

MSWAC Advisory Committee Meeting

March 11, 2022 - 11:15 a.m. to 1:15 p.m.

Virtual Meeting (Zoom)

<u>MSWMAC Members</u>	
Jon Gire	Bellevue
Emily Warnock	Bothell
Robin Tischmak	Burien
Steve Friedman	Clyde Hill
Shellie Bates	Covington
William Hawthorne	Enumclaw
Rob Van Orsow	Federal Way
Tony Donati	Kent
John MacGillivray	Kirkland
Toby Nixon	Kirkland
Penny Sweet, Chair	Kirkland
Phillipa Kassover	Lake Forest Park
Jeffrey Perrigo	Lake Forest Park
Amy Shaw	Maple Valley
Ross Freeman	Mercer Island
Jeff Brauns	Newcastle
Robert Clark	Newcastle
Earnest Thompson	Normandy Park
Micah Bonkowski	Redmond
Aaron Moldver	Redmond
Linda Knight, Vice Chair	Renton
Julie Pursell	Renton
Rori Kirkpatrick	Sammamish
Cameron Reed	Shoreline
Dylan Gamble	Snoqualmie
Rachel Best-Campbell	Woodinville
Diana Hart	Woodinville

<u>King County Staff</u>
Eyasu Ayalew, Seattle-King County Public Health
Nathaniel Bennett, King County Budget Office Staff
Mai Bui, SWD staff
Joy Carpine-Cazzati, Haz. Waste Management Program
Emily Coleman, SWD staff
Kathy Hashagen, SWD staff
Brian Halverson, SWD staff
Patty Liu, SWD staff
Pat McLaughlin, SWD Director
Erika Pablo, SWD staff
Hannah Scholes, SWD staff
Andy Smith, SWD staff
Adrian Tan, SWD staff
Terra Rose, King County Council Staff
Dorian Waller, SWD staff
John Walsh, SWD staff
<u>Guests</u>
Quinn Apuzzo, Recology
Carolyn Bowie, Washington State Dept. Of Ecology
Natalie Caulkins, Republic Services
Karen Dawson, Cedar Grove Composting
Han Kirkland, Waste Management
Kazia Mermel, Sound Cities Association
Diana Wadley, Washington State Dept. of Ecology
Tyler Pichette, Pacific

Call to Order and Introductions

Chair Sweet called the meeting to order at 11:18 a.m.

Meeting Minutes

Thompson moved to approve the January meeting minutes. Van Orsow seconded. The meeting minutes were approved unanimously.

Public Comment

Wadley reported that the Washington State Department of Ecology (DOE) recently approved the new Hazardous Waste Plan for the King County’s Local Hazardous Waste Management Program. She also announced an April 29 Recycling Coordinators meeting. Wadley reminded members of the [PreCycle](#)

[Innovation Challenge](#) saying applications are due March 20. Finally, she announced DOE has been working on a statewide survey of curbside recycling. MSWAC members may be contacted. They plan to publish the results in May.

Wadley introduced Carolyn Bowie whose DOE role has changed. She is now the West Side Materials Management Coordinator.

SWD Update

McLaughlin spoke about to a conversation that occurred at the February meeting during the Re+ presentation which caused concern. There were comments that questioned the division's vision and role in centering racial equity and prioritizing frontline communities for our Re+ Community Panel.

Equity and Social Justice is not only a policy and initiative here at the Solid Waste Division and in King County government, but more significantly, racism has been declared as a public health crisis. Data shows that whether its infant mortality, health insurance coverage, COVID cases, or even life span, if you are a black – you are at measurable disadvantage.

There are multiple determinants of equity, and we are seeking to address gaps whenever and wherever possible. We have prioritized the inequities associated with race because they are complicated, have deep historical roots, and sadly long-lasting destructive consequences. Structural racism is real and Solid Waste Division staff and you as an Advisory Committee have a vital role to play in dismantling that structure. We are committed to identifying the root causes (i.e. racial segregation, poverty) and focusing where we have the biggest impact and where the needs are greatest. One example of this is the diverse representation of our Re+ Community Panel.

As advisory members to the Executive and to Council, you are tasked with bringing your wisdom and experience in alignment with King County's established values – which include being racially just. You are called to do this in your decision-making process, your recommendations, and in how you fully represent all of your constituents, especially the ones most marginalized.

We have provided ESJ training in the past and will do more in the future. It's important that a lens of racial equity and social justice is consistently applied in your advisory role – regardless of how difficult and challenging that might be. We are committed to supporting you in this effort. The long-term goal is to embed racial equity and social justice in all that we do as an advisory group, and it starts with having these conversations.

McLaughlin invited the Committee to consider planning a facilitated conversation on this topic at the April meeting. SWD staff are available to facilitate so that we can better navigate these conversations, how we all as leaders can lean into our discomfort around race, brainstorm what type of resources and training are needed for this group, and what are existing resources and ideas you have that you are using within your respective jurisdictions. McLaughlin is hopeful and this is a great opportunity to recommit and challenge ourselves in order to reach racial equity and social justice.

