



Clean Water Plan Advisory Group

Meeting #4 Summary

Background

The King County Department of Natural Resources and Parks (DNRP) has convened the Clean Water Plan Advisory Group to:

- Advise King County on the planning process to identify the most effective water quality investments the region can make.
- Advise King County on the ways to best engage and hear from key interests and constituencies throughout the region, including historically underrepresented groups.
- Provide insights and information related to the pressures, issues, and trends impacting constituencies and businesses throughout the region.
- Assist King County in understanding high-level implications, trade-offs, and opportunities associated with the planning process.

The fourth meeting of the Clean Water Plan Advisory Group took place on December 16, 2019 at the Impact HUB in Pioneer Square, Seattle. Meeting #4 objectives were to:

- Introduce Clean Water Plan water quality investments or actions: What they are and how they are intended to be developed and used.
- Share King County thinking and receive Advisory Group input on additional water quality investment decision areas that will be considered in the Clean Water Plan.

In advance of the meeting, Advisory Group members were provided a briefing document that contained an overview of the planning process, from determining decision areas and key questions to identifying and building out potential actions for evaluation. In addition to this overview, the County staff provided additional information on two decision areas for a more detailed discussion during the meeting: 1) Asset Management, Resiliency, and Redundancy; and 2) Legacy Pollution. The briefing document also included a set of appendices that provided additional context on these two areas.

This meeting summary provides non-attributed highlights from the presentations and discussions at the December 16, 2019 meeting.

Opening Remarks & Land Acknowledgement

Department of Natural Resources and Parks (DNRP) leadership opened the meeting with a welcome and an acknowledgement that the meeting was held on the traditional land of Duwamish People and expressed gratitude for Coast Salish People, past and present.

Next, DNRP leadership observed that there had been [an article](#) relevant to the Clean Water Plan in the local paper and reminded the group of the article's existence in the event that there were members that

had not seen it. Leadership noted that the coverage highlighted the timeliness and importance of Advisory Group discussions and the desire for input from the community in anticipation of and during decision-making processes. Leadership also noted that the King County Executive has made a focus on the environment a top priority for the County, and the Clean Water Plan is an important component of that initiative. In response to opening remarks by DNR leadership, individual members provided their observations and as a result differing perspectives are reflected in the following list:

- Given the complexity and technical aspects of the subject matter in the Clean Water Plan, it is important for continued press coverage and educational outreach to elevate understanding within the community.
- There is merit in the planning process looking to prioritize water quality investment actions. However, it would be helpful for the planning process to be precise about which actions are legally required and which actions are not to maintain clarity between the two categories of potential actions.
- It is important for this process to be actively engaged with regulators (e.g., U.S. EPA Region 10, Department of Ecology) and Tribes in any conversation about prioritization within the context of legally required actions.
- Regulatory requirements should not be optional, and the prioritization of water quality investments should not substitute and mix regulatory and non-regulatory actions.
- There is concern that the Advisory Group process is being used to cover and absolve the County regarding regulatory requirements. The Clean Water Plan should be effective and optimized, but the need for new information and the possibility of a more optimal option should not be used as a rationale for not moving forward. Regulation is meant to even the playing field and deliver the greatest water quality benefits. It is strongly advised that the County not divorce itself from regulatory requirements.
- Equity should be central to Clean Water Plan considerations. When affordability is discussed, the evaluation should contain more complexity than the identification of the cheapest and/or greatest water quality benefit overall and should consider when actions may result in inequity to a specific community or area within the region. For example, it may be cheaper to do a water quality improvement project in Madison Valley, rather than a more complex project in South Park, but the potential benefits from the more complex project might outweigh other investment options.
- Cultural impacts and the ways in which actions interact with or impact people's relationship and access to trees and food should be considered in each decision area.

The County shared the following perspectives in response to these observations:

- The County staff is working with regulators and Tribes through the proper channels. Some regulators and tribes have asked to be engaged in specific and different ways. Activities for engagement include conversations with regulators; tribal engagement through the County's Tribal Liaison, who attends Advisory Group meetings; and representation of the Department of Ecology (the primary regulator for WTD) on the Advisory Group. All of these groups have been asked to keep an open mind as the process considers the full range of options.
- The scale and scope of discussions is large and the regulatory framework in the region is complex.

