



Clean Water Plan Advisory Group

Meeting #5 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 fifth meeting of the Clean Water Plan Advisory Group took place on March 24, 2020 virtually, through a web-based conference call. Meeting #5 objectives were to:

- Present and discuss the range of water quality outcomes and performance King County intends to explore through the Clean Water Plan
- Provide Advisory Group members with an overview of current WTD financial considerations within the Clean Water Plan context

In advance of the meeting, Advisory Group members were provided a briefing document that contained the following:

- Clean Water Plan milestones and activities to date
- Key decision areas
- Potential outcomes to be evaluated
- Performance ranges and potential actions being considered
- WTD Financial Overview and Clean Water Plan Considerations

The briefing document also included a set of appendices that provided additional context on these items. This meeting summary provides non-attributed highlights from the presentations and discussions from the March 24, 2020 meeting.

Land Acknowledgement & Opening Remarks

Department of Natural Resources and Parks (DNRP) leadership opened the meeting with a welcome and an acknowledgement that though we met virtually, many participants were calling in while located

on the traditional land of Duwamish People and expressed gratitude for Coast Salish People, past and present.

Next, DNRP leadership observed that the King County Executive had published an [Opinion Piece](#) in the Seattle Times on January 15, 2020 relevant to the Clean Water Plan. The Op-Ed focused on the Executive's vision for enhancing our Region's approach to protecting clean water and habitat – taking the form of the "Clean Water, Healthy Habitat" initiative. The Op-Ed, and the Clean Water, Healthy Habitat initiative, highlights the need to address the estimated 118 billion gallons of polluted stormwater that washes directly into our waterways each year.

DNRP leadership acknowledged that the vision outlined in the Op-Ed is bold, complicated, and challenging to pursue in light of the current institutional, governance, financing, and regulatory enabling environment. With that in mind, DNRP leadership expressed concern that a future rooted in current business as usual practices will result in inadequate water quality improvements to achieve the community's aspirations for clean water, public health, equity, and healthy ecosystems. DNRP leadership expressed their intent to take a flexible look at options, and an interest in delivering equivalent or higher water quality outcomes to the region.

DNRP leadership reminded the Advisory Group that the County has made a request to Ecology to examine current CSO control program obligations and noted that the timing of this request was driven by an impending compliance deadline. The County will be in discussions with Ecology that will run in parallel with the Clean Water Plan process.

DNRP leadership noted that the key decision areas and potential actions in the Plan support this exploration of the available options for obtaining bigger environmental benefits in a shorter amount of time. Billions will be spent on water quality improvements and wastewater treatment services, and the Plan reflects the understanding that choices and trade-offs are an inherent part of investing for the future. DNRP leadership stated that the County is committed to enhancing water quality and making effective use of the public resources entrusted to it.

DNRP leadership noted that through the Plan, the County is taking a balanced approach to considering a full range of alternative actions to allow for an effective, informed, and fair comparison across investments in additional wastewater treatment capacity, enhanced stormwater capture and treatment, as well as other needed investments to support sewer system reliability and resilience.

In response to opening remarks by DNRP leadership, individual members provided their individual observations and, as a result, differing perspectives are reflected in the following list:

- The Op-Ed may leave the impression that CSOs relate only to stormwater, when in fact they are a raw sewage discharge containing a variety of pollutants including industrial discharge wastes and human pathogens.
- The King County conversations with Ecology and US Environmental Protection Agency and US Department of Justice regarding modifications to the CSO Consent Decree are taking place under a confidentiality agreement.
- Questions were raised about the relationship between the Clean Water Plan development process and the confidential discussion with Ecology.

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

- The County is committed to exploring the full range of potential actions through the Clean Water Plan process to ensure there is a complete understanding of the full picture before decisions are made. The Clean Water Plan is DNRP's primary means for identifying, analyzing, and vetting all regional water quality investment options, including CSO investments. In this context, the planning effort will help inform deliberations with the Department of Ecology. Overall, the County team is committed to engaging in open conversations about the regional water quality investment options being explored, and the County intends to share as much as possible during the planning process while being compliant with the confidentiality agreement.

