



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 26, 2006

Ordinance 15602

Proposed No. 2005-0523.4

Sponsors Hammond, Hague and Constantine

1 AN ORDINANCE relating to the Regional Wastewater
2 Services Plan; and amending Ordinance 13680, Section 5,
3 as amended, and K.C.C. 28.86.050, Ordinance 13680,
4 Section 6, and K.C.C. 28.86.060, Ordinance 13680, Section
5 7, and K.C.C. 28.86.070, Ordinance 13680, Section 8, and
6 K.C.C. 28.86.080, Ordinance 13680, Section 10, and
7 K.C.C. 28.86.100, Ordinance 13680, Section 11, and
8 K.C.C. 28.86.110, Ordinance 13680, Section 16, as
9 amended, and K.C.C. 28.86.160 and Ordinance 13680,
10 Section 18, as amended, and K.C.C. 28.86.180.

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13 **STATEMENT OF FACTS:**

14 1. The Municipality of Metropolitan Seattle ("Metro") was created by
15 public vote in 1958 to exercise the powers conferred by chapter 35.58

16 RCW related to water pollution abatement. RCW 35.58.200 confers

17 specific powers to prepare and implement a comprehensive water pollution

18 abatement plan including provisions for waterborne pollutant removal,
19 water quality improvement, sewage disposal and storm water drainage. In
20 the exercise of those powers, the Metro's governing body, the metropolitan
21 council, adopted a comprehensive water pollution abatement plan for the
22 Seattle metropolitan area by Resolution No. 23 on April 22, 1959. This
23 plan has been supplemented and amended from time to time by various
24 Metro resolutions and has been implemented in stages. It includes
25 facilities for the conveyance and treatment of sewage and control of
26 combined sewer overflows that include, but are not necessarily limited to,
27 wastewater treatment plants, interceptor and trunk sewers, pumping
28 stations, regulator stations, outfall sewers, storm sewers to divert storm
29 water from sanitary sewers, lands for application of biosolids, property
30 rights, buildings and other structures.

31 2. Pursuant to the authority of chapter 36.56 RCW and a special county
32 election held November 3, 1992, the county on January 1, 1994, assumed
33 the rights, powers, functions and obligations of Metro, including operation
34 of Metro's water pollution abatement function.

35 3. The King County council, in assuming the legislative powers of Metro,
36 readopted by Ordinances 11032 and 12074, the Metro resolutions that
37 comprise the comprehensive water pollution abatement plan for King
38 County.

39 4. King County provides conveyance, treatment and disposal of sewage
40 consistent with the terms of the agreements between Metro and local sewer

41 utilities. Those agreements provide for the county accepting sewage and
42 industrial waste delivered by those local governments to county's regional
43 wastewater treatment system, subject to such reasonable regulations as
44 may be adopted from time to time by the council. The county is also
45 responsible for compliance with all state and federal requirements
46 applicable to the planning, design, construction, operation and
47 maintenance of its wastewater treatment system.

48 5. King County conducted an extensive public process in developing,
49 deliberating and adopting a supplement to the comprehensive water
50 pollution abatement plan in the 1990s. The executive submitted a draft
51 regional wastewater services plan, draft environmental impact statement
52 and draft financing plan to the public in May 1997. The public's input was
53 reflected in the recommendations contained in the preferred plan for
54 regional wastewater services submitted to the council by the executive.
55 The metropolitan King County council's regional water quality committee
56 deliberations of the proposed legislation included public comments at its
57 meetings and special meetings throughout the county. The council heard
58 public comment during its deliberations as the committee of the whole. A
59 public hearing was held before the full council prior to adoption of the
60 plan.

61 6. In accordance with the state Environmental Policy Act, chapter 43.21C
62 RCW, King County issued a determination of environmental significance
63 for the regional wastewater services plan on September 1, 1994, conducted

64 a forty-five-day scoping process for the determination, prepared and
65 circulated a draft environmental impact statement on May 7, 1997,
66 provided a ninety-day comment period, held five public hearings on the
67 draft environmental impact statement and prepared and circulated a final
68 environmental impact statement on April 27, 1998.

69 7. The Regional Wastewater Services Plan ("RWSP") was adopted by the
70 King County council in November 1999 by Ordinance 13680 and
71 subsequently codified in K.C.C. chapter 28.86.

72 8. The RWSP is a supplement to the King County comprehensive water
73 pollution abatement plan. The RWSP identifies projects and programs
74 needed to provide wastewater capacity for homes and businesses in the
75 wastewater service area through the year 2030. The RWSP also provides
76 policy direction for the operation and continued development of the
77 wastewater system and its capital improvement program.

