



## King County

### Solid Waste Division

Department of Natural Resources and Parks

King Street Center  
201 South Jackson Street, Suite 701  
Seattle, WA 98104-3855

**206-477-4466** Fax 206-296-0197  
TTY Relay: 711

January 9, 2019

TO: Regional Policy Committee

FM: Pat D. McLaughlin, Director

### **SUBJECT**

Proposed Ordinance 2018-0375 would approve the 2019 Comprehensive Solid Waste Management Plan as a revision to the 2001 Comprehensive Solid Waste Management Plan.

### **SUMMARY**

The 2019 Comprehensive Solid Waste Management Plan (Plan) sets strategies for managing solid waste in King County over the next six to 20 years. Required by the Revised Code of Washington 70.95, the King County Code, and interlocal agreements with 37 partner cities, the Plan guides actions by King County, all cities in King County except Seattle and Milton, and private companies that provide curbside collection and processing of recyclable materials. Although the Plan addresses all aspects of the regional solid waste system it sets policy direction in three key areas, addressing how to advance recycling, serve transfer station customers including those in Northeast King County, and provide waste disposal now and in future.

The Plan benefitted from extensive public input including a sixty-day public comment period and nearly two years of collaboration by the Solid Waste Division (SWD), the Metropolitan Solid Waste Management Advisory Committee, the Solid Waste Advisory Committee, and partner cities. Taking action on the Plan in early 2019 is the next step in this lengthy but important process. Plan approval will allow work on new transfer and disposal projects to proceed, so that transfer station customer needs can be met in Northeast King County and new disposal capacity is ready before current areas of the landfill are full in 2028. Meeting the March 31, 2019 deadline for a Regional Policy Committee (RPC) decision is essential to ensure uninterrupted garbage disposal services in the region.

### **REVIEW STATUS AND ANALYSIS**

The RPC received an August 22, 2018 SWD briefing on the Plan. The committee also discussed the Plan and received a RPC staff report at its September 12, 2018 meeting. Further RPC action was deferred to early 2019 due to staffing constraints during budget review.

The September 12, 2018 staff report includes a thorough analysis of the Plan. It evaluated the Plan for consistency with adopted policies and plans, identified how the Plan addresses environmental sustainability priorities including the Strategic Climate Action Plan, and noted that any financial impact of Plan implementation would be subject to the King County Council budget approval process. The staff report also identified issues for the RPC to consider in its review, and a select number of those issues were incorporated into a September 6, 2018 striking amendment to the proposed ordinance. The striking amendment has been reviewed by SWD.

RPC consideration of the striking amendment is proposed. The effect of the striking amendment is:

**Attachment A -- the 2019 Comprehensive Solid Waste Management Plan.** The striking amendment includes a September 12, 2018 update of the Plan that corrects Figure 7-2 so that the chart adds up to 100% (page Att A 184) and addresses select issues identified in the RPC discussion and Sept 12 staff report:

Cedar Hills Settlement Agreement. In 2000, King County entered into a settlement agreement that included height limits for Areas 5, 6, and 7 of the Cedar Hills Regional Landfill. The striking amendment adds text to clarify that any development of the landfill would be subject to the terms and conditions of that settlement agreement (pages Att A 160, 161, 164, 365).

New Appendix H. Although many of the required Plan elements in King County Code Title 10.24.30 mirror RCW 70.95, some county requirements are somewhat different from, or in addition to, the state requirements. The Sept 12 staff report suggested that policy makers may wish to include an appendix to specifically address the King County Code requirements. The striking amendment adds Appendix H – Title 10 Plan Content Code Requirements (pages Att A 382-402).

Recommended Action 1-f. The striking amendment clarifies language in Recommended Action 1-f to distinguish between financial policies and practices (page Att A 178). Other changes to that action include:

**Change in Recommended Action 1-f (B).** This action calls for fees charged to various customer classes to be the same at all facilities unless the Council determines a change in rate structure is needed to “maintain service levels, comply with regulations and permits, and to address low income needs.” The

amendment changes the “and” to “or” to more accurately reflect the intent of the action (page Att A 178).

**Add to Recommended Action 1-f.** The striking amendment adds the following practice that was inadvertently omitted from the Plan: “Use solid waste fees to fund required mitigation for solid waste facilities, including mitigation mandated by federal, state, and local regulations and permits.” (page Att A 178)

**Financial Policy Codification.** Interlocal agreements require codification of financial policies when the Plan is updated but allow those policies to be changed outside the Plan update process. State law, however, doesn’t allow Plan policy changes outside of the mandated Plan update process and the 2019 Plan policies are broadly written so that changes aren’t needed. To accommodate both interlocal agreement and Plan requirements, the proposed ordinance codified both the long-lasting Plan financial policy and changeable financial practices. The Sept 12 staff report stated that policy makers may wish to codify only the Plan policy to better distinguish financial policies and practices. The striking amendment codifies only the long-lasting Plan financial policy.

#### **NEXT STEPS**

The 2019-2020 King County budget has been adopted since the last RPC discussion of the Plan. The budget sets an October 4, 2019 proviso deadline for a waste-to-energy (WTE) study. The budget also restricts spending until the Plan is approved on capital projects to implement the Plan’s recommendations to build a Northeast transfer station and further develop the Cedar Hills Regional Landfill. While the WTE study will inform disposal options for the future, Motion 15244 set a March 31, 2019 deadline for RPC action on the Plan. An early 2019 RPC decision is needed to allow work on new transfer and disposal projects to proceed, ensuring uninterrupted garbage disposal services for the region. Significant lead time is needed to implement Plan-recommended capital projects and options may be foreclosed by further delay.

RPC approval will move the Plan forward for consideration by the King County Council, 37 partner cities, and Washington Department of Ecology. Sequential steps after RPC approval include:

- King County Council approval
- Approval by cities within a 120-day period
- Final approval by the Washington Department of Ecology within 45 days of city approval

