

**MWPAAC RWSP Policy Review Task Force  
Discussion/Proposed Amendments  
Wastewater Services Policies  
WORKING DRAFT**

Existing Wastewater Services Policies K.C.C 28.86.110	Task Force Proposed Amendments as of May 29, 2015	Task Force Comments/Discussion	Subcommittee and full MWPAAC Comments
<p>A. Explanatory material. The wastewater services policies guide the county in both providing wastewater services to its customers and maintaining the wastewater system in a cost-effective, environmentally responsible manner. These policies shall also guide King County’s development and operation of community treatment systems. King County provides wholesale wastewater treatment and disposal service to component agencies. The county’s wastewater service area boundary generally coincides with the boundaries of these component agencies, including certain areas in Snohomish county and Pierce county. The county is to provide wastewater services to areas within the respective urban growth boundaries and in rural areas only to protect public health and safety, in conformance with state provisions and local growth management act policies and regulations.</p>	<p>A. Explanatory material. <del>((The wastewater services policies guide the county in both providing wastewater services to its customers and maintaining the wastewater system in a cost-effective, environmentally responsible manner. These policies shall also guide King County’s development and operation of community treatment systems.))</del></p> <p>King County provides wholesale wastewater treatment and disposal service to component agencies. <u>King County’s wastewater service area generally has been developed along those boundaries adopted in the original metropolitan Seattle sewerage and drainage survey, substantive portions of which were adopted as the county’s comprehensive water pollution abatement plan and subsequent amendments. The service area boundary</u> generally coincides with the boundaries of the<del>((se))</del> component agencies, including certain areas in Snohomish county and Pierce county. The county <del>((is to))</del> provides wastewater services to areas within the respective urban growth boundaries. <del>((and in))</del> <u>Sewer service in</u> rural areas <u>is limited to</u> only <del>((to))</del> protect public health and safety, in conformance with state provisions and local growth management act policies and regulations.</p>	<p><i>May 29, 2015 discussion:</i> There was discussion on whether or not more specifics are needed around sewer service in rural areas – to reflect all three counties (King, Snohomish, Pierce); the Task Force members suggested the updated language is sufficient, as it requires conformance with applicable state and local growth management act policies and regulations.</p> <p><i>May 12, 2015 discussion:</i> There were questions on the need to refer to the 1958 plan (metropolitan Seattle sewerage and drainage survey), and there were questions on the last sentence about sewer service in rural areas and if the word “only” is needed or not.</p> <p><i>WTD staff has asked its legal experts about reference to the 1958 plan and hope to have a response by May 29 meeting.</i></p> <p><i>April 23, 2015 discussion:</i> Task Force members mentioned that it might make sense to move portions of WWSP-4 to the explanatory material. Members also wondered if referral to the original sewerage and drainage survey and comprehensive plan is necessary.</p> <p><i>WTD staff is checking with its legal experts on whether or not there is a legal reason to reference these documents.</i></p>	<p><i>The policies the Task Force proposed were approved by full MWPAAC at its June 24, 2015 meeting.</i></p> <p><i>June 4, 2015 E&amp;P subcommittee discussion:</i> There were no comments or suggested changes to the Wastewater Services Policies.</p>
<p>WWSP-1: King County shall provide wastewater services to fulfill the contractual commitments to its component agency customers in a manner that promotes environmental stewardship, recognizes the value of wastewater in the regional water resource system and reflects a wise use of public funds.</p>	<p>WWSP-1: King County shall provide wastewater services to fulfill the contractual commitments to its component <u>agencies.</u> <del>((agency customers in a manner that promotes environmental stewardship, recognizes the value of wastewater in the regional water resource system and reflects a wise use of public funds.))</del></p>	<p><i>April 23, 2015 discussion:</i> The Task Force suggested shortening this policy.</p>	
<p>WWSP-2: King County shall continue to foster tribal relations as appropriate to structure processes for joint water quality stewardship.</p>	<p><del>((WWSP-2: King County shall continue to foster tribal relations as appropriate to structure processes for joint water quality stewardship.))</del></p>	<p><i>April 23, 2015 discussion:</i> The Task Force suggested deleting this policy in this policy section and felt that WQPP-1 meets the intent of the policy, if tribes are added to that policy, and the Task Force will bring this up with full MWPAAC in May since MWPAAC already approved the Water Quality Protection policies.</p> <p>Based on this discussion, WQPP-1 would read as: WQPP-1: The county’s wastewater division shall continue to work with <u>tribes</u> and other county, local, and state agencies in anticipating, identifying and/or resolving water</p>	

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		quality issues or impacts associated with wastewater functions.	