- Given the desire to provide an opportunity for input, the Advisory Group has been brought together to advise on the process before the King County Executive and Council move into decision-making.
- The County is working to avoid an outcome in which the County complies with all regulatory requirements and regional water quality does not significantly improve. The County intends to comply with regulations but while looking at options that could improve water quality outcomes faster there may be considerations of possibly changing regulations or changing how the regulations are implemented.

Advisory Group Feedback: Decision Areas and Key Questions

To begin a conversation on the decision areas and key questions being answered as part of the Clean Water Plan, the County staff reviewed the content of slide 3 in the briefing packet. In response to a question about how the eight decision areas were developed, the County shared that they reviewed demands and needs of the WTD system paired with the authority and influence of the County to develop the areas. Other themes, such as equity and climate change, are meant to be integrated throughout all the decision areas and actions related to them.

The Advisory Group engaged in a back and forth discussion about the nature of the decision areas and as that conversation evolved, members discussed the desire to elevate certain categories (e.g., equity), while some areas were viewed as having a divergent nature from others listed (e.g., finance). Some members expressed a desire to see certain decision areas (e.g., asset management) more embedded across the other decision areas to more accurately reflect their interdependent nature. Advisory Group members discussed the merit of a matrixed approach to ensure a more holistic consideration of the complex nature of the decisions. In addition to this discussion, individual Advisory Group member observations included the following:

- Throughout the decision areas, questions seem to be framed within the context of cost. Greater consideration should be placed on framing the potential benefits (e.g., water quality; human, habitat, fish outcomes, ecosystem benefits) of potential actions, as the benefits are at the central purpose for preparing the Plan.
- The County should consider an alternative with the long-term outcome of no wastewater discharge. Though this is likely very difficult and very expensive, it should receive some consideration as part of vetting a full range of investment options.
- There are other jurisdictions that are moving towards zero discharge and the sooner the County approaches the path of what it would take to reach zero, the less costly it will be.
- Innovative solutions should be considered and there should be room for outside of the box opportunities.
- The County is encouraged to be bold and to tackle hard problems. The County should move from considering what is possible to what is necessary.

The County staff shared the following perspectives in response to these observations:

- Within the King County context, reaching zero discharge is really, really difficult. For the County, conditions are an order of magnitude bigger in volume than for other utilities in the area considering zero discharge, such as LOTT and Kitsap County. For example, the County's system treats approximately 180 million gallons of sewage a day and during rain events that number increases,

the land requirement for that zero discharge of that amount of water is unrealistic. This becomes even more challenging when considered within the context of growing densification.

- The County indicated a willingness to examine the land area requirements of such an action.

Advisory Group Feedback: Moving from Decision Areas to Potential Actions

To begin a conversation on the process to move from decision areas towards identifying and evaluating actions as part of the Clean Water Plan, the County reviewed the content of slides 4-7 in the briefing packet. The County staff noted that as a final product, the Clean Water Plan is not just one item, but will be made up of a series of policies, programs, and projects that guide individual actions and approaches. Some aspects of the Plan may outline a position for the County when, for example, the action is beyond the scope or ability of the County to act or to act on its own. For example, to encourage the use of decentralized systems, the County may develop a policy around encouraging cities within the service area to adopt standards for onsite systems in new construction.

The Advisory Group engaged in a back and forth discussion about the four elements of scope guidance (i.e., Authority/Influence, Potential Financial Impact, Potential Water Quality Benefit, Key Differentiator). Some Advisory Group members indicated that the scope guidance used to identify actions should be expanded beyond the four listed to include other key guidance considerations, such as equity, resiliency, compliance/regulatory, treaty commitments, and climate.

