

METROPOLITAN WATER POLLUTION ABATEMENT ADVISORY COMMITTEE

Meeting Summary

Microsoft Teams

Wednesday, December 8, 2021

Start 10 a.m.
Adjourned 12 p.m.

1. MWWPAAC Chair's Report – Pam Carter

- Welcome and Introductions
- Determine Quorum
- Approval of October Meeting Summary (action item)
- Regional Water Quality Committee (RWQC) Update
- Call for Elections – MWWPAAC Chair and Rates and Finance Subcommittee Chair

Olivia Robinson, WTD Government Relations, took attendance by roll call. A quorum was in attendance.

A motion was made and seconded to approve the October MWWPAAC meeting summary as written. The motion carried.

Chair Carter reported on the Dec. 1 RWQC meeting. It was the first meeting with Councilmember Dunn as Chair. She noted that in January the Council will reorganize and select a new chair and that RWQC is also likely not to meet in January. The following briefings were provided:

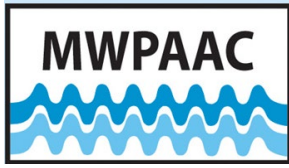
- Clean Water Plan: Executive Response to Issues from Auditor Management Letter, Committee Member Inquiries
- Capital Projects Updates
- Joint Ship Canal Water Quality Project

Reports on the briefing items will come to MWWPAAC next year.

Chair Carter informed members there is a call for elections for a new MWWPAAC chair, as well as for chair of the Rates and Finance Subcommittee. An email with more information will go out by the end of the week to members. If interested, members can contact Olivia Robinson, WTD Government Relations, or Marla Oughton, WTD Executive Assistant. Elections will be held on January 26.

Chair Carter shared that this would be her last meeting. She will be stepping down from all elected duties at the end of the month (December). She recognized the three WTD directors who have served since she started as chair for working well with MWWPAAC. Chair Carter also thanked WTD Executive Assistant Marla Oughton, and WTD Government Relations Olivia Robinson and Sharman Herrin for their support to her, MWWPAAC, and of the Teams meetings. She thanked current and fellow MWWPAAC officers noting they have all been good people who can be relied upon to do the work. Chair Carter also highlighted topic items that have been covered at MWWPAAC over the last year including the Clean Water Plan, Sewer Rate, Inflow & Infiltration, West Point Power Quality Improvement Project, 2021 bypass events, and emerging issues such as Clean Water Healthy Habitat, nutrients, Strategic Climate Action Plan, WTD operations, COVID impacts, and the Capacity Charge Rate Study. She recognized the importance of MWWPAAC and the influence the committee has had on changes. MWWPAAC gets to weigh in directly and help shape things often before they even get to RWQC. Chair Carter highlighted some of the significant changes that have resulted from MWWPAAC recommendations including debt service,

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40 percent cash funding, more transparency in the rate study, and a one-year rate increase. MWPAAC has had major impact on these items and others. Chair Carter closed by sharing that it's been rewarding for her to serve on MWPAAC. She only has one regret and that is not being able to meet in person since the pandemic. She thanked all members for participating in the meetings and on committees and bringing their districts/cities perspective.

2. Wastewater Treatment Division Director's Report – Kamuron Gurol, Division Director, Wastewater Treatment Division (WTD)

Kamuron Gurol, WTD Director, recognized Chair Carter for her service to MWPAAC and highlighted some of her public service accomplishments. She's known for being a mentor for MWPAAC officers and other elected officials and she cares about individuals that may be limited in participating in public service. For him, Chair Carter embodies the ethics of public service, starting as a teacher and having served in other public service capacities for many years. Director Gurol presented Chair Carter with a Certificate of Appreciation. WTD staff had earlier delivered flowers and a gift card from the other MWPAAC officers and staff of the WTD Director's Office.

Director Gurol reported that work is underway on the 2023 sewer rate process, which will be implemented on January 1, 2023. He reviewed the schedule and discussed the different rate scenarios is developing and noted that those will be shared with MWPAAC. The goals for the process include increasing reliability, responding to regulatory requirements, responding to growth and demand, addressing critical asset management, executive priorities (Clean Water Healthy Habitat, Strategic Climate Action Plan, and Equity & Social Justice), as well as providing more transparency.

Director Gurol noted there will be updates on nutrients and the Clean Water Plan discussed later in the meeting.

3. Subcommittee Reports

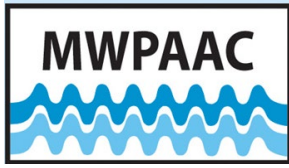
Gregg Cato, Rates and Finance Vice Chair, and John McClellan, Comprehensive Engineering and Planning Vice Chair, presented the reports for the subcommittees.

November 4 and December 2, 2021, Subcommittee Topics

- WTD Financial Update
- WTD Capital Program Cash Funding
- Clean Water Plan Updates (Joint Topic)
- Capital Projects – Lakeland Hills Generator (Joint Topic)
- Capital Projects – North Mercer Island and Enatai Interceptors Upgrade Project (Joint Topic)
- Regional Infiltration and Inflow (I/I) Program Inspector Training and Certification Program

Chair Carter thanked the vice chairs for their reports. She encouraged members to attend the subcommittee meetings as members share a lot of the same common challenges and a lot can be learned in those meetings.

