

MSWAC Advisory Committee Meeting

March 12, 2021 - 11:15 a.m. to 1:15 p.m.

Virtual Meeting (Zoom)

<u>MSWMAC Members</u>	
Joan Nelson	Auburn
Emily Warnock	Bothell
Robin Tischmak	Burien
Steve Friedman	Clyde Hill
Chris Searcy	Enumclaw
Rob Van Orsow	Federal Way
Tony Donati	Kent
Jenna McInnis	Kirkland
Toby Nixon	Kirkland
John MacGillivray	Kirkland
Penny Sweet—Chair	Kirkland
Phillippa Kassover	Lake Forest Park
Amy Shaw	Maple Valley
Jeff Brauns	Newcastle
Earnest Thompson	Normandy Park
Aaron Moldver	Redmond
Linda Knight—Vice Chair	Renton
Autumn Salamack	Shoreline
Jason Rogers	Snoqualmie
Diana Hart	Woodinville

<u>King County Staff</u>
Margaret Bay, SWD Staff
Joy Carpine-Cazzanti, SWD staff
Lauren Cole, SWD staff
Jenny Devlin, SWD staff
Brian Halverson, SWD staff
Jacqueline Latour, SWD staff
Pat McLaughlin, SWD Director
John Walsh, SWD staff
<u>Guests</u>
Natalie Caulkins, Republic Services
Courtney Flora, counsel for Tri-Pointe Homes
Erin Gagnon, Republic Services
Russell Jow, Republic Services
Ken Krivanec, Tri-Pointe's Division President
Jack McCullough, counsel for Tri-Pointe
Diana Wadley, Ecology
Wendy Weiker, Republic Services
Jackie Wheeler, SCA
Sung Yang, Pacific Public Affairs
Barbara Yarrington, Tri-Pointe Homes
Madeline Yun, Hazardous Waste Man. Prog.

Call to Order and Introductions

Chair Penny Sweet called the meeting to order at 11:15 a.m.

Meeting Minutes

Sweet asked for motion to approve the minutes of the February meeting. Searcy moved the motion, then Thompson seconded it. The minutes were unanimously approved as written.

Public Comment

Ken Krivanec, from Tri-Pointe Homes said, in reference to the February 2, 2021 letter he sent the division, he appreciated the division's need to locate a site for a new transfer station in northeast King County, but he was stunned when he learned one of the four potential sites included a property in the city of Redmond's new Northwest Design District where his company had invested five years and \$28 million toward constructing a mixed-use residential development. He said the site, vacant for 40 years, was mischaracterized during NERTS-siting outreach as a business park. The property was rezoned in Redmond's comprehensive plan and is not suitable for a transfer station. He said his business intends to begin construction on that site next month and plan to spend \$85 million more during the next three years. Krivanec said the region is tasked with increasing the availability of affordable housing, and his project includes 36 such units. He asked the division to eliminate this property from the list of potential sites and represent the site as it is zoned today.

Jack McCullough, as the attorney for the housing project, said he was concerned about the mischaracterization of site, which led to an improper weighting of qualities of site during the division's selection process. He noted the site has significant environmental features such as wetlands and streams, which their project can accommodate but would be difficult to do in context of a new transfer station. He said of the four potential sites, this property has the most environmental issues to address. He added, the dozens of affordable housing units they will build will be the only affordable units for sale in entire market area. He said if this property remains on the list of potential sites the dark cloud of pre-condemnation blight will hang over the sale of these properties because when an agency evaluates a site, it becomes impossible to attract needed financing and partners. He said it dumps a project into a limbo it can never escape. He closed his comments saying this region does not have a solid waste crisis, but a housing crisis, and he urged the deletion of this site from consideration.

SWD Update

Division Director Pat McLaughlin provided the SWD update:

South County Recycling and Transfer Station project

The division is continuing the design process and anticipate being at 60% design development later this summer. The team is beginning the conditional use permit process with the city of Algona.

Bow Lake Intersection Improvements

The division is working with the city of Tukwila to reconfigure and restripe the intersection just outside the Bow Lake Recycling and Transfer Station to improve safety and visibility this summer.

Legislative Update

Lauren Cole read from the division's legislative update.

SWAC Update

Kassover said the agenda for the SWAC meeting was the same as MSWAC meeting with the only difference being there are several open positions on SWAC. She suggested members of MSWAC might connect with people who could serve on SWAC. McLaughlin said the division is seeking representatives who live within a mile of the landfill and also someone to represent the agricultural industry. He said he will prepare comments for next month's updates and include highlights for these positions.

2022 Rate Proposal

Halverson said he will be meeting with the county's budget office next week and will also provide advisory committee feedback to the Executive's office. He said changes to the projection model since his last presentation include an updated tonnage forecast, expenditures and cash flow projections, and recycling fees.

Halverson compared the forecast made in August 2020 to one newly updated in March 2021. Then he presented the division's proposal to move forward with charging an increased fee for recycling yardwaste and a new handling fee for recycling mattresses. The proposal for yardwaste is for the accelerated schedule where the current fee of \$75 per ton/\$12 minimum fee will gradually rise to \$120 per ton/\$19 minimum fee by 2025 (for 2022 specifically, the fee would increase to \$100 per ton/\$16 minimum fee). He noted 45% of yardwaste transactions are charged the minimum fee. The mattress fee would be \$30 each.