WWSP-3: King County shall not accept additional wastewater directly from private facilities within the boundaries of a component agency without the prior written consent of such component agency.	WWSP-((3)) <u>2</u> : King County shall not ((accept)) <u>approve any new requests for the county to act as a direct provider to private facilities</u> ((additional wastewater directly from private facilities)) within the boundaries of a component agency without the prior written consent of such component agency.	<p><i>May 29, 2015 discussion:</i> The Task Force updated the language to clarify that the reference is to the county serving as a direct provider.</p> <p><i>April 23, 2015 discussion:</i> The Task Force suggested the language changes shown to better clarify the policy. The Shorewood Apartment Complex in Mercer Island was cited as an existing example.</p>	
WWSP-4: King County’s wastewater service area generally has been developed along those boundaries adopted in the original metropolitan Seattle sewerage and drainage survey, substantive portions of which were adopted as the county's comprehensive water pollution abatement plan and amended. King County's wastewater service area consists of the service areas of the component agencies with which a sewage disposal agreement has been established (agreement for sewage disposal, section 2) and the county's service area boundary is the perimeter of these areas. The service area boundary for sewer service provided to Snohomish county and Pierce county shall not exceed each county’s urban growth boundary. The service area boundary within King County shall be consistent with countywide planning policy CO-14 and the King County Comprehensive Plan which permit sewer expansion in rural areas and resource lands where needed to address specific health and safety problems. To protect public health and safety, the county may assume in accordance with state procedures, the ownership of existing sewer treatment and conveyance facilities that have been constructed by a sewer district organized under state law.	WWSP-((4)) <u>3</u> : ((King County’s wastewater service area generally has been developed along those boundaries adopted in the original metropolitan Seattle sewerage and drainage survey, substantive portions of which were adopted as the county's comprehensive water pollution abatement plan and amended. King County's wastewater service area consists of the service areas of the component agencies with which a sewage disposal agreement has been established (agreement for sewage disposal, section 2) and the county's service area boundary is the perimeter of these areas. The service area boundary for sewer service provided to Snohomish county and Pierce county shall not exceed each county’s urban growth boundary. The service area boundary within King County shall be consistent with countywide planning policy CO-14 and the King County Comprehensive Plan which permit sewer expansion in rural areas and resource lands where needed to address specific health and safety problems.)) To protect public health and safety, the county may assume, in accordance with state procedures, the ownership of existing sewer treatment and conveyance facilities that have been constructed by a sewer ((district)) <u>agency</u> organized under state law.	<p><i>April 23, 2015 discussion:</i> Some Task Force members wondered if most of the content of this policy belongs in the explanatory material. Others mentioned bulleting the policy and simplifying it. Others mentioned having the policy focus on the last sentence.</p> <p><i>Most of the content in the portion struck out is in the explanatory material.</i></p>	
WWSP-5: Extensions existing conveyance facilities or construction of new conveyance facilities must be consistent with King County’s land use plans and policies, and certified by potentially affected land use jurisdictions as consistent with their adopted land use plans and policies.	WWSP-((5)) <u>4</u> : Extensions of <u>King County</u> existing conveyance facilities or construction of new <u>King County</u> conveyance facilities must be consistent with King County’s land use plans and policies <u>and should be consistent with other affected agencies’</u> land use plans and policies((, and certified by potentially affected land use jurisdictions as consistent with their adopted land use plans and policies)).	<p><i>May 29, 2015 discussion:</i> There was discussion on whether or not reference to “King County” is necessary. The Task Force decided to keep the reference.</p> <p><i>April 23, 2015 discussion:</i> There were comments that this policy should be specific to King County facilities. Others asked about the history of this policy.</p> <p><i>WTD staff did some preliminary research on this policy and found the following:</i></p>	

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		<ul style="list-style-type: none"> <li>The proposed policy in the 1998 Executive’s Preferred Plan referred to King County facilities</li> <li>The policy is in accordance with King County Ordinance 4266, which was approved in 1979 and is still in effect</li> <li>The policy is in accordance with Metro Resolution 2933, which was approved in 1978 and requires land use certification by King County of proposed connections to Metro facilities</li> <li>Some WTD staff experts noted reference may no longer be needed, as the resolution and ordinance were developed pre-Growth Management Act (GMA), and the GMA and corresponding land use laws now cover the intent of this policy.</li> <li>WTD staff is consulting its legal experts on this topic.</li> </ul>	
