



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

RWQC Resolution

Proposed No. RWQC2022-01.1

Sponsors

1 A RESOLUTION concerning the regional water quality
2 committee work plan.

3 WHEREAS, the regional water quality committee of the King County council is
4 established by the King County Charter to develop, recommend and review regional
5 policies and plans for consideration by the metropolitan King County council, and

6 WHEREAS, the regional water quality committee develops, reviews and
7 recommends countywide policies and plans related to the water pollution control
8 functions formerly provided by the Municipality of Metropolitan Seattle, and

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

13 NOW, THEREFORE, BE IT RESOLVED by the Regional Water Quality
14 Committee:

15 A. The work plan for the regional water quality committee for 2022 shall address
16 topics listed in Attachment A to this resolution.

17 B. In addition to the topics listed in Attachment A to this resolution, the work
18 plan may include countywide policies or plans that respond to emergent concerns related
19 to water quality that are of regional interest and that relate to multiple jurisdictions. The
20 committee may amend the work plan and will expect the council to assign to the

21 committee other regional water quality issues that the committee believes would benefit
22 from interjurisdictional review and recommendations.

23 C. In addition to the topics listed in Attachment A to this resolution, the
24 committee may amend the issues list and initiate actions to develop legislation regarding
25 countywide plans and policies pertaining to other regional water quality issues that the
26 committee believes would benefit from interjurisdictional review and recommendations.
27 The committee will have the opportunity to review its work plan at each committee
28 meeting to potentially amend the work plan by majority vote of the committee.

RWQC Resolution RWQC2022-01 was introduced and passed by the Regional Water Quality Committee on 3/2/2022, by the following vote:

Yes: 11 - Clarke, Dunn, Hunt, Lee, Mork, Pedersen, Perry,
Sweet, Upthegrove and Warren
No: 0
Excused: 1 - Sawant

Attachments: A. 2022 Regional Water Quality Committee Work Plan

2022 Regional Water Quality Committee Work Plan

Background: The Regional Water Quality Committee (RWQC) is responsible for developing, reviewing and recommending countywide policies and plans related to the water pollution abatement and water quality improvement functions of King County as a metropolitan municipal corporation. It is the responsibility of the County (associated with its metropolitan powers) to prepare and implement a comprehensive water pollution abatement plan, including provisions for “waterborne pollutant removal, water quality improvement, sewage disposal, and storm water drainage for the metropolitan area” pursuant to policies and plans recommended by the RWQC and adopted by the Metropolitan King County Council.

In 1999, the Council, upon recommendation by the RWQC, adopted the Regional Wastewater Services Plan (RWSP) as its comprehensive plan to provide wastewater treatment services to this region for the next 30 years. Much of the committee’s work in intervening years has focused on the implementation of the RWSP by tracking progress made and adjusting and adding policies as needed, and reviewing and approving program updates for the implementation of capital projects.

Draft 2022 Work Plan: Below are summarized potential elements of the Draft 2022 RWQC Work Plan. The plan elements are designated by quarter, based on when a particular development or work product is anticipated; these may need to be adjusted over the course of the year, as projects proceed.

Members requested that the work plan deliver certain products in the form of written reports or summaries, rather than full briefings. The work plan includes a listing of anticipated reports; staff will work with WTD to make these available to the Committee, and to indicate to the Committee that given reports have been completed and are available at appropriate times.

Quarter 1

- **Nutrients In Wastewater** The state Department of Ecology has promulgated a regulatory action to require a General Permit for nutrient generators that discharge into regional waters, including wastewater treatment facilities. King County, which would be among the generators covered by the requirements of the permit, has filed an appeal with the Pollution Control Hearing Board (PCHB) regarding the requirements of the permit, together with other wastewater jurisdictions. King County has also filed a request for a stay in enforcement of the permit provisions, seeking to have the requirements held pending review by the PCHB. A briefing on this topic would provide an update on status, cost implications, and related issues.
 - **Issues**
 - **Is the focus on Nutrients the most urgent priority for cleaning up Puget Sound, or would the required expenditures be better directed to other cleanup priorities?**
 - **Anticipated Outcomes**
 - **Identification of key considerations supporting the request for a stay of the Nutrients General Permit requirements for King County facilities**