Advisory Group Feedback: Clean Water Plan Milestones & Activity to Date

During this first session of the meeting, the County provided an overview of Clean Water Plan milestones and activities to date. County staff walked members through the updated planning process timeline indicating the current expectation that the planning process will wrap up between second and third quarter of 2021 with the identification of a preferred alternative investment approach. Advisory Group members present at the meeting signaled their willingness to extend the group's charter (originally slating the group to end in the third quarter of 2020) to engage with the County through the middle of 2021.

As part of presenting the anticipated planning schedule, County staff highlighted the intent to launch a SEPA review process, with a SEPA Scoping Notice anticipated for the May – June timeframe. County staff explained the Scoping Notice will invite feedback on the different decision areas and related water quality investments under consideration in the planning process as well as the scope of the review in the environmental impact statement. Advisory Group discussion signaled support for using SEPA (a programmatic EIS) for vetting the plan, while some confusion was expressed for how the Scoping Notice will be structured in light of the current planning approach. County staff acknowledged that the planning approach poses challenges for SEPA, while the County hopes to frame the choices the region has for investing in water quality and provide specific examples of the specific investments under consideration.

Advisory Group Feedback: Action Performance Ranges and Potential Actions

To begin a conversation on the performance ranges and potential actions being considered under each key decision area, the County provided an overview of the performance ranges being explored as part of the process and provided examples of potential actions associated with each performance range. The County noted that the planning process, by design, is exploring a wide range of potential actions to inform the choices and trade-offs the region faces in pursuit of wastewater treatment services and improved water quality. This approach contrasts deliberately with planning processes that establish specific goals and then evaluate alternatives for the most effective means to get there. The Clean Water Plan planning process reflects WTD's recognition of the very complex and highly interdependent decisions it needs to make and the challenge of mixing and matching investments to produce the best overall outcomes.

During this overview, Advisory Group members asked clarifying questions about the scope of performance ranges and the associated potential actions. In response to this overview, individual Advisory Group members made the following observations.

Performance Area 1: Pollutant Load Reduction to Regional Water Bodies

- The performance ranges are sufficiently comprehensive.
- There is concern about the currency the County will use for equity and cost tradeoffs and based on whose science and how to compare tradeoffs when some of these have impacts to people outside of King County (e.g., nutrients in wastewater that show up as dissolved oxygen impacts in South Puget Sound, not King County).
- There is a desire to understand the science and basis used to ascribe value to equity in the analysis and to understand the methods that will be used to consider equity and cost tradeoffs.
- Bravo to the County for including Product Stewardship in the potential actions considered. It is difficult, but very important, necessary, and less expensive than treating contaminants of emerging concern (CECs) in the water lifecycle. Inclusion of product stewardship actions may set an example for the state.
- The County should include in the evaluation consideration of agricultural runoff from the 51,000 acres of farmland in production in King County and also include septic systems beyond the area indicated in the map used during the meeting.
- It is positive that the County is considering advanced treatment options, but reverse osmosis may not be a good example as it has a high cost and is very unlikely to be a realistic option.
 - The County readily agreed that RO was only an example, while maintaining a commitment to keep advanced treatment on the table as an option.
- It is good that septic systems are included in the considerations, and it should be noted that many of them are near the end of life. For this reason, the County should consider a policy for septic system maintenance.

Performance Area 2: Wet Weather Pollutant Management to Regional Water Bodies

- It is beneficial to include potential actions related to Green Stormwater Infrastructure.
- There is support for the inclusion of distributed stormwater treatment solutions in addition to a centralized solution.
- There are a number of tradeoffs and potential impacts to water quality to be considered during wet weather events. For example, highway runoff includes metals that cannot break down.

Performance Area 3: Risk of Failure and Resiliency: Action Performance Ranges

- Asset management is important and necessary and there should be staff dedicated to the maintenance of the wastewater treatment infrastructure in future planning.

Performance Area 4: Resource Recovery

- The Clean Water Plan should be ambitious in its commitment to recycled and reclaimed water. Climate change will result in lower water availability, and for this reason there should be the inclusion of actions that aim to take water and move it back to the watershed.
- It is positive that the County has included actions related to biosolids in the performance ranges.

