

**COUNCIL SUMMARY BACKGROUND BRIEFING:
KING COUNTY REGIONAL COMMITTEES AND OTHER ISSUES
*October 2020***

This briefing summarizes recent actions taken by the three regional committees formed as a result of the merger of King County and Metro. The three regional committees are the Regional Policy Committee, the Regional Water Quality Committee, and the Regional Transit Committee. Staff will also include updates on other regional issues as appropriate (e.g., King County Flood Control District, King Conservation District, Affordable Housing Committee, King County Board of Health, King County Regional Homelessness Authority). Summaries also include the work of the Growth Management Planning Council (GMPC). Formed in the early 1990s to comply with the Growth Management Act requirements for collaboration of counties and their cities on Countywide Planning Policies, the GMPC meets three to four times per year to consider amendments to the Countywide Planning Policies and to monitor progress on implementation. These updates are intended to be summary briefings; staff can provide more details on any of the items below.

REGIONAL POLICY COMMITTEE (RPC)

The October meeting of the RPC was cancelled. The next meeting is scheduled for November 4.

REGIONAL TRANSIT COMMITTEE (RTC)

The RTC met on October 21. A summary will be included in the November Regional Issues packet.

The next meeting of the RTC is scheduled for November 30.

REGIONAL WATER QUALITY COMMITTEE (RWQC)

October 7 meeting summary:

- **Nutrient Management: Washington Department of Ecology Control Initiative.**
Department of Ecology (DOE) staff provided a supplemental briefing to that provided by Wastewater Treatment Division (WTD) staff on the purpose and rationale for proposed actions to cap or limit nitrogen discharges into Puget Sound. The DOE announced a decision in January to develop a General Permit for nutrient discharges to Puget Sound pursuant to its responsibilities under the federal Clean Water Act. The General Permit is different than the National Pollutant Discharge Elimination System (NPDES) permits issued by DOE. This permit would affect three King County treatment plants and many other discharge locations and facilities around Puget Sound. The General Permit could affect the requirements or standards contained in NPDES permits for King County and other dischargers.

King County operates two of the largest wastewater treatment plants that discharge into Puget Sound. The effluent contains nutrients that effect water quality. Low levels of dissolved oxygen combined with high levels of nitrogen can stress and suffocate marine life. While some natural conditions can lower oxygen levels, some human-generated nitrogen sources contribute to the problem, including heavy use of fertilizer, livestock manure, septic systems, and wastewater treatment plants discharges. Too much nitrogen fuels excessive marine algae growth, which then die and decompose, consuming oxygen.

Significant amounts of nitrogen enter local waters from the Pacific Ocean. “Upwelling” is an oceanographic phenomenon that causes dense, cooler and usually nutrient rich water to be pushed up to the surface of the water. This water replaces warmer, usually nutrient-depleted surface water and can have negative water quality impacts. Water entering Puget Sound from the Strait of Juan de Fuca and Admiralty Inlet is the largest source of nitrogen in Puget Sound and it is the source over which humans have little or no control.

County, city and water/sewer district representatives expressed concerns that the DOE will issue new permit standards that require significant changes to treatment plant operations and significant new investments to control nutrient loads that are principally from non-human caused sources. The concerns are significant because if the caps are set so that nutrient reductions cannot be achieved without hundreds of millions of dollars of upgrades, the impacts on ratepayers will make upgrades practically and financially infeasible.

RWQC members asked questions and expressed concerns about meeting new permit requirements that are still being developed. Because removing nitrogen from wastewater effectively reduces the capacity of treatment facilities, jurisdictions in King County could need to put limits on future commercial and residential development if there is insufficient treatment capacity to meet demand.

Members also questioned the science of nitrogen modeling and nitrogen caps, potential impacts to King County treatment plant operations and how those might drive capital improvements that will cause significant rate increases. DOE staff acknowledged the requirements could lead to potential rate and development impacts if treatment plants and/or other capital improvements are required in new permits. RWQC members emphasized the need for on-going engagement and opportunities to communicate with DOE and other state officials prior to implementation of new permit requirements.