- **Consideration of Committee support for County direction in challenge to the state permit requirement.**
- **2023 Sewer Rate** The Sewer Rate, to be transmitted in April, is anticipated for committee review at the May meeting. In previous rate cycles, the Wastewater Treatment Division has provided preparatory briefings in the months leading up to the sewer rate transmittal, as a means of providing context and familiarizing the Committee with the rate setting environment, prior to actual transmittal. The Committee has requested similar preparatory briefings for the 2023 rate process. Major anticipated drivers include asset management, the West Point project costs, conveyance system improvements, and similar needs. The Regional Water Quality Committee is usually provided a briefing on the proposed rate shortly after transmittal; it is formally assigned to the Council's Budget Committee for review. The Metropolitan Water Pollution Abatement Advisory Committee also provides input to the rate process, and generally provides a comment letter regarding the rate proposal.
 - **Issues:**
 - **What are the drivers that are requiring increases in the projected rate, compared to earlier projections? Are those drivers necessary, in part or in full?**
 - **What are the timing requirements for the factors driving the rate increases— could they be phased in more gradually?**
 - **Are there opportunities for reductions in existing programs or services to offset these increases?**
 - **Anticipated Outcomes**
 - **Familiarize the Committee with the key elements that are shaping the rate environment, and that need to be considered in establishing a recommended rate**
 - **Define the process and timing for the development of the proposed rate recommendation**
 - **Receive committee input on the approach to the development of the proposed rate, and identification of any early concerns**

Quarter 2

- **2023 Sewer Rate** The Sewer Rate, to be transmitted in April, is anticipated for committee review at the May meeting. Major anticipated drivers include asset management, the West Point project costs, conveyance system improvements, and similar needs. The Regional Water Quality Committee is usually provided a briefing on the proposed rate shortly after transmittal; it is formally assigned to the Council's Budget Committee for review. The Metropolitan Water Pollution Abatement Advisory Committee also provides input to the rate process, and generally provides a comment letter regarding the rate proposal.
 - **Issues:**
 - **What are the drivers that are requiring increases in the projected rate, compared to earlier projections? Are those drivers necessary, in part or in full?**

- What are the timing requirements for the factors driving the rate increases—could they be phased in more gradually?
 - Are there opportunities for reductions in existing programs or services to offset these increases?
 - **Anticipated Outcomes**
 - Specify the level of the Executive-recommended 2023 Sewer Rate and Capacity Charge, in preparation for the local rate-setting process of cities and sewer districts
 - Consider the input of the Metropolitan Water Pollution Abatement Advisory Committee, to the extent that it is available for Committee review
 - Provide the Committee the opportunity for input on the proposed rate, either directly to the Division at the committee meeting, or, based on Committee direction, through preparation of some form of a more formal statement, such as a letter or other action.
- **Clean Water Plan—Legislation Anticipated upon Completion** The Clean Water Plan process, which was initiated by the Executive to help focus regional strategies on coming wastewater system needs and opportunities, has been temporarily paused. A re-start date has not been announced for the Clean Water Plan process; however, it is anticipated that significant RWQC involvement will be provided in the process moving forward. Critical emerging challenges, as well as strategic program opportunities are expected to be addressed in the Plan; interest has been expressed by the Committee in structuring the planning effort to address anticipated costs, scheduling, the role of participating partner jurisdictions in the planning process and opportunities for input by partner jurisdictions.
 - **Issues: Strategy Options**
 - Meet System Needs through Continuation of Current Approaches Consistent with Historical Practices
 - Meet System Needs over an Extended Timeline to Moderate Rate Increases
 - Achieve Greater Water Quality Benefits through Alternative Strategies proven in other settings
 - Explore Expanded Focus on Multi-Benefit, Resource Recovery, Enhanced Regional Collaboration, and Partnerships.
 - Enhance Resiliency through focus on wastewater system health
 - **Anticipated Outcomes**
 - Consideration of proposed Clean Water Plan recommendations and costs
 - Development of proposed legislation to implement proposed Clean Water Plan
- **Auditor’s Clean Water Plan Management Letter Response** In September of 2021, the County Auditor’s Office briefed the Committee on a Management Letter prepared by the Auditor that highlighted a number of questions regarding the Clean Water Plan planning process. Committee members requested that a response be provided to the Committee on the issues raised in the

Management Letter. A briefing on this topic would provide the opportunity to provide the Committee with the Management Letter response.

- **Issues (drawn from Auditor's Management Letter)**
 - **Policy-maker input into Clean Water Plan development**
 - **Some identified CWP Strategies may not be viable under current/potential future regulations**
 - **Lack of transparency obscures cost differences between actions**
 - **Strategies may not ensure best water quality outcomes**

- **Anticipated Outcomes**
 - **Committee consideration of implications of Management Letter responses in the shaping of revisions to the Clean Water Plan direction and strategies**

