

**Metropolitan King County Council**

**Regional Water Quality Committee**

**STAFF REPORT**

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| **Agenda Item:** | 7 | **Name:** | Mike Reed |
| **Proposed No**.: | 2020-01 | **Date:** | July 1, 2020 |

**SUBJECT**

Draft 2020 Committee Work Plan

**SUMMARY**

King County’s Charter directs that the Regional Water Quality Committee (RWQC) be primarily responsible for developing, proposing, reviewing and recommending action on ordinances and motions adopting, repealing, or amending countywide policies and plans related to water quality. Water quality-related legislation may also be referred to the Committee, as appropriate. RWQC is also regularly briefed on progress regarding the implementation of the Regional Wastewater Services Plan and major operations and capital projects.

The RWQC has historically adopted a Resolution to memorialize the Committee’s intentions for work plan items for the year, which would be considered following an opportunity for members to review and add to or revise the list of proposed work plan items.

**Background**

The COVID-19 Pandemic Emergency, and the associated economic impacts led the County Council to restrict meetings of council committees through July, 2020; the first post-shutdown meeting of the Regional Water Quality Committee is being held July 1, 2020. The Committee has not had the opportunity to act on a yearly work plan for 2020 in light of that shutdown. However, in February 2020, in anticipation of a March meeting, staff prepared and mailed a proposed work plan draft, so members may have had the opportunity to peruse and become familiar with the proposed work plan.

Recognizing that the opportunity to accomplish the full work plan is limited, given the lateness of the year, the Committee may want to identify key priority areas for coming agendas, based on the draft work plan items below. In conversations with staff of the Wastewater Treatment Division and the cities and sewer districts, the following priority areas have been identified:

* Clean Water Plan
* Capacity Charge Rate Structure
* Control of Nutrient Discharges into Puget Sound
* Asset Management and Wastewater Rates
* Impacts of Regional Economic Conditions on Wastewater Revenues and Operations

The Committee may wish to revise or add to this draft list of priorities. Depending on the extent to which members familiar and comfortable with the identified priorities and the underlying work plan, members may wish to consider whether to move forward with action on a resolution adopting the work plan, with key priorities identified, or hold it for a subsequent meeting.

**Regional Water Quality Committee: Charter and Rules Provisions**

The Regional Water Quality Committee is one of three committees formed when voters approved the merger of Metro (transit and wastewater treatment services) and King County. The charter states:

*Each regional committee shall develop, propose, review and recommend action on ordinances and motions adopting, repealing, or amending transit, water quality or other regional countywide policies and plans within the subject matter area of the committee*.

The King County rules in K.C.C. 1.24 further state:

*A regional committee shall focus on planning and policy setting in program areas where it has been determined that regional service or facility planning is required and in areas where it is agreed the opportunity and need for the planning exists. A regional committee is not responsible for routine review and recommendation on operational and administrative matters such as contracts, budgets, appropriations, and fares and rates, formerly performed by the council of metropolitan Seattle. A regional committee may, however, deal with policies to develop fares and rates within the committee's subject matter area.*

*The Regional Water Quality Committee shall develop, review and recommend countywide policies and plans related to the water pollution control functions formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, water quality comprehensive and long-range capital improvement plans, service area and extension policies, rate policies, and the facility siting policy and major facilities siting process.*

With regard to regional committee consideration of other regional issues,

*The chair of the council may request that one or more regional committees examine and comment upon other pending issues that are not countywide policies or plans but would benefit from interjurisdictional discussion. The issues may include, but are not limited to, operational, organizational or implementation measures for countywide plans and policies. This type of regional committee analysis and comment is not subject to the mandatory procedural requirements of Section 270.30 of the King County Charter and the county council may need to act on such issues before comment from the regional committee.*

**2020 Work Plan Items**

The Committee has, in the past, requested that the workplan include a designation of the quarter in which work plan items would be scheduled, to provide a broad working agenda. Staff will work with the Division and caucus staff to schedule items by quarter; this will often depend on the projected date that a given study or review is expected for completion. As an initial step, staff has met with the Division and with the Interjurisdictional Staff Group, and identified a list of items carried over from last year that have continuing interest or need for review, or for which completion of a report or review product is anticipated. That listing is provided below, as a base from which to work. Members may wish to add to or revise this listing as appropriate, in preparation for consideration of a final work plan at the next meeting; at that time, staff will provide a listing arranged by quarter.