Thompson asked if the mattress fee would increase illegal dumping. Halverson said no and the rate is the same as other mattress collection sites so it should not discourage people from using those facilities.

Thompson asked if the division should bury the fee in the regular garbage rate. Halverson said that is the current situation; the mattresses the division handles now are paid for via the regular rate. Walsh said under the current situation, someone could bring in six box springs and effectively pay \$4 apiece, instead of what it costs the division, which is around \$25 per unit. He said the division currently loses money when people bring mattresses in for recycling. He added charging a separate fee for mattress handling highlights the fact that mattresses take up more space in landfills and take a long time to decompose; also, mattress have valuable components such as steel which should be reclaimed.

Thompson asked if adding a \$30 fee to new mattresses sold would need to go through legislation. Walsh said it would need to be part of a conversation about extended producer responsibility, which would require legislation.

Kassover asked if there was a way to tell who was bringing mattress to transfer stations. Walsh said it was a mix of customers, including a few deliver trucks of mattresses directly to the landfill.

Knight said the proposed handling fee is within the range of normal fee. Hart asked if the low-income reduced rate would apply to these fees. Walsh said yes.

Halverson presented four rate-increase scenarios and recommended Option C with the smoothest rate of increase over the following four years. Searcy said he supports Options B or C and acknowledged there would be service level reductions under Option A. Moldver and Salamack agreed.

Thompson supports Option D because it gets the division to the break-even point sooner. Kassover and Sweet support Option B or C, so long as there is relief for low-income customers and service levels are preserved. Knight supports Options B and C because of the smooth increase and asks for continued advocacy for waste reduction efforts.

Northeast Recycling and Transfer Station (NERTS)

Mclaughlin presented an overview on each of the four sites under consideration for the future NERTS facility. Then he presented an overview of the results from a community survey about the four sites. He said none of the sites are ideal, each with distinct challenges, but it is his responsibility to find best property to address needs of county.

Moldver said he shared a letter with MSWAC from the city of Redmond, saying the Tri-Pointe Homes property is not reasonable because it will be difficult to develop, will require a lot of mitigation, the current plan for the site meets highest priority goals of the city for affordable housing and environmental sustainability. He said taking that site through the SEPA process is waste of time and money, the legal costs and acquisition costs will be too high. He said the community survey results are inaccurate because site wasn't characterized accurately and the public didn't have knowledge to make pros and cons; had they known it would be developed with high acquisition cost – for these reasons the city of Redmond is not recommending the division move forward with that site.

Van Orsow said he appreciates involvement of core cities on the siting advisory group and in deference to them and the process, he notes MSWAC does not have same perspective as the cities involved. He said

the suggestion, as made in Sweet's letter, to broaden the SEPA review process is reasonable and there should be appropriate mitigation for the host city.

MacGillivray said the core cities have been involved for year and half and used the county's criteria to objectively rank sites based on their first-hand knowledge. He noted at no time were the cities in the northeast part of the county invited to provide feedback about such siting the new south county facility. He said it was inappropriate to ask MSWAC members for their preference since they have not been involved in the process. He noted the city of Kirkland has been open to hosting a new transfer station, and also open to it being located elsewhere. He said this has been a fair and equitable process and all four sites should be considered under SEPA review, but wherever it goes, that host city must receive significant mitigation for noise and traffic such as parks and play areas.

Kassover said she was persuaded by McGillivray's comments and while she appreciates being informed, she would prefer to leave the negotiations between the core cities. She also said she hopes the county is sensitive to the situation at the Tri-Pointe Homes site.

Hart said through this siting process, she has seen how few viable sites there are in the region for this purpose. She said the Woodinville site is home to a long-term multi-generational business that has invested heavily in the community. She said there are concerns about traffic mitigation and echoes mitigation is a key part for whatever site is moved forward.

Searcy said he is surprised the question comes to MSWAC since the south county is not involved with siting and wondered why there aren't other sites with less baggage.

Mclaughlin said he is asking the advisory committee for input because he is responsible to the region of which the four core cities are a subset. He needs to ensure the region is aware and overall supportive of the division's decisions. He said he agrees the core cities should have voice, but he realizes their decision will affect all communities regardless of where it is located. High costs of acquiring and building a site or a potential inability to provide services will put pressures on neighboring jurisdictions. He said MSWAC is a point of influence. He noted he is not asking MSWAC to decide on the site, but he welcomes and values everyone's perspectives.

Bay said the 15 sites all had drawbacks such as existing businesses that would be expensive and difficult to move, another was host to an essential service, or were near aquifers.

Rogers said while his city is a fair distance away the costs of this project will affect us all, so he would like to continue hearing about progress but is hesitant to provide formal comments. Knight agreed. Sweet said she provided her thoughts about the siting decision in a letter; she said she doesn't want to slow the process down, but it would be unfair to the residents of Kirkland to not include a review of sites in other core cities.

The topic of Flow Control was moved to the April agenda.

Member Comment

Thompson said he while he understands why core cities might pushback against the involvement of other cities, he said while they might not be directly affected, they can have a more objective position.

Moldver announced Micah Bonkowski was offered the Environmental Sustainability and Solid Waste Program Administrator job, and he will be starting on March 23.

Adjourn

Meeting adjourned at 1:09 p.m.