78 9. In 2001, the King County council adopted Ordinance 14219 amending
79 and adding financial policies to the RWSP relating to the sewage
80 treatment capacity charge; and amending Ordinance 13680, Section 1, as
81 amended, and K.C.C. 28.86.010 and Ordinance 13680, Section 16, as
82 amended, and K.C.C. 28.86.160.

83 10. In 2003, the King County council adopted Ordinance 14712 amending
84 and adopting policies relating to odor control at wastewater treatment
85 plants and conveyance facilities; and amending Ordinance 13680, Section
86 5, and K.C.C. 28.86.050.

87 11. In May 2004, the King County executive, in accordance with RWSP
88 policy WWPP-5 regarding monitoring and reviewing the implementation
89 of the RWSP, submitted the 2004 Regional Wastewater Update to the
90 King County council and the regional water quality committee ("RWQC")
91 for review.

92 12. The regional water quality committee was briefed on the 2004 RWSP
93 Update by executive and council staff in May, June, July, September and
94 October 2004. The regional water quality committee directed committee
95 staff to work with executive staff and intergovernmental staff representing
96 caucus interests of the committee to conduct further review of potential
97 technical and substantive amendments to RWSP policies based upon the
98 2004 RWSP Update and implementation of the RWSP policies since its
99 adoption in 1999.

100 13. Committee staff, executive and intergovernmental staff met regularly
101 during the latter months of 2004 and throughout 2005 and consulted
102 regularly with members of the RWQC regarding potential policy
103 amendments and briefed the committee intermittently at regularly
104 scheduled committee meetings regarding progress on the review. In
105 addition, committee staff arranged briefings before the committee, based
106 on committee member requests, on a range of topics and subject matter
107 related to the implementation of RWSP policies subsequent to the 2004
108 RWSP Update. In 2005, these briefings included updates on the regional
109 needs assessment regarding conveyance capacity and potential capital

110 facility improvements needed, infiltration and inflow policy
111 implementation and treatment plant policy implementation, including
112 progress on the Brightwater environmental review, permitting and
113 mitigation progress.

114 14. Committee staff at the direction of the committee members organized
115 a peer review of the population and flow projections contained in the 2004
116 RWSP Update. The peer review was facilitated and staffed by consultants
117 and staff to the King County department of natural resources and parks in
118 spring, 2005. The regional water quality committee was subsequently
119 briefed on the outcome of the peer review and recommendations of those
120 technical and intergovernmental staff who participated in the review.

121 15. Committee staff, executive staff and intergovernmental staff met with
122 an ad-hoc committee of the regional water quality committee in August
123 and September, 2005 to discuss potential technical and substantive
124 amendments to RWSP policies.

125 16. Committee and executive staff briefed the committee in June,
126 September and November 2005 regarding recommended changes to
127 RWSP policies and other ordinances regarding reporting requirements to
128 provide information on implementation of RSWP policies and progress in
129 particular on major capital projects, including Brightwater. The executive
130 subsequently submitted legislation to amend RWSP reporting
131 requirements. Ordinance 15384 eliminates redundancies in the reporting
132 requirements, adjusts the due dates to reflect the availability of

133 information, consolidates the reporting requirements into fewer, but more
134 comprehensive, reports and facilitates future changes or additions to these
135 requirements. The legislation also includes a section to codify reporting
136 requirements, cost estimating and progress reports regarding major capital
137 projects specified by the RWSP.

138 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

139 SECTION 1. Ordinance 13680, Section 5, as amended, and K.C.C. 28.86.050 are
140 each hereby amended to read as follows:

141 **Treatment plant policies (TPP).**

142 A. Explanatory material. The treatment plant policies are intended to guide the
143 county in providing treatment at its existing plants and in expanding treatment capacity
144 through the year 2030. The policies direct that secondary treatment will be provided to
145 all base sanitary flows. The county will investigate possible tertiary treatment with a
146 freshwater outfall to facilitate water reuse. The policies also direct how the county will
147 provide the expanded treatment capacity necessary to handle the projected increases in
148 wastewater flows resulting from population and employment growth. The policies
149 provide for the construction of a new treatment plant (the ((north)) Brightwater treatment
150 plant) to handle flows in a new north service area, expansion of the south treatment plant
151 to handle additional south and east King County flows((;)) and the reservation of capacity
152 at the west treatment plant to handle Seattle flows and CSOs. The potential for expansion
153 at the west and south treatment plants will be retained for unanticipated circumstances
154 such as changes in regulations. The policies address goals for odor control at treatment
155 plants and direct that water reuse is to continue and potentially expand at treatment

156 plants. (~~The policies also describe a cooperative siting process for the new north~~
157 ~~treatment plant and its outfall.~~)

158 B. Policies.

159 TPP-1: King County shall provide secondary treatment to all base sanitary flow
160 delivered to its treatment plants. Treatment beyond the secondary level may be provided
161 to meet water quality standards and achieve other goals such as furthering the water reuse
162 program or benefiting species listed under the Endangered Species Act (ESA).