* **Capacity Charge Rate Structure\***
  + The County bills those newly connecting to the wastewater system a “capacity charge” intended to support capital projects required to assure necessary capacity for coming years. Fee levels are defined according to the category of user and projected volume generated—including single family households, large and small multifamily structures, business and industry. The agency is reviewing the reasonableness of the current charge structure; recommendations for revision are anticipated in the fall.
* **Clean Water Plan\***
  + The Wastewater Treatment Division, noting the increasing project and fiscal demands that the regional wastewater treatment system is facing, is undertaking a multi-year systemwide planning effort to look at the range of challenges it is facing, potential rate impacts, develop alternate system scenarios, and to make recommendations. Among these major challenges are the Combined Sewer Overflow program, Conveyance System Improvements, West Point Treatment Plant continuing facility recovery, potential regulatory initiatives related to nutrient discharges, an aging physical plant, and others. Each of these is expected to have a fiscal impact, potentially affecting wastewater rates.
* **Impacts of Regional Economic Conditions on Wastewater Revenues and Operations\***
  + The COVID-19 Pandemic emergency, and the related economic downturn, have affected the region’s business and commercial sector substantially, raising questions as to impacts on wastewater effluent volumes and related discharge revenues.
* **Asset Management and Wastewater Rates\***
  + The sewer rate development process for the 2021 sewer rate highlighted the coming pressure on rates in coming years, significantly impacted by costs associated with the repair, upgrade and replacement of the system’s physical plant, including both the conveyance system and treatment plants. The agency has committed to working with RWQC and MWPAAC in addressing this asset management concern.
* **Capital Projects Update**
  + The Wastewater Treatment Division manages an extensive range of capital development projects, including numbers of large projects. This briefing will provide an update on the status of major projects.
* **2020 Sewer Rate and Capacity Charge**
  + Each year the Committee reviews the recommended change in the rate charged for sewer service, and for the capacity charge; the Committee’s review follows the rate development process that involves MWPAAC, and precedes review by the Budget Committee and full Council.
* **Infiltration and Inflow**
  + The Division is currently reviewing opportunities to address the issue of infiltration and inflow, that results in large volumes of non-sewage water being transported and processed by the wastewater system. This review is being undertaken in partnership with MWPAAC.
* **Control of Nutrient Discharges into Puget Sound\***
  + The Department of Ecology has announced an intention to manage discharges of nutrients into Puget Sound utilizing restrictions permits, including a General Permit and facility-specific caps. King County manages the two largest treatment plant dischargers of nutrients, and will be included among the regulated entities. Implications for cost impact, and operations, are still evolving.
* **Biosolids**
  + King County’s wastewater processing function is designed to produce biosolids that are generated from the process of secondary treatment of wastewater solids. Processed biosolids are currently directed towards forest and farmland application in Washington. In 2019, the Committee discussed the status of EPA’s progress in regulating additional toxic chemicals in biosolids; a review could include a status update on EPA progress on this matter.
* **WaterWorks**
  + The WaterWorks grant program is charged with providing grants to support water quality enhancement projects. The Grant Ranking Committee, created by Council ordinance and staffed by the Wastewater Treatment Division, reviews applications for water quality projects, and makes recommendations for funding awards. As provided by the ordinance approving the grant program, WTD is to provide RWQC a briefing annually on the status of the program including information on the number of proposals received, projects funded in that year, and summary of completion of past projects.
* **System Capacity/Flows and Loads Study**
  + The Division is anticipating completion of its Flows and Loads study, that will address anticipated flow volumes that must be transported and treated by the wastewater system; that study will address both liquids and solids, and will inform discussions regarding system capacity requirements.
* **Joint Ship Canal Project**
  + The Division is undertaking a joint project with Seattle Public Utilities to construct a wastewater capture/storage tunnel on the north side of the Lake Washington Ship Canal; this briefing would provide a status update on that project.
* **Toxics In Effluents Study** 
  + The 2019-20 county budget included a proviso requiring review of the wastewater discharge of major treatment facilities, to assess the levels of toxics in the effluent and potential impacts on the marine environment. This briefing will update the Committee on the status of that review.
* **Reclaimed Water Projects**
  + This would follow up on the Committee’s expressed interest in addressing the status of the Reclaimed Water program; a briefing in 2019 described the work being done by the agency and stakeholders on this issue, which would be updated by a status briefing.
* **New Sewage Disposal Agreement**
  + The Wastewater Treatment Division is working with cities and sewer districts to revise and update the existing interlocal agreement between the county and local partners; while that work may not be completed in 2020, a status update could be provided.;

**ATTACHMENTS**

1. Resolution RWQC2020-01 (and its attachment)
2. King County Charter—Regional Committees
3. Council Rules And Order of Business –Regional Committee