- **Clean Water Plan—Response to Committee Questions** In response to WTD's request, members of the Regional Water Quality Committee submitted a number of inquiries concerning the Clean Water Plan planning process and direction. Members requested written responses to the inquiries. A briefing on this topic would provide the opportunity to respond to these inquiries.
 - **Issues (Identified in List of Committee Questions re Clean Water Plan planning process)**
 - **Request for financial information**
 - **Detail of process for developing preferred strategy**
 - **Detail of public engagement process**
 - **Periodic reviews/status reports**
 - **Identification of policy areas needing further discussion**
 - **Ranking of importance of policy areas**
 - **Working with state legislature to further goals of CWP**
 - **Study sessions or other outreach to cities**
 - **Unfocused scope of CWP**
 - **Preserving wastewater funds for wastewater purposes**
 - **Need to understand rate impacts of Plan**
 - **Stormwater planning outside CWP**
 - **Comprehensive consideration of actions that overlap**
 - **Development of decision criteria to assure appropriate assessment of actions**
 - **Clarity of goals and policies to support refinement of actions and strategies**
 - **Assumed level of service for Asset Management**
 - **How has stakeholder involvement impacted CWP actions/strategies**

 - **Anticipated Outcomes**
 - **Committee consideration of implications of responses to Committee questions in the shaping of revisions to the Clean Water Plan direction and strategies**

- **Decennial Flow Monitoring** The Wastewater Treatment Division develops projections of anticipated wastewater flows based on monitoring of existing flows, growth projections, and

similar indicators. Those projections are used in assessments of system growth needs, capacity requirements for treatment facilities and pipelines, capital project development, and associated system elements. A Decennial Flow Monitoring report is prepared once each decade to describe the results of flow monitoring efforts and volume projections.

➤ **Issues:**

- **Do the results of Decennial Flow Monitoring indicate adequate capacity in the system for the next decade, or is there a need for additional capacity?**
- **Is the flow demand concentrated in solids, liquids or both? Does the type of flow impact choices in the kind of facilities that may be needed?**

➤ **Anticipated Outcomes**

- **Familiarization with system capacity status, concerns**
- **Identification of any needed capacity improvements based on projected flows**
- **Specification of possible capital projects for coming budgets related to capacity needs**

Quarter 3

- **Long Term Sewer Rates** The Executive prepares projections for anticipated sewer rates over the coming decade in the sewer rate transmittal. Discussions on the sewer rate at Council tend to focus on the sewer rate for the coming year; there is less focus on the rate for the longer term. The Committee has expressed interest in a greater focus on the long-term sewer rates; such a discussion might consider primary long-term rate drivers, major regulatory developments and cost projections, policy approaches that will impact rates, opportunities to help manage rate increases, and similar considerations.

➤ **Issues:**

- **What are the drivers behind rate increases over the next decade?**
- **Can policy choices now have an impact on future rate levels? What are the most impactful policy choices?**
- **The County is currently attempting to pay about 40% of the cost of capital projects through cash funding; the agency's debt profile remains burdensome. What impact would modifying the cash funding proportion have on the debt burden, or on the marketability of sewer bonds or evaluation by rating agencies?**
- **Infiltration and inflow of water not requiring cleaning into sewers will have a major impact on capacity needs and costs. Would a more aggressive approach towards reducing infiltration and inflow have a positive impact on future costs in the out years?**

➤ **Anticipated Outcomes**

- **Establishment of Long-Term Rate direction for use and understanding by participating jurisdictions in their development of local rate strategies**
- **Opportunity for Committee input on major factors affecting long-term rate patterns**

- **Infiltration and Inflow** Infiltration and Inflow (I/I) has been an issue for the wastewater system for years, and has been the subject of a number of reviews and studies over the years. It focuses on the concern that stormwater and groundwater, filtering into pipelines that carry wastewater to treatment facilities, can add large volumes of non-sewage water to wastewater flows, creating capacity demands for pipelines and treatment facilities that add substantially to capital costs and operational complexities. System participants recently concluded an I/I review process; concern has been expressed by partner agencies that there remain issues in need of resolution.
 - **Issues:**
 - **Could the establishment of standards and programs for the reduction of I/I in sewer systems impact the levels of infiltration and inflow?**
 - **Are there obstacles to the establishment of such standards?**
 - **Anticipated Outcomes:**
 - **Identification of challenges in addressing Infiltration and Inflow concerns**

- **Wastewater Contract Negotiations-- *Legislation Anticipated upon Completion*** The cities and sewer districts that are participants with the County in the wastewater system are signatories to interlocal agreements that define the terms of that participation; negotiations for updating that interlocal agreement have been delayed pending recommendations by the Clean Water Plan planning process. This briefing would provide an update on the status and timing of those negotiations.
 - **Issues:**
 - **Are there major issues that should be considered by the Committee for policy review in preparation for contract negotiations, which may require strategic directional discussions related to the roles of the cities, sewer districts, and regional system?**
 - **What are the implications of the “pause” in the Clean Water Plan planning process for contract negotiations? Are there any urgent or pressing needs that will be impacted by this delay?**
 - **Anticipated Outcomes**
 - **Familiarization of Committee with anticipated timing and process for contract negotiations**
 - **Identification of any key contract issues for which Committee deliberations would be useful**