WWSP-6: King County shall operate and maintain its facilities to protect public health and the environment, comply with regulations and improve services in a fiscally responsible manner.	<del>((WWSP-6: King County shall operate and maintain its facilities to protect public health and the environment, comply with regulations and improve services in a fiscally responsible manner.))</del>	<p><i>April 23, 2015 discussion:</i></p> <p>The Task Force suggested deleting this policy. The intent is captured elsewhere.</p>	
WWSP-7: King County shall plan, design and construct wastewater facilities in accordance with standards established by regulatory agencies and manuals of practice for engineering.	<del>((WWSP-7: King County shall plan, design and construct wastewater facilities in accordance with standards established by regulatory agencies and manuals of practice for engineering.))</del>	<p><i>April 23, 2015 discussion:</i></p> <p>The Task Force suggested deleting this policy. There was discussion that the intent of this policy is captured through other laws and standards that have to be followed.</p>	
WWSP-8: King County shall construct, operate and maintain facilities to prevent raw sewage overflows and to contain overflows in the combined collection system. In the event of a raw sewage overflow, the county shall initiate a rapid and coordinated response including notification of public health agencies, the media, the public and the affected jurisdiction. Preserving public health and water quality shall be the highest priority, to be implemented by immediately initiating repairs or constructing temporary diversion systems that return flow back to the wastewater system.	WWSP- <del>((8))</del> 5: King County shall construct, operate and maintain facilities to prevent <del>((raw sewage))</del> <u>sanitary sewer</u> overflows <del>((and to contain overflows in the combined collection system))</del> . In the event of a <del>((raw))</del> <u>sanitary</u> sewage overflow, the county shall initiate a rapid and coordinated response including notification of public health agencies, the media, the public and the affected jurisdiction. Preserving public health and water quality shall be the highest priority, to be implemented by immediately initiating repairs or constructing temporary diversion systems that return flow back to the wastewater system.	<p><i>April 23, 2015 discussion:</i></p> <p>Task Force members suggested replacing “raw sewage” overflows with “sanitary sewer” overflows, and eliminating the last portion of the sentence.</p>	
WWSP-9: To ensure the region’s multibillion-dollar investment in wastewater facilities, an asset management program shall be established that provides for appropriate ongoing maintenance and repair of equipment and facilities. The wastewater maintenance budget, staffing levels and priorities shall be developed to reflect the long-term useful life of wastewater facilities as identified by the asset management program.	<del>((WWSP-9: To ensure the region’s multibillion-dollar investment in wastewater facilities, an asset management program shall be established that provides for appropriate ongoing maintenance and repair of equipment and facilities. The wastewater maintenance budget, staffing levels and priorities shall be developed to reflect the long-term useful life of wastewater facilities as identified by the asset management program.))</del>	<p><i>April 23, 2015 discussion:</i></p> <p>This policy intent is incorporated in the asset management policies developed by the Task Force.</p>	
WWSP-10: The asset management program shall establish a wastewater facilities assets management plan, updated	<del>((WWSP-10: The asset management program shall establish a wastewater facilities assets management plan,</del>	<p><i>April 23, 2015 discussion:</i></p> <p>This policy intent is incorporated in the asset management</p>	

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annually, establishing replacement of worn, inefficient and/or depreciated capital assets to ensure continued reliability of the wastewater infrastructure.	<del>updated annually, establishing replacement of worn, inefficient and/or depreciated capital assets to ensure continued reliability of the wastewater infrastructure.))</del>	policies developed by the Task Force.	
WWSP-11: King County shall design, construct, operate and maintain its facilities to meet or exceed regulatory requirements for air, water and solids emissions as well as to ensure worker, public and system safety.	WWSP-((11)) <u>6</u> : King County shall design, construct, operate and maintain its facilities (( <del>to meet or exceed regulatory requirements for air, water and solids emissions as well as</del> )) to ensure worker, public and system safety.	<i>April 23, 2015 discussion:</i> Task Force members suggested changing this to a policy on safety.	
