## STAFF REPORT

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| **Agenda Item:** | 7 | **Name:** | Mike Reed |
| **Proposed No**.: | 2017-0429.2 | **Date:** | December 5, 2017 |

**SUBJECT**

Proposed Ordinance 2017-0429 would require implementation of the recommendations of the West Point Treatment Plant Independent Assessment Final Report, as well as the requirements of the Administrative Order issued by the Washington Department of Ecology in response to the February 9, 2017, System Failure at the West Point Treatment Plant.

**SUMMARY**

Pursuant to Council Motion 14826, which was approved on March 13, 2017, an Independent Assessment Final Report on the February 9, 2017 system failure that occurred at the West Point Treatment Plant was prepared and transmitted. Additionally, the Washington Department of Ecology has issued a penalty and administrative order associated with the system failure. The administrative order delineates corrective actions required of the County.

Motion 14826 also provides that the Council, by subsequent action, is to provide for reporting on the implementation of the recommendations of the Independent Assessment.

Proposed Ordinance 2017-0429, which was dually referred to the Regional Water Quality Committee and the Transportation, Economy and Environment Committee, provides for the development of an implementation plan for the recommendations of the Independent Assessment and the requirements of the Ecology administrative order; for reporting on implementation; and for review of implementation progress by the County Auditor.

The Regional Water Quality Committee approved Proposed Ordinance 2017-0429 on November 1, 2017, after approving an amendment to remove duplicative language.

**BACKGROUND**

**West Point Treatment Plant Independent Assessment Final Report**

In response to the February 9, 2017, system failure that occurred at the West Point Treatment Plant, the Council approved Motion 14826, requiring an independent assessment of the causes and consequences of the system failure. The Independent Assessment Final Report was transmitted to Council on July 18, 2017. The Report provides four summary recommendations in response to key findings of the report. Those recommendations include addressing the initiation of a Life Safety Management system to strengthen maintenance and operations; enhanced emergency management training; a strategic plan to address short- and long-term plant improvements; and improvements to enhance plant capacity. In addition to the summary recommendations, the report includes an extended list of mitigation strategies to further address findings and recommendations.

Motion 14826, approved in March 2017, provided that “The council by subsequent council action shall provide for reporting on the implementation of recommendations of the consultant.”

In addition to the Independent Assessment Final Report, the Washington Department of Ecology issued an Administrative Order attached to its penalty assessed against the County for water quality violations associated with the February 9, 2017, West Point System Failure. That Administrative Order provided a narrative of events leading to the system failure; identified permit violations; and specified mandated corrective actions.

**Proposed Ordinance 2017-0429**

Proposed Ordinance 2017-0429, which was dually referred to the Regional Water Quality Committee and the Transportation, Economy and Environment Committee, was recommended for approval by the Regional Water Quality Committee on November 1, 2017. The Proposed Ordinance describes the summary recommendations and mitigation strategies of the Independent Assessment Final Report, and the requirements of the Department of Ecology Administrative Order.

The measure requires the Executive to develop an implementation plan for the recommendations included in the Independent Assessment Final Report and the Administrative Order. An implementation timeline is to be included in the implementation plan.

The measure further requires quarterly reports on progress of the implementation plan. These quarterly reports are to address both the recommendations of the Independent Assessment Final Report, and the requirements of the Ecology Administrative Order.

The Executive is to transmit the implementation plan by February 15, 2018. The quarterly reports are required no later than 45 days after the close of each fiscal quarter, through the end of the timeline required by the implementation plan.

The measure requires the County Auditor to provide oversight of the execution of the implementation plan. The Auditor is to report by March 1, 2019 on the execution of the implementation plan.

**ANALYSIS**

Proposed Ordinance 2017-0429 addresses the development of an implementation plan for the recommendations of the Independent Assessment Final Report, as provided for in Motion 14826. The implementation plan would also address the requirements of the Ecology Administrative Order.

The February 9, 2017, system failure at the West Point Treatment Plant represents a threshold event in the history of the Plant. The Council’s action to require an independent assessment resulted in a comprehensive and compelling report and recommendations, to address the Council’s intent that such an event not be allowed to recur.

The requirement for the development of an implementation plan for the recommendations of the Report and the Administrative Order, consistent with the provisions of Motion 14826, moves the region forward in assuring that proper attention is directed towards the implementation of the recommendations of the Report and the requirements of the Administrative Order. The quarterly reports will confirm progress in addressing these provisions.

**ATTACHMENTS**

1. Proposed Ordinance 2017-0429.2