163 TPP-2: King County shall provide additional wastewater treatment capacity to
164 serve growing wastewater needs by constructing (~~a new north~~) the Brightwater
165 treatment plant (~~in north King County or south Snohomish County~~) at the Route 9 site
166 north of the city of Woodinville and then expanding the treatment capacity at the south
167 treatment plant. The west treatment plant shall be maintained at its rated capacity of one
168 hundred thirty-three mgd. The south treatment plant capacity shall be limited to that
169 needed to serve the eastside and south King County, except for flows from the North
170 Creek Diversion project and the planned six-million-gallon storage tank, or minor
171 rerating to facilitate south or east county growth. The potential for expansion at the west
172 treatment plant and south treatment plant should be retained for unexpected
173 circumstances which shall include, but not be limited to, higher than anticipated
174 population growth, new facilities to implement the CSO reduction program or new
175 regulatory requirements.

176 TPP-3: Any changes in facilities of the west treatment plant shall comply with
177 the terms of the West Point settlement agreement.

178 TPP-4: King County's goal is to prevent and control nuisance odor occurrences at
179 all treatment plants and associated conveyance facilities and will carry out an odor
180 prevention program that goes beyond traditional odor control. To achieve these goals,
181 the following policies shall be implemented:

182 1. Existing treatment facilities shall be retrofit in a phased manner up to the
183 High/Existing Plant Retrofit odor prevention level as defined in Table 1 of Attachment A
184 to ~~((this -e))~~ Ordinance 14712, the odor prevention policy recommendations dated March
185 18, 2003. This level reflects what is currently defined as the best in the country for
186 retrofit treatment facilities of a similar size. Odor prevention systems will be employed
187 as required to meet the goal of preventing and controlling nuisance odor occurrences;

188 2. Existing conveyance facilities that pose nuisance odor problems shall be
189 retrofitted with odor prevention systems as soon as such odors occur, subject to technical
190 and financial feasibility. All other existing conveyance facilities shall be retrofitted with
191 odor control systems during the next facility upgrade;

192 3. The executive shall phase odor prevention systems implementing the tasks
193 that generate the greatest improvements first, balancing benefit gained with cost, and
194 report to the council on the status of the odor prevention program ~~((annually. This report
195 shall include a listing and summary of odor complaints received and detail progress on
196 implementing odor prevention policies and projects;))~~ in the annual RWSP report as
197 outlined in K.C.C. 28.86.165;

198 4. New regional treatment facilities shall be constructed with odor control
199 systems that are designed to meet the High/New Plant odor prevention level as defined in
200 Table 1 of Attachment A to ~~((this -e))~~ Ordinance 14712, the odor prevention policy

201 recommendations dated March 18, 2003. This level reflects what is currently defined as
202 the best in the country for new treatment facilities of a similar size;

203 5. New conveyance facilities serving these new regional treatment facilities
204 shall also be constructed with odor control systems as an integral part of their design;

205 6. Design standards will be developed and maintained for odor control systems
206 to meet the county's odor prevention and control goals;

207 7. A comprehensive odor control and prevention monitoring program for the
208 county's wastewater treatment and conveyance facilities will be developed. This program
209 shall include the use of near facility neighbor surveys and tracking of odor complaints
210 and responses to complaints and shall consider development of an odor prevention
211 benchmarking and audit program with peer utilities; and

212 8. New odor prevention and measurement technologies will be assessed and
213 methods for pilot testing new technologies identified when determined by the executive
214 to be necessary and appropriate for achieving the goals of this policy.

215 TPP-5: King County shall undertake studies to determine whether it is
216 economically and environmentally feasible to discharge reclaimed water to systems such
217 as the Lake Washington and Lake Sammamish watersheds including the Ballard Locks.

218 ~~TPP-6: ((When there are opportunities to transfer flows between King County's~~
219 ~~treatment facilities and treatment facilities owned and operated by other wastewater~~
220 ~~utilities in the region, the county shall evaluate them. Such evaluation shall include, but~~
221 ~~not be limited to cost, environmental and community impacts, liability, engineering~~
222 ~~feasibility, flexibility, impacts to contractual and regulatory obligations and consistency~~
223 ~~with the level of service provided at the county owned and operated facilities.)) The~~

224 county shall evaluate opportunities in collaboration with adjacent utilities regarding the
225 transfer of flows between the county's treatment facilities and treatment facilities owned
226 and operated by other wastewater utilities in the region. The evaluation shall include, but
227 not be limited to, cost, environmental and community impacts, liability, engineering
228 feasibility, flexibility, impacts to contractual and regulatory obligations and consistency
229 with the level of service provided at the county owned and operated facilities.