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4. Clean Water Plan Discussion, Kamuron Gurol, Wastewater Treatment Division (WTD) Director

Kamuron Gurol, WTD Director, reported that King County decided to pause the Clean Water Plan and the pause will likely last into 2022. Motivations for the pause include feedback critical of the overall scope and planning process which is important to take seriously. A second motivation involves two areas of regulatory uncertainty that may include alternatives – the Puget Sound Nutrient General Permit (PSNGP) and the CSO control program.

The PSNGP could have a big financial impact and right now WTD is looking into the final permit to determine what if any changes were made to address concerns raised with the draft permit. We are hearing from peer agencies about possible appeals and discussing a possible appeal ourselves. The process to consider an appeal is underway. We are very much interested in talking to MWWPAAC member agencies about these concerns and are also encouraging others to look closely at their process and consider joining an appeal or sending comments to the Pollution Control Hearings Board (PCHB). Director Gurol noted it's important for every agency that is affected by the permit to continue to voice their concerns.

Another area of uncertainty is the CSO control program and the remaining elements and schedule (Consent Decree Negotiations). The current agreement requires completion by 2030, which is not feasible, and negotiations are underway for possible extensions. The financial implications that could result from these negotiations create some financial uncertainty for the Clean Water Plan. He hopes that further progress on the Consent Decrees front will provide more clarity.

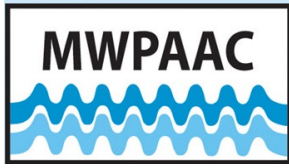
During the pause, WTD will take the time to consider feedback and make course corrections in the Clean Water Plan process and also monitor areas of uncertainty. WTD will provide monthly updates on the status. Members are encouraged to continue to share their feedback and WTD will continue to be transparent during the pause. Director Gurol reported that some technical work will continue during the pause, but the focus right now is to address the feedback and develop some course corrections.

5. Nutrients Update, Rebecca Singer, Resource Recovery Section Manager, WTD

Rebecca Singer, Resource Recovery Section Manager, provided an update on the Puget Sound Nutrient General Permit. She walked through what is known thus far. A summary will be provided after the meeting.

- Timeline – appeals due end of December (applies to all and anyone can appeal)
- Notice of Intent – due March 1 (have to decide if facilities will permit individually or bubble)
- Issued General Permit – can appeal within 30 days as to how we are covered
- Series of requirements – monthly reporting, optimization planning (plan by July 1), select plan and submit by July 1. Annual report from March 1 date.
- 5 years to put together nutrient reduction plan – looking for consultants

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Some timelines may be able to be negotiated.

Changes to the permit itself:

Major

- Optimization requirements – now due July 1, originally May 1
- Nutrient reduction evaluation – changed the requirement from annual to seasonal (April-Oct)
- Optimization strategies – if you exceed your action level, then 10 percent reduction – even if you stay below action level – will be required to implement 10 percent right away

Minor

- Monitoring and reporting due dates
- Action levels – no change for WTD but their category for dischargers
- Optimization strategies not due till July
- Corrective action if we exceed our action levels – will be implemented if we can come up with a reasonable optimization plan. If we choose the bubble, then 10 percent reduction for the entire system

WTD is running several scenarios right now including what our options are under action levels, etc.

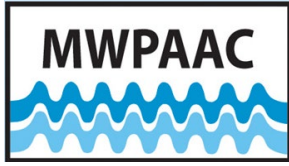
We are also looking at costs associated with the requirements. Some draft requirements were presented earlier this year, but now that we have the actual requirements, we can dive deeper into actual costs.

Director Gurol thanked Rebecca for her summary and shared how complex this is and that he appreciated her leadership and work with utility peers to make sure everyone is well informed, and the conversation is kept open.

Director Gurol is keeping his eye the final requirement for West Point, as there are concerns regarding the type of upgrades that will be required to comply with the permit. If we have to make significant upgrades, West Point can't stay in service while upgrading and that could require a new treatment plant. We do not yet know if that will be required but want to be solid in the analysis and take the time needed to determine permit implications and not jump to any conclusions. WTD is interested in having conversations regarding the permit through regular mechanisms and special meetings with utility partners.

The potential draft appeal will draw from the King County comment letter. The general categories include the legality of issuance of a general permit on top of other permits and general cost effectiveness, and areas needing clarity. Some may be also requesting a stay that would provide a longer window of time to meet the requirement of the permit. We would still have to consider implementation as a stay doesn't necessarily change an outcome. WTD will include potential costs of

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early compliance in our budget and sewer rate costs that WTD is developing that right now. We will provide updates as we move into the sewer rate process.

Chair Carter encouraged members to keep the news media informed about the implications of costs on rates. Agencies want to support what makes the biggest difference not the biggest cost or least cost.

Question:

Is WTD considering putting a growth moratorium in place?

Answer:

Director Gurol replied that is not on the table right now.

Chair Carter looks forward to the written material that she can share with her district.

6. General Announcements

The meeting was adjourned at 12 p.m.