Sweet agreed to add this to the April agenda. Thompson suggested that Roberts Rules be used with time limits during the discussion and to include equal representatives from both sides of this issue. That would avoid having a few experts on one side of the issue and just one or two on the other. He said some of the basic terminology

requires agreement on some fundamental concepts. Roberts rules or other formats allows input from different opinions. Sweet said McLaughlin will work with ESJ folks to determine a format to educate the committee.

Tonnage Report

We received roughly 21,000 tons more last month than in February 2021 which is an increase of almost 2%. The increase was largely driven by commercially collected tons which increased by 11.6% compared to February 2021.

Pilot of Dock Demolition

SWD owns property at Harbor Island. Part of it is being used for grain transport but there are some unused portions. On one of those portions is a dock in poor repair. The creosote piles that it once stood on need to be removed.

We did a pilot of that removal in early February. The pilot was successful and last week we shared information with stakeholders. The contractor will get back to the site for pile removal after the fish window is over, in June.

Green Building Ordinance passage

The Council passed the Green Building Ordinance (GBO) on March 1st.

The updated GBO supports the implementation of multiple areas of the Strategic Climate Action Plan. In addition to influencing county owned projects, the GBO seeks to educate King County staff and the public around green building practices. It promotes and encourages green building through regional partnerships and code development efforts that support sustainable development.

The county is prepared to work with cities to help increase the development of green affordable housing, green building certifications, efficiency upgrades in existing buildings and stronger state and local standards for new and existing buildings.

NERTS

In December our Core Cities (Kirkland, Redmond, Sammamish, and Woodinville) requested that we review a parcel in Bothell, the Brickyard Park and Ride. We had previously reviewed this site and passed on it because it is a highly utilized park and ride. At the request of the cities, we decided to take a closer look.

We reviewed and scored the site against the same criteria used for the other top 4 sites. Even though the parcel is approximately 18-acres in size, after a deeper review, we discovered that only approximately 5-acres of was available for development due to significant critical areas on site. It's also a highly utilized park and ride. It's not a viable alternative for those reasons which we shared with the core cities on March 10.

Next steps include making a final decision on inclusion/exclusion of the Brickyard parcel as well as more community outreach in the form of a public question and answer forum and reconvening the Siting Advisory Group. Pending decisions, the EIS will begin mid-late summer 2022.

New Staff

Amy Ockerlander, the Mayor of Duvall has accepted a position to work alongside Dorian as a Government Relations Administrator. She will be a great addition to the SWD team and she will begin in the next few weeks.

McLaughlin will meet with the King County Facilities Management Division and will provide the Committee with an update regarding the Ardaugh Glass property lease renewal.

Kassover requested a map of the sites being considered for NRTS.

McLaughlin said the dispute with the City of Seattle regarding flow control has not been resolved. The city has chosen to file a lawsuit against the county and has attached a \$3 million claim against the County for flow control practices. The parties are speaking outside the judicial process looking for a resolution. McLaughlin will include this issue in future monthly updates.

We are investigating flow control issues in the northeast county. An informed party brought an issue to our attention saying that recyclable materials collected from commercial accounts were not being taken to a materials recovery facility. Instead, they were allegedly taken to another facility where they were being shipped out for disposal. Staff is investigating and I'll let you know what we learn. It's not the first time this type of allegation has been made. This has happened before, and it would be concerning if it has resumed.

We are on schedule to issue the final EIS associated with the development of Cedar Hills Regional Landfill (Area 9 and facility relocation) by March 22. In addition to the EIS we will be identifying a preferred alternative in the EIS. Knight requested that we keep Renton updated.

SWAC update

The meeting content mirrored MSWAC though conversation differs.

Approve WTE committee position letter

Kassover moved to send the proposed letter to the King County Council and Executive. Van Orsow seconded the motion. The motion carried unanimously.

Legislative Update

Tan and Scholes briefed MSWAC on the 69th session of the Washington State Legislature. The session ended March 10, 2022.

The following legislation did not move further forward during this legislative session

- SB 5697 - RENEW Act (includes EPR for packaging and paper products)
- SB5658 - Truth in labelling and recycled content
- HB 1810 - Right to repair
- HB 1801 - Repairability index
- SB5492 - EPR for wind turbine blades
- HB 1869 - EPR for batteries

Two bills did move forward.

HB 1663 Landfill methane gas reduction

It will:

- Require landfills to install a gas collection and control system and/or submit an annual report based on their size and amount of methane emissions.

It will be a good way to track how landfills contribute to GHG emissions. The deadline for surface emissions monitoring is January 1st of the year following when the rules have been adopted by the DOE.

This bill will apply to the Cedar Hills Regional Landfill and five closed landfills. Though there is an extensive landfill gas capture and preventative maintenance system at Cedar Hills, there will be additional costs. We need to do a full assessment and expect both staffing and capital costs.

HB 1799 Organic materials management.