- **Asset Management: Cost Drivers for Wastewater Rates.**

At the September meeting, RWQC members asked for more detailed information on the WTD's Asset Management Plan including what factors are driving the costs of the plan and how rates will be impacted. The October briefing was requested by Bellevue City Councilmember Conrad Lee's so the Committee could get more detailed information on what factors are driving rate increases. Specific concerns include the on-going combined sewer overflow (CSO) projects,

projected expenses from nutrient caps and the relative risks of deferring some asset management projects.

The 2021 rate development process recommended significant investments in the County's regional wastewater system treatment plants and facilities. Many of the proposed investments would repair, upgrade and replace equipment in the treatment plants, conveyance system and pumping facilities. The impact to ratepayers if this plan is approved would likely result in double-digit rate increases over at least the next 10 years.

Detailed information on the Strategic Asset Management Plan was not provided to cities and water/sewer districts in advance of the 2021-2022 rate proposals. WTD committed to working with RWQC and the Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC) members prior to the 2022 rate development process.

The briefing reviewed how WTD staff evaluate and prioritize asset management investments and provided details on how the agency tracks its 66,000 assets. Since 2000, WTD has been more regularly assessing its facilities and equipment and building a better database of the assets based on policies established in the 1999 Regional Wastewater Services Plan. Multiple asset management plans have been prepared since then to address maintenance and repair needs. However, as equipment and facilities age they are also evaluated to determine whether it is more cost effective to repair or replace the asset. Many of the proposed asset management expenses cited in proposed rates for 2021-2031 addressed replacement of equipment and facilities that have reached end of their useful life. This is the case at both the South and West Point Treatment Plants which were constructed 40 years ago.

Another briefing on asset management is anticipated at the next meeting of the RWQC to discuss the details of the assets recommended for repair and/or replacement, their criticality to the system, and the financial impacts of the asset management program on WTD finances and rates.

The November meeting of the RWQC was cancelled. The next meeting is scheduled for December 2.

GROWTH MANAGEMENT PLANNING COUNCIL (GMPC)

September 30 meeting summary:

The GMPC meeting scheduled for this date was convened as a work session due to schedule conflicts. budget meeting. The work session included a presentation by the Interjurisdictional Team (IJT) staff on the status of the Countywide Planning Policies amendment work, by chapter. All chapters were reviewed with details of the Development Pattern, Transportation, and Environment chapters highlighted, including the establishment of a process for identifying countywide growth centers, the continuing roles for transit and infrastructure funding in support of growth centers, and addressing climate change. Staff also identified the overarching role of equity in amending the chapters,

Bellevue Councilmember Jennifer Robertson expressed concern regarding work by the state Department of Ecology (DOE) to establish nutrient discharge threshold limits for wastewater treatment plants may have consequences and impact the region's ability to meet its growth obligations.

The work session also included a report by County staff on the allocation of growth targets among the county's regional geographies. Bellevue and Seattle are the two metropolitan cities designated in King County. The work of apportioning the Puget Sound Regional Council's (PSRC) Regional Growth Strategy forecasts was reviewed, and the next steps to allocate growth targets for housing and jobs was presented. Regional caucuses were held October 20, where jurisdictions within regional geographies began the negotiation process.

The next GMPC meeting is scheduled for December 2.

AFFORDABLE HOUSING COMMITTEE (AHC)

The AHC is a standing committee of the Growth Management Planning Council (GMPC). It was formed in 2019 to address regional affordable housing needs. Work includes implementation of the King County Regional Affordable Housing Task Force Plan and updating the Housing Chapter of the Countywide Planning Policies. The committee includes a staff working group, the Housing Interjurisdictional Staff Team (HIJT).

At the September meeting, HIJT staff presented shared revenue principles to assist in decisions regarding potential revenues to meet the goal of adding 44,000 low-income homes between 2019 and 2024 as proposed in the Regional Affordable Housing Task Force Plan. An estimated \$20 billion is needed to construct or preserve, operate and service 44,000 low income homes. Approximately \$18 billion of this total would be capital funding. Existing public revenue sources for capital funding in this 6-year period will generate an estimated \$3 billion which would fund 7,000 affordable homes, leaving a very significant funding gap.