WWSP-12: King County shall accept sewage, septage and biosolids from outside its service area provided that it is consistent with the King County Comprehensive Plan or the comprehensive plan of the source jurisdiction, capacity is available and no operating difficulties are created. The county shall establish a rate to recover costs from accepting sewage, septage and biosolids from outside its service area.	WWSP-((12)) <u>7</u> : King County shall accept sewage, septage and biosolids from outside its service area provided that (( <del>it is consistent with the King County Comprehensive Plan or the comprehensive plan of the source jurisdiction,</del> )) capacity is available <u>both for treatment and conveyance</u> and no operating difficulties are created. The county shall establish a rate to recover costs from accepting sewage, septage and biosolids (( <del>from outside its service area</del> )).	<p><i>May 29, 2015 discussion:</i> There was discussion on if this policy provides local agencies enough protection – could the policy cause a capital improvement that ratepayers would have to fund because of the acceptance of sewage, septage, etc. Others felt that the way it is written would not cause a capital improvement need. If there isn’t capacity, the county could not accept it, and if capacity needs increase because of a vendor, the costs would have to be incurred by the vendor. It was also noted that acceptance of certain products could improve the treatment process, such as brown grease.</p> <p><i>May 15, 2015 discussion:</i> There was a question on whether or not this policy should say “WTD shall accept” in place of “King County shall accept”.</p> <p><i>April 23, 2015 discussion:</i> Task Force members suggested deleting the second reference “from outside its service area”, and asked for information on the history of this policy.</p> <p><i>WTD staff could not find anything in the King County Comprehensive Plan about the subject of this policy. King County Code Chapter 28.84 provides some provisions for disposal of materials from septic tanks and chemical toilets into the metropolitan sewage system.</i></p>	<p><i>June 24, 2015 full MWPAAC discussion:</i> The following questions were asked:</p> <ul style="list-style-type: none"> <li>• Should we add stronger language on regulatory requirements?</li> <li>• Should we also add FOG (Fats, Oils, and Grease) to the list of products in relation to the Interagency Resource for Achieving Cooperation Preferred Pumper Program (IRAC PPP)</li> </ul>
WWSP-13: King County shall identify the potential for “liability protection” for component agencies for unexpected costs associated with water quality requirements.	<del>((WWSP-13: King County shall identify the potential for “liability protection” for component agencies for unexpected costs associated with water quality requirements.))</del>	<p><i>April 23, 2015 discussion:</i> Task Force members suggesting deleting this policy. WTD staff noted that the policy is no longer relevant. It was developed in 1999, soon after Chinook salmon was listed as a threatened species under the Endangered Species Act. There was discussion that if the County were to do a Habitat Conservation Plan (HCP) for the entire wastewater service area, there might be a way for the local agencies to achieve “liability protection” under WTD’s HCP. WTD discontinued the work on the HCP in April 2005 after the first phase was completed.</p>	

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WWSP-14: King County shall continue its long-standing commitment to research and development funding relating to water quality and technologies for the wastewater system.	<del>((WWSP-14: King County shall continue its long-standing commitment to research and development funding relating to water quality and technologies for the wastewater system.))</del>	<i>April 23, 2015 discussion:</i> Task Force members suggested moving this policy to the sustainability and innovations section. <i>WTD staff moved it to that section.</i>	
WWSP-15: King County will consider development and operation of community treatment systems under the following circumstances: 1. The systems are necessary to alleviate existing documented public health hazards or water quality impairment; 2. Connections to public sewers tributary to conventional wastewater treatment facilities are not technically or economically feasible; 3. Installation of on-site septic systems is not technically feasible; 4. Properties to be served by said systems are within the jurisdiction and service area of a local government authority authorized to provide sewer service; 5. The local sewer service provider agrees to own and operate the collection system tributary to the community treatment system; 6. Development of the community systems and provision of sewer service are consistent with all applicable utility and land use plans; and 7. Public sewer extensions shall be in compliance with King County Comprehensive Plan Policy F-313 as in effect on March 11, 1999.	WWSP- <del>((15))</del> 8: King County will consider development and operation of community treatment systems under the following circumstances: 1. <u>Where a local sewer service provider is unable or unwilling to provide service;</u> <u>2.</u> The systems are necessary to alleviate existing documented public health hazards or water quality impairment; <del>((2))</del> 3. Connections to public sewers tributary to conventional wastewater treatment facilities are not technically or economically feasible; <del>((3))</del> 4. Installation of on-site septic systems is not technically feasible; <del>((4))</del> 5. Properties to be served by said systems are within the jurisdiction and service area of a local government authority authorized to provide sewer service; <del>((5))</del> 6. The local sewer service provider agrees to own and operate the collection system tributary to the community treatment system; <del>((6))</del> 7. Development of the community systems and provision of sewer service are consistent with all applicable utility and land use plans; and <del>((7))</del> 8. Public sewer extensions shall be in compliance with <u>all applicable</u> King County <u>policies and regulations.</u> <del>((Comprehensive Plan Policy F-313 as in effect on March 11, 1999))</del> .	<i>May 12, 2015 discussion:</i> <ul style="list-style-type: none"><li>One member wondered if this policy is saying that King County is the receiver of a failed system, similar to water; or is this similar to the sewer side of water satellite system management.</li><li>There was general agreement that it would be good to add a statement that clarifies that one of the conditions before King County would act in this situation is that the local sewer provider would be unable or unwilling to provide service in such situations.</li></ul> <i>April 23, 2015 discussion:</i> Task Force members suggested including the definition of “community treatment systems”.	