Across the performance range discussion, Advisory Group members raised questions and made observations about the scope of the actions under consideration, particularly pointing out that some of

the proposed actions potentially require changes to existing institutional, governance, financing, or regulatory arrangements. One member expressed concern that the County is choosing to take a blind eye to existing obligations, particularly in the context of existing regulatory requirements. Additionally, members pointed out the challenge of comparing outcomes (and related tradeoffs) among different investments (e.g., how does the County compare tradeoffs when investments have impacts to areas outside of King County such as nutrient discharges associated with dissolved oxygen impacts in South Puget Sound). In response, the County indicated the Clean Water Plan is quite deliberately “taking the side bars off” of its current operating context in order to support a full exploration of opportunities for improving water quality. The County indicated it is very aware and intentional in its intent as to the implications certain investment actions have from an institutional and regulatory perspective, but the County hopes the region can approach the Clean Water Plan flexibly to create the opportunity to think through what the bigger options (and benefits) might be.

Advisory Group Feedback: WTD Financial Overview and Clean Water Plan Considerations

In the final session of the meeting, the County provided an overview of the WTD financial context and Clean Water Plan considerations. The Clean Water Plan seeks to pull all currently defined investments together along with examining other potential investments over the coming decades. These investment needs will result in potential rate increases to provide the revenue needed for delivering projects. The County provided an overview on current revenues, expenditures, rates, future potential water quality investments for the Advisory Group. In addition, the County noted that a critical element of the Clean Water Plan will be the evaluation of the financial requirements of the alternatives under consideration, as well as the impact these requirements will have on both household and community affordability. The specific methods for this evaluation are currently under development. During the discussion, DNRP leadership noted that some of the highest and lowest per capita communities reside within King County. The Clean Water Plan does anticipate examining options for mitigating household affordability to ensure that the impacts of decisions are considered and addressed across the varied financial landscape of the community.

During the discussion, Advisory Group membership noted that the component agencies are also undergoing long term planning during this time. This may mean that local rates may be increasing over the same period of time that is considered under the Clean Water Plan. The County noted that they are committed to working with economists and forecasters to examine the combined impact of utility bills and impacts to affordability today and in the future.

Closing Comments

At the end of the meeting, individual Advisory Group members provided the following feedback for the County:

- The County provided an overview that increased Advisory Group member understanding of the process. This is an exercise to expand consideration beyond current regulatory implications and questions to develop a very strong water quality plan for King County. That is a great goal, and it is

a good idea to use SEPA as a vehicle to effectuate the plan. It is positive that the County is thinking big with several big ideas discussed as part of the plan at this meeting.

- The County should be applauded for taking on the challenge of putting together the best plan possible, regardless of regulatory responsibility, even though that is somewhat complicated. The public cares about why we don't have clean water, not whose responsibility it is to clean it. The Public want to know that we are fixing the problem in the most affordable way possible. Thanks for making a complex, integrated approach, understandable.
- Excellent meeting - I have a much better understanding of where we're headed. Thanks, everyone.

Attendees

Advisory Group

NAME	Title	Organization	Attendance 3/24
Monty Anderson	Building Trades Board Member	King County Labor Council/Building Trades	Absent
Josh Brown	Executive Director	Puget Sound Regional Council	Present
Caia Caldwell	External Relations Manager	Master Builders Association of King and Snohomish Counties	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	Present
Jay Manning	Board Chair; Vice Board Chair	Puget Sound Partnership	Present
Ben Marre	Drainage & Wastewater Planning and Program Management Division Director	Seattle Public Utilities	Present
John McClellan	Engineering and Development Director	Alderwood Water and Wastewater	Present
Rachel McCrear	Water Quality Program Manager	Department of Ecology	Present
David Mendoza	Legislative and Government Affairs Director	Front and Centered	Present
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
Heather Sheffer	Environmental Strategy	Boeing	Present
Anne Udalo	Board Member	League of Women Voters	Present
Ken Workman	Former Council Member	Duwamish Tribe	Present

King County and Clean Water Plan Staff

NAME	TITLE
Christie True	DNRD 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
Abby Hook	Environmental Affairs Officer
Joe Hovenkotter	Tribal Government Relations Officer

Ian McKelvey	Brown and Caldwell – Clean Water Plan Consultant
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Facilitators – Ross Strategic

NAME	TITLE
Rob Greenwood	Principal
Sarah Shadid	Senior Associate
Tori Bahe	Research Associate