The proposed principles recognize a shared responsibility for funding affordable housing including contributions from local jurisdictions, state, federal, business and philanthropic entities. The principles will be brought back to the AHC in November for consideration.

The agenda also included a briefing on the King County Executive's "Health through Housing" proposal to impose a 1/10th of a percent increase in the sales tax by councilmanic vote as authorized in House Bill 1590. If collected countywide the increased tax would provide \$67-\$70 million a year for affordable housing, homeless and housing-related services, and behavioral/mental health treatment.

The County's proposal would acquire permanent single room housing such as hotels and nursing homes to house persons with incomes below 30 percent of the area median income (AMI) experiencing or at risk of chronic homelessness. HB 1590 requires that at least 30 percent of funds collected in cities with over 60,000 residents will be spent in the community generating the funds. The King County Council voted to approve the sales tax on October 13 on an 8-1 vote. Direction was given to the

Executive to develop an implementation plan to guide expenditure of the funds for referral to the King County Committee of the Whole and the Regional Policy Committee for action.

As you are aware, the Bellevue City Council voted unanimously on October 12 to impose the sales tax increase and develop a spending plan for use of the funds. This opportunity came about because King County did not enact the tax prior to the September 30 deadline. Once the deadline passed, cities were able to impose the tax and control its use.

On another topic, HIJT staff introduced a new health and equity framework for the Housing Policy Chapter of the Countywide Planning Policies. The timeline for the AHC to make its recommendations to the GMPC is January.

The next meeting of the AHC is scheduled for November 13.

KING COUNTY FLOOD CONTROL DISTRICT (FCD)

The FCD Advisory Committee, comprised of elected officials from throughout King County, makes annual recommendations to the FCD Board of Supervisors. Members of the King County Council serve as the FCD Board. The Committee reviews the annual budget, capital projects and workplan and provides recommendations for consideration by the Board of Supervisors. This year, the Committee held four meetings over the summer to review the operating budget and 2021-2026 Capital Improvement Program (CIP). Bellevue Councilmember Jeremy Barksdale represents Bellevue on the Committee.

The 2021 proposed operating budget totals \$12,393,323 which is approximately \$1 million less than the 2020 operating budget. The proposed capital budget is \$78,055,852, an increase of more than \$16 million from the 2019 capital budget of \$61,922,778 due to the timing of capital projects. The Committee recommended keeping the 2021 property tax levy rate the same as the 2020 rate of 9.3 cents per \$1,000 of assessed value (AV). This rate will generate an estimated \$59,405,202. Bellevue property owners contribute approximately eight percent of the total FCD budget, or nearly \$6 million per year.

The proposed 2021-2026 CIP includes funds for Bellevue to complete the Lower Coal Creek/Newport Shores project which will reduce flooding and improve stream conveyance in the Newport Shores neighborhood adjacent to Coal Creek as it approaches Lake Washington.

\$400,000 is also included for the Bellevue/Larsen Lake project that will address frequent flooding on 148th Avenue NE between SE 8th Street and Main Street. The road has been closed to traffic on six occasions in past 16 years due to flooding. This road is the main north-south road in east Bellevue and is one of the busiest in the City. When flooded, detours direct motorists to 140th Ave NE that is also very busy and causes long traffic delays. Additional FCD funding will be needed to complete this project.

The 2021-2026 CIP also includes funding for King County to continue work on the Willowmoor project

to control lake levels in Lake Sammamish and improve conditions in the Sammamish River immediately downstream of the lake and within Marymoor Park.

Bellevue also receives nearly \$600,000 per year in FCD funds for local flood control projects from the Subregional Opportunity Fund. Bellevue has used these funds for design and construction of capital projects including flood reduction and conveyance improvements in the Meydenbauer Basin, Sunset Creek at SE 30th, and Factoria Boulevard. The FCD also provides flood reduction grants to individual jurisdictions as well as funding the Watershed Resource Inventory Areas (WRIAs) for salmon recovery projects.