230 TPP-7: King County may explore the possibility of constructing one or more
231 satellite treatment plants in order to produce reclaimed water. The county may build
232 these plants in cooperation with a local community and provide the community with
233 reclaimed water through a regional water supply agency. In order to ensure integrated
234 water resource planning, in the interim period prior to the development of a regional
235 water supply plan, King County shall consult and coordinate with regional water
236 suppliers to ensure that water reuse decisions are consistent with regional water supply
237 plans. To ensure costs and benefits are shared equally throughout the region, all
238 reclaimed water used in the community shall be distributed through a municipal water
239 supply or regional water supply agency consistent with a regional water supply plan.

240 TPP-8: King County shall continue water reuse and explore opportunities for
241 expanded use at existing plants, and shall explore water reuse opportunities at all new
242 treatment facilities.

243 ~~((TPP-9: A comprehensive public involvement program shall be developed and~~
244 ~~implemented to provide the public, at a minimum, the opportunity to give input on the~~
245 ~~criteria and the screening process used for selecting the list of possible sites for the new~~
246 ~~north treatment plant, its conveyance system and outfall and to comment on the final~~

247 selection of a site. ~~The King County executive shall establish one or more committees to~~
248 ~~aid in the siting of a north treatment plant. The committees shall, at a minimum, evaluate~~
249 ~~siting criteria to be used and propose a narrowed list of sites for consideration by the~~
250 ~~executive after consulting with the council as follows:~~

251 1. ~~The King County executive shall transmit a motion to the council that~~
252 ~~establishes the criteria by which sites will be selected; and~~

253 2. ~~The executive shall provide the council with timely reports that detail the~~
254 ~~sites that meet the criteria and are under consideration and, at a later date, those sites that~~
255 ~~are final candidates for the siting of the north treatment plant.~~

256 ~~TPP 10: Based on criteria approved by the council, the King County executive~~
257 ~~shall have the final decision on the site for a north treatment plant.))~~

258 SECTION 2. Ordinance 13680, Section 6, and K.C.C. 28.86.060 are each hereby
259 amended to read as follows:

260 **Conveyance policies (CP).**

261 A. Explanatory material. The conveyance policies are intended to guide how
262 major improvements to the wastewater conveyance system, including building and
263 upgrading the pipes and pump stations needed to convey wastewater to the ((north))
264 Brightwater treatment plant and building the outfall pipe from the ((north)) Brightwater
265 treatment plant, will be accomplished. The policies also include guidance for other major
266 and minor conveyance improvements to accommodate increased flows in other parts of the
267 service area and to prevent improper discharges from the sanitary system.

268 The policies also direct the executive to develop and recommend policies to implement
269 equitable regional ownership of the conveyance system.

270 B. Policies.

271 CP-1: To protect public health and water quality, King County shall plan, design
272 and construct county wastewater facilities to avoid sanitary sewer overflows.

273 1. The twenty-year ((design)) peak flow storm shall be used as the design
274 standard for the county's separated wastewater system.

275 2. Parameters developed by the wastewater treatment division in consultation
276 with the Metropolitan Water Pollution Abatement Advisory Committee shall be used to
277 guide project scheduling and prioritization for separated wastewater system projects.

278 3. The south treatment plant effluent transfer system shall be designed with a five-
279 year design storm standard. When effluent volumes exceed the five-year design standard
280 and exceed the capacity of the south treatment plant effluent transfer system, secondary
281 treated effluent from the south treatment plant will be discharged to the Green/Duwamish
282 river until the flow subsides such that the flow can be discharged through the south
283 treatment plant effluent transfer system.

284 CP-2: King County shall construct the necessary wastewater conveyance facilities,
285 including, but not limited to pipelines, pumps and regulators, to convey wastewater from
286 component agencies to the treatment plants for treatment and to convey treated effluent to
287 water bodies for discharge. Conveyance facilities shall be constructed during the planning
288 period of this plan to ensure that all treatment plants can ultimately operate at their rated
289 capacities. No parallel eastside interceptor shall be constructed. No parallel Kenmore
290 Interceptor shall be constructed.