In response to this overview, individual Advisory Group member observations included the following:

- The scope guidance of water quality benefit is too narrow and could be expanded to examine different aspects of water quality, such as human health and habitat restoration.
- In response to the decentralized systems example, the County should also consider additional ways it can support the uptake of those systems, such as partnering with King County Public Health resources to work with cities within the service area to develop the policies needed for implementation.
- The County should consider ways it can accelerate the uptake of innovation opportunities. One approach may be the development of pilot programs or innovation zones where solutions can be tested, and lessons can be learned. There are many barriers to innovation, and pilots are well suited to help untangle and understand those barriers.
- The County has the opportunity to play a convening role to engage across work to do things differently. This may mean that the County is not the implementer, but rather the convener of innovation around an initiative.
- The County consider picking a partnership area to pilot, improve performance, and increase collaboration. This also provides the County with an opportunity to more fully understand the full cost and benefit of a specific approach.

As part of the discussion on the process overview, discussions also included observations relevant to the treatment plant actions that were included as examples:

- As the region anticipates growth in the upcoming years, areas like the eastside (of County service area) will continue to be transformed. This growth presents an opportunity to consider a different

approach to development. The County can play an important role as a convener in this context to move policies forward and create a framework for working across sectors.

- The long-term maintenance of new development will become a major issue, and there is a need to ensure stormwater runoff from those sites is being managed properly. Given limited resources, such as land, decisions made for treatment options have direct implications for other important issues, such as the availability of housing. This interconnectedness of issues should be explored and made clearer in the consideration process.

During the discussion, the County staff noted that the scope guidance is an initial step (Step 2, Slide 7) in the process to determine if an action rises to the appropriate level of consideration for the plan and that further in the process (Step 5, Slide 7), the County staff will evaluate the benefits and impacts of each action at a much greater level of detail.

Advisory Group Feedback: Asset Management, Resiliency, and Redundancy

To begin a conversation on potential actions related to asset management, resiliency, and redundancy the County reviewed the content of slides 9-10 and 14-17 and in the briefing packet. After the County provided this overview, Advisory Group members asked the County to provide additional details on the level of risk currently accepted as County policy. The County noted that given the age of the infrastructure, it is anticipating that maintenance needs and investments will not be linear and, with that in mind, the County is looking to better understand what the community sees as an acceptable level of risk in the future.

In response to this overview, individual Advisory Group member observations included the following:

- The considerations listed could be improved by including the rationale or outcome (the goals that the actions support) for engaging in that action.
- Asset management and resiliency are distinct enough that perhaps they should be considered separately.
- Projections for future risk and adaptability should also be considered in addition to current risk.
- When considering potential actions, the County should consider a greater emphasis on the risks posed by climate change to asset management, resiliency, and redundancy.
- All capital investments should build maintenance into the long-term cost and should aim to be more proactive rather than reactive. This planning process may want to consider the precautionary principle used in public health to err on the side of safeguarding of human health.
- The County should consider how it can reframe concepts that are abstract (e.g., discharge) into communications that easily convey the impact on people's daily lives.
- The County may want to consider transitioning away from the phrase "level of risk" to "level of service" as this may provide an easier way to convey the intent of the key question with the broader community.
- The County should look to make a concerted effort to elevate understanding in the community on the subject of asset management. Though asset management is a significant portion of overall spending, it is often underappreciated and invisible to the broader community. It is critical to proactively drive a conversation with the public and decision-makers about maintenance.

- The topic of asset management should be framed in a way that allows people to understand where the money comes from and the impact of a potential investment on utility bills. This makes more sense to the broader community and is important when talking about what individuals are willing to support in terms of investments.
- The County may consider elevating the issue and cost of maintenance by placing an indicator on their webpage.
- Other jurisdictions with systems older than our region may provide valuable lessons on how to manage our assets. The County should look to better understand the asset management of these systems.
- Given the overall reduction of federal funding for drinking water and wastewater systems, the County and the region should work with federal partners to ensure that any future infrastructure resources include water infrastructure.