It will:

- Require changes to divert organic material from landfills and reduce methane emissions such as:
- Providing organics collection services to certain populations
- Local governments must buy back finished compost from processors
- Some businesses must separate organic waste
- Reducing legal liability for food donations
- Establishing the Washington Center for Sustainable Food Management
- Update compostable products labelling
- Creating a compost reimbursement program for farming operations

The bill was amended to limit site expansion for organics management facilities other than anaerobic digesters. The amendment covers only facilities that currently process over 200,000 tons of waste which impacts Cedar Grove. The intent is that the amendment would help to geographically distribute organics processing facilities.

The bill includes a requirement for cities to have an ordinance and a compost procurement plan to support certain markets of compost. We will be available provide technical assistance to the cities with those or related issues.

Re+ Update

The Re+ Circular Economy Grants are intended to support business and community projects that prevent or divert materials going to the landfill. The application window will be open from the end of March through the beginning of May. There is \$1.8 million funding available. The competitive award process may result in up to \$300,000 in grant funding per project. Focus areas include Prevention and Reuse, and Recycling. Priority materials include paper, plastic, and organics and the project must show an impact on the King County waste stream. Committee members will receive the application announcement when it launches by email at the end of March and are encouraged to share it with their networks.

Examples of projects that could be considered include:

- A local company investing in infrastructure to support durable service was to move away from single use plastics at its restaurants
- A packaging manufacturer developing a new product line using recycled plastic
- A growing business receiving support to develop a new expanded compost site

- A local hauler requesting funds for marketing materials to grow recycling and food waste collection routes in underserved areas

In addition, MSWAC members are asked to help NextCycle Washington build a distribution list of other organizations, jurisdictions, associations, and businesses on related journeys to expand the circular economy in Washington State. They can sign up directly on the [NextCycle Washington website](#) or contacts can be sent to ecoleman@kingcounty.gov. Please send any contacts to Emily by March 23rd or forward the information yourself.

Liu asked for feedback on the Re+ Fast Start Action Overview document provided with the meeting materials. Please focus on content and identify anything not relevant to city decision making. Also, please identify anything not included that would be helpful. The deadline is March 25. Send further feedback to Liu at Pliu@kingcounty.gov. Waller will resend the materials to committee members via their King County emails.

2023-2024 Rate Proposal Update

The January preliminary rate would require an 8.94% increase in revenue requirement for both 2023 and 2024. The division is projecting to under expend in 2021-2022 by \$6 million.

The tonnage forecast shows that Re+ impacts are expected to begin in 2023 with more significant impacts beginning after 2027 in both the lower and higher diversion scenarios. The lower diversion forecast was used in the tonnage forecast for the preliminary rate.

Budget discussions identified budget savings. However, they also identified needed organization investments such as staffing, investments in equipment such as trucks and packers, environmental investments, and investments in IT and asset management.

The budget also includes the continued implementation of the capital program which raises debt service to about \$43 million by 2030. The major costs for Area 9 development and NRTS have been pushed further in the future due to project delays.

Re+ spending is expected to exceed the existing \$7million in our existing budget by \$529,000. That budget includes Fast Start Action Support, additional staff to help with Re+ implementation and starting work toward Re+ 2.0, and other expenditures. Patty's work will shift to updating the comp plan.

The 2022 rate proposal projected annual increases of 9.4%. Current projections suggest we will be able to reduce those increases in 2023 and 2024 to 8.94%. Upward pressures on the rate include debt service, inflation, deferred spending, investments in recycling, etc. Downward pressures on the rates include efficiencies, budget cuts, higher than expected tonnage, and spending the rate stabilization reserve to lower the rate.

March 28th there will be rate briefings with DNRP and Executive offices. We expect to finalize the rate proposal in April and transmit the legislation to the Executive in May. We anticipate the Executive will transmit the legislation to Council in June. The target for passage is the first week of September and the deadline to communicate rate changes in time for implementation at the beginning of the year is October 1.

Donati asked if the Regional Direct fee was dropping like the Commercial fee. Halverson responded that much of the work done during the rate restructure was to create a cost-of-service model. Though we're looking to move fees closer to cost of service we are also incentivizing behaviors. For example, the regional direct fee needs to be high enough to encourage customers to use the transfer system.

The yard waste fee increased to \$100 per ton in 2022. This is the first of multiple increases proposed to move toward cost recovery for that material. Any proposed future increases would go through the same process used for any rate increase.

When the rate restructure was initially proposed, cities said they needed six months to prepare. The rate restructure is anticipated to be passed by Council in March. It wouldn't go into effect until January, giving the cities eight to nine months to prepare. The work to implement the restructure can begin before Council action is taken on the 2023-2024 rate proposal this fall. We are happy to provide technical support for cities.

We use an updated forecast for inflation provided by the county of more than 7% in 2022 and 3% for the following years. We used that forecast in the model.

Member Comment

In response to Thompson's question, Waller said we have contacted the Japanese consulate and are waiting to hear back about communicating with the Nakadai and Mono Factory.

Meeting adjourned at 12:38