291 CP-3: King County shall periodically evaluate population and employment growth
292 assumptions and development pattern assumptions used to size conveyance facilities to
293 allow for flexibility to convey future flows that may differ from previous estimates.

294 CP-4: (~~The King County executive shall prepare and submit to the council~~
295 ~~recommended policies for achieving uniform financing, construction, operation,~~
296 ~~maintenance and replacement of all conveyance facilities within its service area.)) King
297 County shall apply uniform criteria throughout its service area for the financing,
298 development, ownership, operation, maintenance, repair and replacement of all conveyance
299 facilities. The criteria shall include:~~

300 1. County ownership and operation of permanent conveyance facilities that serve
301 natural drainage areas of greater than one thousand acres;

302 2. Conformance to the county's comprehensive water pollution abatement plan
303 and the Regional Wastewater Services Plan as a precondition of county ownership; and

304 3. A financial feasibility threshold governing limitations of the county's financial
305 contribution to: development of a new interceptor or trunk sewer; or acquisition of an
306 interceptor or trunk sewer constructed by a local agency. The threshold, as specified in
307 K.C.C. 28.84.080, shall consider the capital costs that can be supported by the existing
308 customers in the natural drainage area that would be served by the new facility.

309 CP-5: King County shall closely integrate water reuse planning and I/I study
310 results with planning for wastewater conveyance and treatment facilities. (~~Water~~
311 ~~conservation and demand management assumptions shall also be coordinated with~~
312 ~~wastewater facility planning.)) King County shall consider water conservation and demand
313 management assumptions developed by local utilities for wastewater facility planning.~~

314 ~~((CP 6: King County executive shall prepare and submit to the council a study on~~
315 ~~the impact of conveyance trenches on groundwater recharge and inflow and infiltration~~
316 ~~including options and costs for limiting these impacts. Based on the study, the executive~~
317 ~~shall recommend policies for council review and adoption for limiting these impacts~~
318 ~~accompanied by a proposed work program and schedule for implementation.))~~

319 SECTION 3. Ordinance 13680, Section 7, and K.C.C. 28.86.070 are each hereby
320 amended to read as follows:

321 **Inflow and Infiltration (I/I) policies (I/IP).**

322 A. Explanatory material. The I/I-policies are intended to guide the county in
323 working cooperatively with component agencies to reduce the amount of I/I that flows into
324 component agencies' local collection systems, thereby reducing the impact of I/I on the
325 regional system's capacity. This cooperative process will assess levels of I/I in local
326 conveyance systems and construct pilot projects ~~((to demonstrate))~~ and will evaluate the
327 cost-effectiveness and environmental costs and benefits of local collection system
328 rehabilitation. The executive will develop and recommend long-term measures to reduce
329 existing and future levels of I/I into local collection systems. Incentives for component
330 agencies to meet the adopted target for I/I reduction may include a surcharge.

331 B. Policies.

332 I/IP-1: King County is committed to controlling I/I within its regional
333 conveyance system and shall rehabilitate portions of its regional conveyance system to
334 reduce I/I whenever the cost of rehabilitation is less than the costs of conveying and
335 treating that flow or when rehabilitation provides significant environmental benefits to

336 water quantity, water quality, stream flows, wetlands or habitat for species listed under
337 the ESA.

338 I/IP-2: King County shall work cooperatively with component agencies to reduce
339 I/I in local conveyance systems (~~by the following:~~

340 1. ~~By July 1, 2001, the executive shall propose for council review and approval~~
341 ~~an initial list of pilot rehabilitation projects dealing with the most serious and readily~~
342 ~~identified I/I problem areas in the local sewer systems. By July 1, 2002, the executive~~
343 ~~shall propose an additional list of pilot projects. The pilot rehabilitation projects shall be~~
344 ~~used to demonstrate the effectiveness of I/I controls in the local sewer systems tributary~~
345 ~~to the regional system.~~

346 2. ~~By December 31, 2002, the county, in coordination with component agencies,~~
347 ~~shall develop model local conveyance systems' design standards, including inspection and~~
348 ~~enforcement standards, for use by component agencies to reduce I/I within their systems.~~

349 3. ~~By December 31, 2003, the executive shall submit to the council a report~~
350 ~~defining I/I levels in each of the local sewer systems, based on assessments of those~~
351 ~~systems, and identifying options and the associated cost of removing I/I and preventing~~
352 ~~future increases. The options should be informed by the results of the pilot rehabilitation~~
353 ~~projects described in subsection 1 of this I/IP 2. The report shall analyze the options on~~
354 ~~cost effectiveness and environmental costs and benefits including but not limited to those~~
355 ~~related to water quality, groundwater interception, stream flows and wetlands, and habitat~~
356 ~~of species listed under the ESA.~~

357 ~~The report shall include information on public opinion, obtained through surveys~~
358 ~~and other appropriate methods, on the role of individual property owners in implementing~~

359 solutions to reduce I/I, having voluntary and mandatory property owner actions, the
360 willingness to pay to reduce I/I, and acceptable community options to reduce the I/I.