Advisory Group Feedback: Legacy Pollution

To begin a conversation on potential actions related to legacy pollution, the County reviewed the content of slides 9-10 and 20-22 in the briefing packet. The County noted that it is currently active in legacy pollution cleanup in the Lower Duwamish, and the East Waterway. Additionally, the County noted the complexity of actions within the context of freshwater standards that are not yet stabilized and indicated a desire to hear from the Advisory Group members on how to be proactive in the absence of standards in priority habitat areas.

In response to this overview, individual Advisory Group member observations included the following:

- It would be helpful for the Advisory Group to understand:
 - the relative investments on legacy pollution, asset management, and other investments
 - the location of legacy pollution in critical areas and the broader geography
 - the potential benefit of legacy pollution cleanup
 - whether or not current activities are actively contributing to legacy pollution
- The County should consider adding compliance and regulatory requirements into the list of actions. For example, there is an ongoing Model Toxics Control Act board that will evaluate sediment management standards in 2021.
- The Advisory Group and Clean Water Plan team should better understand the distinct chemicals and their pathways. Additional information on this topic is included in the [Department of Ecology Report: Control of Toxic Chemicals in Puget Sound](#) (2011).
- Toxic chemicals are often in low income communities and communities of color. The state equity taskforce may have additional guidance on environmental cleanups that could be considered as part of this Plan.
- Considerations should be expanded beyond outfalls and consider addressing sources and the potential for recontamination.
- Habitat and siting within industrial vs. non-industrial areas is an important element of consideration when determining target levels of cleanup and restoration.
- The Plan should consider what outcomes trying to achieve (e.g., public health, aquatic organisms, critical habitat areas, pinch points in habitat availability, salmon survival rates) to determine what to tackle.

Attendees

Advisory Group

NAME	Title	Organization	Attendance 12/26
Monty Anderson	Building Trades Board Member	King County Labor Council/Building Trades	Absent
Heather Bartlett	Water Quality Program Manager	Department of Ecology	Absent
Josh Brown	Executive Director	Puget Sound Regional Council	Present
Caia Caldwell	External Relations Manager	Master Builders Association of King and Snohomish Counties	Present
Jeff Clarke	General Manager	MWPAAC - Alderwood Water and Wastewater District	Present
Adrian Dominguez	Scientific Director	Urban Indian Health Institute	Absent
Dave Gering	Executive Director	Manufacturing Industrial Council	Absent
Jessie Israel	Puget Sound Director	The Nature Conservancy	Absent
Jay Manning	Board Chair; Vice Board Chair	Puget Sound Partnership	Present
David Mendoza	Legislative and Government Affairs Director	Front and Centered	Absent
Bud Nicola	Affiliate Professor	University of Washington	Present
Ben Packard	Executive Director	Earthlab, University of Washington	Present
Mindy Roberts	Puget Sound Program Director	Washington Environmental Council	Present
Anne Udalo	Board Member	League of Women Voters	Absent
Leslie Webster	Drainage and Wastewater System Planning Program Manager	MWPAAC – Seattle Public Utilities	Present
Wade Wheeler	Environment, Health, and Safety Senior Leader	Boeing	Present
Ken Workman	Former Council Member	Duwamish Tribe	Absent

King County and Clean Water Plan Staff

NAME	TITLE
Christie True	DNRP Director
Mark Isaacson	WTD Division Director
Josh Baldi	Water and Land Resources Division Director
Sonia-Lynn Abenojar	Clean Water Plan Regional Engagement Project Manager
Steve Tolzman	Clean Water Plan Program Manager and Planning Project Manager
Tiffany Knapp	Clean Water Plan Planning Project Manager and Alternate Program Manager
Sue Kaufman-Una	Planning & Project Resources Unit Manager
Abby Hook	Environmental Affairs Officer

Joe Hovenkotter	Tribal Government Relations Officer
Inge Wiersema	Carollo Engineers – Clean Water Plan Consultant
Ian McKelvey	Brown and Caldwell – Clean Water Plan Consultant

Facilitators – Ross Strategic

NAME	TITLE
Rob Greenwood	Principal
Sarah Shadid	Senior Associate