- **Stormwater** This issue has come up under discussions about the Clean Water Plan planning process. The Plan proposes to look at options for the County to "retrofit" stormwater systems that contribute pollutants to Puget Sound as an alternative to building additional treatment plant capacity.
 - **Issues:**
 - **What is the relationship between regional and local responsibilities for stormwater programs?**
 - **Who pays the costs and receives the benefits of stormwater programs?**

- Do current interlocal contracts cover County involvement in programs that are not directly related to wastewater treatment?
 - **Anticipated Outcomes**
 - Clarification of roles of respective parties in addressing stormwater needs
 - Establishment of policy direction for stormwater
- **Clean Water Plan Briefing Legislation Anticipated upon Completion** Contingent upon timing of the re-start of the Clean Water Plan planning process, RWQC engagement in the re-started process is anticipated. It is anticipated that the planning approach will reflect interests expressed by key parties, addressing issues identified by the Auditor’s Management Letter, transparency, the role of partner jurisdictions in the planning process and opportunities for partner input, and costs and scheduling of strategic options.
 - **Issues: Strategy Options**
 - Meet System Needs through Continuation of Current Approaches Consistent with Historical Practices
 - Meet System Needs over an Extended Timeline to Moderate Rate Increases
 - Achieve Greater Water Quality Benefits through Alternative Strategies proven in other settings
 - Explore Expanded Focus on Multi-Benefit, Resource Recovery, Enhanced Regional Collaboration, and Partnerships.
 - Enhance Resiliency through focus on wastewater system health
 - **Anticipated Outcomes**
 - Consideration of proposed Clean Water Plan recommendations and costs
 - Development of proposed legislation to implement proposed Clean Water Plan
- **Regional Planning for Reclaimed Water** The expansion of the use of reclaimed water has raised conflicts between the County and water supplier programs. Issues have been raised about who pays the costs and receives the benefits of reclaimed water programs, stranded costs, and water quality impacts. The Committee will receive information from the County and water suppliers on these issues and how they might be resolved.
 - **Issues:**
 - Who should pay the costs of recycled water programs? Who receives the benefits of the programs?
 - How should “stranded costs” of water purveyors be addressed?
 - What are the impacts of recycled water on water quality?
 - **Anticipated Outcomes**
 - Clarification of respective roles in addressing reclaimed water

Quarter 4

- **WaterWorks Update** The King County WaterWorks Program awards water-quality related grants to area water quality project sponsors, including community groups, cities, tribes, non-

governmental organizations and others. These projects are funded by wastewater revenues, and are intended to contribute to water quality purposes within the service area of the wastewater system. This briefing would provide an update on progress by award recipients.

- **Issues:**
 - **Are the funded projects serving appropriate system needs?**
 - **Are there opportunities to refine the criteria for selection of WaterWorks projects?**
- **Anticipated Outcomes**
 - **Committee familiarization with policies guiding WaterWorks program**
- **Combined Sewer Overflow Consent Decree--Legislation Anticipated upon Completion** The County is signatory to a Consent Decree with the Washington Department of Ecology and federal Environmental Protection Agency and Department of Justice, defining commitments to complete identified Combined Sewer Overflow projects by 2030. Consideration is being given to extending the completion date for the project list, given project cost and complexity; projections in the 2022 county budget assume a 2040 completion date, rather than 2030, in light of those discussions. A briefing on this topic would provide a status update on the projected completion date, when the discussions are at an appropriate point.
 - **Issues:**
 - **What are the budget and rate implications of having to complete all the CSO projects by 2030?**
 - **Are the EPA/Ecology discussions taking full account of the costs of compliance with new Nutrient management requirements?**

Copies of reports due to Council will be distributed to the Committee and WTD to provide a briefing if requested.

- **AECOM System Resilience Projects**
- **Toxics in KC Wastewater Effluent**
- **Ship Canal Water Quality Project Semiannual Report**
- **Sewer Heat Recovery Projects Annual Report**
- **Analysis of Biosolids Technologies – Thermal Drying**
- **Capacity Charge and Redlining (2023)**

Topics that could be addressed as a memo or report included in the packet to the Committee, or briefed if requested by the Committee.

- **West Point Treatment Plant Electric System Upgrades**

- **Portfolio Management**
- **Chemicals of Emerging Concern—Upstream Strategies**
- **Stormwater Retrofit**
- **Federal Infrastructure Funding**
- **Distributed Systems**
- **Recycled Water Demonstration Garden**