361 4.) utilizing and evaluating I/I pilot rehabilitation projects, and developing draft
362 local conveyance systems' design guidelines, procedures and policies, including inspection
363 and enforcement standards. Evaluations of the pilot rehabilitation projects and a regional
364 needs assessment of the conveyance system and assessments of I/I levels in each of the
365 local sewer systems will form the basis for identifying and reporting on the options and the
366 associated cost of removing I/I and preventing future increases. The executive shall submit
367 to the council a report on the options, capital costs and environmental costs and benefits
368 including but not limited to those related to water quality, groundwater interception, stream
369 flows and wetlands, and habitat of species listed under the ESA. No later than December
370 31, ((2004)) 2005, utilizing the prior assessments and reports ((described in subsection 3
371 of this I/IP-2,)) the executive shall recommend target levels for I/I reduction in local
372 collection systems and propose long-term measures to meet the targets. These measures
373 shall include, but not be limited to, establishing new local conveyance systems design
374 standards, implementing an enforcement program, developing an incentive based cost
375 sharing program and establishing a surcharge program. The overall goal for peak I/I
376 reduction in the service area should be thirty percent from the peak twenty-year level
377 identified in the report. The county shall pay one hundred percent of the cost of the
378 assessments and pilot projects.

379 I/IP-3: King County shall consider an I/I surcharge, no later than June 30, 2005~~6~~,
380 on component agencies that do not meet the adopted target levels for I/I reduction in local
381 collection systems. The I/I surcharge should be specifically designed to ensure the

382 component agencies' compliance with the adopted target levels. King County shall
383 pursue changes to component agency contracts if necessary or implement other strategies
384 in order to levy an I/I surcharge.

385 SECTION 4. Ordinance 13680, Section 8, and K.C.C. 28.86.080 are each hereby
386 amended to read as follows:

387 **Combined sewer overflow control policies (CSOCP).**

388 A. Explanatory material. The CSO control policies are intended to guide the
389 county in controlling CSO discharges. Highest priority for controlling CSO discharges is
390 directed at those that pose the greatest risk to human health, particularly at bathing
391 beaches, and environmental health, particularly those that threaten species listed under
392 ESA. The county will continue to work with federal, state and local jurisdictions on
393 regulations, permits and programs related to CSOs and stormwater. The county will also
394 continue its development of CSO programs and projects based on assessments of water
395 quality and contaminated sediments.

396 B. Policies.

397 CSOCP-1: King County shall plan to control CSO discharges and to work with
398 state and federal agencies to develop cost-effective regulations that protect water quality.
399 King County shall meet the requirements of state and federal regulations and agreements.

400 CSOCP-2: King County shall give the highest priority for control to CSO
401 discharges that have the highest potential to impact human health, bathing beaches and/or
402 species listed under ESA.

403 CSOCP-3: Where King County is responsible for stormwater as a result of a CSO
404 control project, the county shall participate with the city of Seattle in the municipal
405 stormwater national pollutant discharge elimination system permit application process.

406 CSOCP-4: Although King County's wastewater collection system is impacted by
407 the intrusion of clean stormwater, conveyance and treatment facilities shall not be
408 designed for the interception, collection and treatment of clean stormwater.

409 CSOCP-5: King County shall accept stormwater runoff from industrial sources
410 and shall establish a fee to capture the cost of transporting and treating this stormwater.
411 Specific authorization for such discharge is required.

412 CSOCP-6: King County, in conjunction with the city of Seattle, shall implement
413 stormwater management programs in a cooperative manner that results in a coordinated
414 joint effort and avoids duplicative or conflicting programs.

415 CSOCP-7: ~~((King County shall develop a long-range sediment management
416 strategy to prioritize clean-up of contaminated sediments at specific CSO locations.))~~
417 King County shall implement its long-range sediment management strategy to address its
418 portion of responsibility for contaminated sediment locations associated with county
419 CSOs and other facilities and properties. Where applicable, the county shall implement
420 and cost share sediment remediation activities in partnership with other public and private
421 parties, including the county's current agreement with the Lower Duwamish Waterway
422 Group, the Department of Ecology and the Environmental Protection Agency, under the
423 federal Comprehensive Environmental Response, Compensation and Liability Act.