Earlier in the year, the FCD Board approved a mid-year budget adjustment that doubled grant funding to the WRIAs to \$9.6 million and expanded the grants program to include three new categories of flood risk reduction grants. These categories address urban stream flooding, coastal erosion and flooding, and replacing culverts that block fish passage. Each of the grant programs were allocated \$3 million.. This level of grant funding is also proposed in the 2021 budget. Government agencies and tribes are eligible for the new grant funding. Details on the criteria for awarding grants have not been finalized.

The Committee provided the following recommendations and comments in its letter to the FCD Board of Supervisors:

- Supported an expanded role for the Advisory Committee in the update of the Flood Hazard Management Plan through detailed briefings and opportunities to comment.
- Recommended more frequent meetings of the Joint Basin Technical Committee and other basin groups to provide technical input for the update of the Flood Hazard Management Plan.
- Acknowledged the FCD Board's commitment to partner with King County and the Advisory Committee to include critical elements in the update of the Flood Hazard Management Plan.
- Shared concerns expressed by many Advisory Committee members with the expanded grant program as it is seen as diverting funds and diluting the main mission of the FCD which is to reduce flooding and flood risks along the major river systems in the County.
- Supported maintaining the 2020 FCD levy rate into 2021 for the operating and capital budgets.
- Supported continued funding for studies of emerging scientific issues related to flood management.
- Supported funding the Black River Pump Station project in the 2021 capital budget.
- Requested additional meetings in the coming year to be fully informed on FCD activities and issues to provide more meaningful policy advice and direction. Some members expressed concerns that having so few meetings the committee members are not able to participate fully in policy development.
- Specifically requested the Advisory Committee receive regular reports on capital project delivery from service providers; information on capital project milestones and completion; data relating to the accomplishments since the addition of new staff teams; and, information on the metrics used to determine staffing levels.

The Board of Supervisors is expected to act on the 2021 FCD budget proposal on November 4.

Willowmoor Project Update

The Willowmoor Floodplain Restoration Project is on hold pending completion of a third party review of alternative designs for a flood control project at the outlet of Lake Sammamish. The Willowmoor project was initiated by the FCD to achieve multiple benefits including improving flood control measures, controlling lake levels and maintaining habitat. The focus of the project is the transition zone between Lake Sammamish and the Sammamish River. An independent review of potential mitigation strategies that was scheduled to be completed in December was delayed because the FCD was unable to get a consultant to conduct the review. The Board of Supervisors recently directed staff to re-issue the RFP to retain a consultant as soon as possible.

Over the past several years, property owners along Lake Sammamish have experienced increased lake levels during winter storms and spring runoff. Landowners have cited damage to docks, other property damage and increased shoreline erosion due to wave action with higher lake levels. The property owners have been working with King County and FCD staff for many years to develop a long-term solution.

In 2013, the County convened the Willowmoor Stakeholder Advisory Committee (WSAC) to help provide a scope of work for the project. The group was made up of property owners along the lake, agency staff and citizens. This group met over several years to provide feedback as project alternatives were proposed.

In 2016, following a briefing on the project from King County staff, the Bellevue City Council sent a letter to the FCD supporting a "Split Flow Channel" design alternative. This option was one of several proposed to resolve flooding problems and maintain habitat.

In 2019, staff developed alternatives for the project to 30 percent design and released a Concept Alternatives Analysis for the project. All the 30 percent design alternatives analyzed are considered "split flow" alternatives, but lakeshore property owners and City staff were concerned that flooding impacts were not being adequately considered or addressed in the analysis. In short, the proposals did not resolve the flooding in this area. After reviewing the alternatives analysis, the FCD Board directed staff to hire an outside consultant to review the analysis, including analysis of a remotely-operated dynamic weir, and report the results of the analysis.

Earlier this year, the FCD issued a request for proposals (RFP) to complete an independent analysis. No consultants responded to the RFP. As noted above, FCD staff report that the Board directed this month that the RFP be re-issued with a target date of the second quarter of 2021 for the report and analysis to be presented to FCD.