's long term goals of reducing operating costs and environmental impacts by maximizing energy efficiency and minimizing waste.</u>	Sets next step operational energy use targets building on those adopted in the 2010 King County Energy Plan that sunset in 2012. Guides County agencies in their energy efficiency efforts	<b>BOOKMARK</b> Should targets that are in Energy plan be included in 4 year plan Later targets not yet vetted - should they be included in SCAP, that should be vetting these as strategies to address climate change impacts.
F-303c <u>In its vehicle operations, King County shall reduce normalized net energy use, compared to a 2007 baseline, by at least 10 percent by 2015.</u>	Reflects the adopted 2010 King County Energy Plan vehicle goal.	<b>BOOKMARK</b>  Should targets be included in 4 year plan when already in Energy Plan
F-303d <u>King County shall continue to produce, use or procure renewable energy equal to at least 50 percent of total County net energy requirements on an ongoing basis.</u>	Extends the adopted 2010 King County Energy Plan renewable energy target.	<b>BOOKMARK</b>  Should targets be included in 4 year plan when already in Energy Plan
F-304 King County should foster the development and increased use of clean, renewable and alternative fuel and energy technologies. <del>((Promising technologies include, but are not limited to: biodiesel, hydrogen, and increased electrification.))</del>	Simplifies existing policy that was unnecessarily detailed	<b>No issue</b> with removal as it gives the policy more flexibility
F-305 King County shall: a. Continue to increase the use of renewable fuel and the efficiency of county buses and vehicles <u>where cost effective and environmentally sustainable</u> , and shall support <del>testing of plug-in hybrid adoption and promotion of innovative technology</del> vehicles with a focus on electric vehicles where appropriate.	Broadens existing policy Adds contingent to take action when cost effective	<b>No issue</b> with addition as links to both cost and environment  <b>No issue</b> with replacement language as it broadens scope of policy to

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<p>b. Consistent with policy E-202, collaborate with other local governments regionally, nationally and internationally to develop a common approach to accounting for the GHG emissions resulting from the operation of its public transportation system, and for claiming rights to any GHG reduction attributes associated with its operation.</p> <p>c.</p>		capture other technologies
<p>F-307 King County shall support the conversion of renewable resources and <del>service by-products</del> to energy reasonably usable <u>for beneficial use waste products, including methane gas generated from the operation of its landfill and wastewater treatment plants, consistent with E-205. These notably include waste products such as methane gas generated from the operations of its landfill and wastewater treatment plants.</u> Renewable resources shall include those sources listed in RCW 19.285.030(18), now and as may be amended. King County shall claim rights to any and all renewable energy and GHG reduction attributes.</p>	Broadens existing policy	Suggest to eliminate new sentence and use as example of In Intro text give examples of renewable and service by products
<p>F-310 <del>King County should achieve LEED certification on all new county construction. Ensure that the design, construction, maintenance and operation of any capital project owned or financed is consistent with the latest green building and sustainable design and construction practices.</del></p>	Deletes out of date standard for county projects (a more stringent standard has been adopted as part of the King County Green Building and Sustainable Development Ordinance 16147)	Needs an auxiliary verb. Prospective; to capture currently unknown techniques. Rewrite to: "King County should consider the latest green building and sustainability design in the planning and implementing its capital improvement program."
<p>((Policy F-337 has been deleted.))</p>	Policy F-337 was deleted in the 2008 King County Comp Plan, and this just deletes reference to the fact that this policy was deleted	No issue
<p>F-319 To address the cumulative effects of multiple energy facilities, King County should continue to participate in the state and <del>((/or))</del> federal processes for licensing, authorizing or certifying, and any such renewals, of existing and proposed power generation projects within King County. King County's review of individual projects in the state and <del>((/or))</del> federal processes should consider consistency with designated land uses and environmental protection goals. Specifically, power generation projects</p>	Grammatical correction	No issue

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Policy Revision	Executive Purpose	Committee Staff Comment
<p>should:</p> <ul style="list-style-type: none"> <li>a. Have climate change impacts considered and mitigated to the greatest extent practical;</li> <li>b. Be consistent with, and preferably directly incorporated in, utility integrated Resource Plans;</li> <li>c. Use renewable resources to the greatest extent practical;</li> <li>d. Include public engagement;</li> <li>e. Not significantly interfere with commercial forestry operations;</li> <li>f. Be located and operated in a manner such that impacts to salmonid fish and wildlife are minimized;</li> <li>g. Avoid unstable and erosion-prone areas;</li> <li>h. Include performance bonding to fund erosion control;</li> <li>i. Provide full mitigation for construction and operation impacts;</li> <li>j. Avoid, to the extent practicable, diminishing scenic values; and</li> <li>k. Incorporate adequate public safety measures.</li> </ul>		



# Water Utilities of King County

October 15, 2011

Bob Burns, Deputy Director  
Department of Natural Resources and Parks  
King Street Center, Room 700  
201 S Jackson St  
Seattle, WA 98104-3855

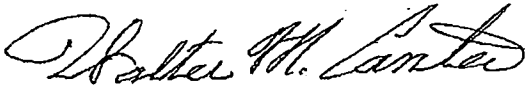
Dear Bob,

Completion of Phase II of our discussions marks another significant milestone in our work to improve how utilities and King County conduct business to best serve the citizens of King County. The collaborative effort on the King County Complan policies we tackled together resulted in huge improvements to make them clearer and more succinct.


We generally support the changes that we worked out together. The revisions reflect a good faith effort to improve the policy direction for King County related to water utilities. Utilities are interested in seeing changes and improvements resulting from the implementation of the policies that we revised and the modifications made to the Water System Plan review process, and will then consider what discussion is needed in the future related to the policies that we had concerns about, but did not tackle at this time. As time passes, we will also welcome opportunities for further improvement and added clarity on these policies.


On behalf of the utilities that have been meeting with you, we thank you again for your efforts to discuss and resolve some long-standing issues. We especially applaud King County's effort to work toward a more cost-effective approach to future regional water planning that addresses the interests and concerns of both utilities and King County. We look forward to continuing the dialogue as a group on a regular basis.

Regards,

  
Walter M. Carter  
Cedar River Water and Sewer District

  
[Name]  
City of Auburn

  
[Name]  
Covington Water District

  
[Name]  
City of Seattle

Lakehaven Utility District

Cascade Water Alliance

Soos Creek Water and Sewer District

City of Kent

East King County  
Regional Water Association

South King County  
Regional Water Association