424 CSOCP-8: ~~((King County shall use the results of the 1998 water quality
425 assessment to assess CSO control projects and priorities before issuing the year 2000~~

426 ~~CSO update requirement by the county's national pollutant discharge elimination system~~
427 ~~permit. Prior to the year 2005 CSO update, the executive shall evaluate the benefits of~~
428 ~~CSO control projects along with other pollution control projects developed by King~~
429 ~~county and other agencies. This CSO program review will include, but not be limited to~~
430 ~~the following: maximizing use of existing CSO control facilities; identifying the public~~
431 ~~and environmental health benefits of continuing the CSO control program; ensuring~~
432 ~~projects are in compliance with new regulatory requirements and objectives such as the~~
433 ~~ESA and Wastewater Habitat Conservation Plan; analyzing rate impacts; ensuring that~~
434 ~~the program review will honor and be consistent with long standing existing~~
435 ~~commitments; assessing public opinion; and integrating the CSO control program with~~
436 ~~other water/sediment quality improvement programs for the region)). King County shall~~
437 ~~assess CSO control projects, priorities and opportunities using the most current studies~~
438 ~~available, for each CSO Control Plan Update as required by the Department of Ecology~~
439 ~~in the NPDES permit renewal process, which is approximately every five to seven years.~~
440 ~~Before completion of an NPDES required CSO Control Plan Update, the executive shall~~
441 ~~submit a CSO program review to the council and RWQC. Based on its consideration of~~
442 ~~the CSO control program review, the RWQC may make recommendations for modifying~~
443 ~~or amending the CSO program to the council.~~

444 CSOCP-9: Unless specifically approved by the council, no new projects shall be
445 undertaken by the county until the CSO program review has been presented to the council
446 for its consideration. CSO project approval prior to completion of CSO program review
447 (beyond those authorized in this subsection) may be granted based on, but not limited to,
448 the following: availability of grant funding; opportunities for increased cost-effectiveness

449 through joint projects with other agencies; ensuring compliance with new regulatory
450 requirements; or responding to emergency public health situations. The council shall
451 request advice from the RWQC when considering new CSO projects. King County shall
452 continue implementation of CSO control projects underway as of December 13, 1999,
453 which are the Denny way, Henderson/Martin Luther King, Jr. way/Norfolk, Harbor and
454 Alki CSO treatment plants.

455 SECTION 5. Ordinance 13680, Section 10, and K.C.C. 28.86.100 are each
456 hereby amended to read as follows:

457 **Water reuse policies (WRP).**

458 A. Explanatory material. The water reuse policies are intended to guide the county
459 in continuing to develop its program to produce reclaimed water. The county will
460 coordinate its program with regional water supply plans and work with state agencies and
461 local jurisdictions on opportunities for water reuse. The county will implement pilot and
462 demonstration projects. Additional projects shall be implemented subject to economic and
463 financial feasibility assessments, including assessing environmental benefits and costs.

464 The water reuse policies, as in the treatment plant policies, intend that the county
465 continue producing reclaimed water at its treatment plants. The treatment plant policies
466 also address the potential construction of one or more satellite plants. These small plants
467 would provide reclaimed water, with the solids being transferred to the regional plants for
468 processing.

469 B. Policies.

470 WRP-1: King County shall actively pursue the use of reclaimed water while
471 protecting the public health and safety and the environment. The county shall ((accelerate))

472 facilitate the development of a water reuse program to help meet the goals of the county to
473 preserve water supplies within the region and to ensure that any reclaimed water
474 reintroduced into the environment will protect the water quality of the receiving water body
475 and the aquatic environment.

476 WRP-2: ~~((Within twelve months of the adoptions of this plan,))~~ By December
477 2007, the King County executive shall prepare for review by council ~~((;))~~ a Reclaimed
478 Water Feasibility Study as part of a Regional Water Supply Plan which will include a
479 ~~((detailed work))~~ comprehensive financial business plan including tasks and schedule for
480 the development of a water reuse program and a process to coordinate with affected tribal
481 and local governments and the state and area citizens. ~~((Accompanying the work plan shall~~
482 ~~be a list of potential pilot projects and associated costs. Development of the water reuse~~
483 ~~program shall be coordinated with development of a regional water supply plans.))~~ The
484 Reclaimed Water Feasibility Study shall be reviewed by the RWQC. At a minimum the
485 feasibility study shall comply with chapter 90.46 RCW and include:

486 1. Review of new technologies for feasibility and cost effectiveness, that may be
487 applicable for future wastewater planning;

488 2. Review of revenue sources other than the wastewater rate for distribution of
489 reused water;

490 3. Detailed review and an update of a regional market analysis for reused water;

491 4. Review of possible environmental benefits of reused water; and

492 5. Review of regional benefits of reused water.

493 WRP-3: Recycling and reusing reclaimed water shall be investigated as a possible
494 future significant new source of water to enhance or maintain fish runs, supply additional

495 water for the region's nonpotable uses, preserve environmental and aesthetic values and
496 defer the need to develop new potable water supply projects.

497 WRP-4: King County's water reuse program and projects shall be coordinated with
498 the regional water supply plans and regional basin plans, in accordance with state and
499 federal standards. The coordination shall be done with the affected water supply
500 purveyors. Water reuse ((and)) must be coordinated with water supply/resource ((s must
501 be)) purveyors to ensure that resources are developed in a manner complementary with
502 each other to allow the most effective management of resources in the county.

503 WRP-5: King County shall implement nonpotable projects on a case-by-case basis.
504 To evaluate nonpotable projects, King County shall develop criteria which ((may)) will
505 include, but are not limited to: capital, operation and maintenance costs; cost recovery;
506 potential and proposed uses; rate and capacity charge impacts; environmental benefits;
507 fisheries habitat maintenance and enhancement potential; community and social benefits
508 and impacts; public education opportunities; risk and liability; demonstration of new
509 technologies; and enhancing economic development. A detailed financial analysis of the
510 overall costs and benefits of a water reuse project shall include cost estimates for the capital
511 and operations associated with a project, the anticipated or existing contracts for purchases
512 of reused water, including agricultural and other potential uses, anticipated costs for potable
513 water when the project becomes operational; and estimates regarding recovery of capital
514 costs from new reused water customers versus costs to be assumed by existing ratepayers
515 and new customers paying the capacity charge. Water reuse projects that require major
516 capital funding shall be reviewed by RWQC and approved by the council.

517 WRP-6: King County shall work with local water purveyors, including when the
518 local purveyors update their water comprehensive plans, to evaluate the opportunities for
519 water reuse within their local service area.

520 WRP-7: King County shall develop an active water reuse public education and
521 involvement program to correspond with the development of the water reuse program and
522 be coordinated with other water conservation education programs.

523 WRP-8: King County shall utilize a forum or multiple forums to provide
524 opportunities for coordination and communication with the Washington state Departments
525 of Health and Ecology, which have the principal state regulatory roles in the planning,
526 design and construction of reuse facilities. The county shall involve other parties on these
527 forums, including but not limited to, the Corps of Engineers, Washington state Department
528 of Fish and Wildlife, National Marine Fisheries Service, United States Fish and Wildlife
529 Service, regional water suppliers, tribal governments, local water and wastewater districts,
530 cities, local health departments, watershed forums and environmental and community
531 groups.

532 WRP-9: King County shall work, on a case-by-case basis, with the Washington
533 state Departments of Health and Ecology on water reuse projects including, but not limited
534 to, those that are not specifically cited in the 1997 Department of Health and Ecology
535 Water Reclamation and Reuse Standards.

536 WRP-10: King County shall hold and maintain the exclusive right to any reclaimed
537 water generated by the wastewater treatment plants ~~((by the))~~ of King ~~((e))~~ County.

538 WRP-11: King County's water reuse program projects shall not impair any existing
539 water rights unless compensation or mitigation for such impairment is agreed to by the
540 holder of the affected water rights.

541 WRP-12: King County shall retain the flexibility to produce and distribute
542 reclaimed water at all treatment plants including retaining options to add additional levels
543 of treatment.

544 WRP-13: King County shall continue to ~~((fund))~~ evaluate potential funding of
545 pilot-scale and water reuse ((demonstration)) projects, in whole or in part, from the
546 wastewater utility rate base.

547 WRP-14: King County shall complete an economic and financial feasibility
548 assessment, including environmental benefits, of its water reuse program. The
549 assessment shall include the analysis of marginal costs including stranded costs and
550 benefits to estimate equitable cost splits between participating governmental agencies and
551 utilities. The assessment shall also include a review of existing and planned water and
552 wastewater facilities in an approved plan to ensure that water reuse facilities are justified
553 when any resulting redundant capacity as well as other factors are taken into account.

554 WRP-15: King County should pursue development of a water reuse program to
555 discharge reclaimed water to reduce freshwater consumption used in the operation of the
556 Ballard Locks ~~((as a priority water reuse project))~~ when environmental regulations,
557 environmental benefits and financial conditions merit this investment and new program.

558 SECTION 6. Ordinance 13680, Section 11, and K.C.C. 28.86.110 are each
559 hereby amended to read as follows:

560 **Wastewater services policies (WWSP).**

