

**CITY OF BELLEVUE
ENVIRONMENTAL SERVICES COMMISSION
MEETING MINUTES**

Thursday
November 3, 2022

City Hall & Remote
6:30 p.m.

1. CALL TO ORDER:

The meeting was called to order by Chair Knezevic at 6:30 p.m.

ROLL CALL

COMMISSIONERS PRESENT: Vanja Knezevic (Chair), Neal Hines (Vice Chair), Andy Dupertuis, Diann Strom, Ken Wan

COMMISSIONER ATTENDING REMOTELY: None

COMMISSIONERS ABSENT: Anne Howe, Negin Khanloo

COUNCIL LIAISON: None

OTHERS PRESENT: Lucy Liu, Deputy Director; Linda De Boldt, Engineering Assistant Director; Joe Harbour, Operations and Maintenance Assistant Director (Remote); Leslie Kodish, Senior Administrative Assistant; Uma Singh, Acting Assistant Director, Resource Management and Customer Service; Kate Nesse, PhD, Senior Planner; John Sizemore, Regulatory Compliance Supervisor, Water Quality; Don McQuilliams, Utilities Operations & Maintenance Manager; Doug Lane, Utilities Planning Manager; Angela Chung, Senior Engineer, Utilities (Remote); Community Development; and Laurie Hugdahl, Minutes Taker

2. APPROVAL OF THE AGENDA

Motion made by Vice Chair Hines, seconded by Commissioner Wan, to approve the agenda. The agenda was approved unanimously (5-0).

3. ORAL AND WRITTEN COMMUNICATION

None.

4. COMMUNICATION FROM CITY COUNCIL, COMMUNITY COUNCIL, BOARDS AND COMMISSIONS

None.

5. STAFF REPORTS

None

6. APPROVAL OF MINUTES

A) SEPTEMBER 15, 2022 MINUTES

Motion made by Vice Chair Hines, seconded by Commissioner Wan to approve the 9/15/22 minutes as presented. Upon a roll call vote, the motion passed unanimously (5-0).

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

a) Comprehensive Plan Periodic Update: Policy Updates

Senior Planner Kate Nesse and Utilities Planning Manager Doug Lane presented the Comprehensive Plan Update with a summary of proposed policy changes.

- Low-Impact Development (LID) – State regulations require LID to be used where feasible for new development. Staff is recommending consolidating several sections which are redundant. Impact areas: UT-13, UT-38, EN-24, EN-45, EN-46, SH-25, SH-49, UD-42

Vice Chair Hines asked what “soft shoreline stabilization” mentioned in SH-25 includes. Mr. Lane said he would follow up with more definition on that.

Commissioner Wan referred to SH-49 (proposed to be deleted as redundant) which explicitly mentions minimizing impervious surfaces and reducing water runoff. He wondered if there will be any policy remaining which focuses on reducing runoff. Mr. Lane explained that runoff reduction is inherent to LID as a primary goal, but it might be a good idea to explicitly state this anyway. Commissioner Wan agreed.

- Wellhead Protection – This will include wellheads as critical areas. No policy change but staff is proposing to change introductory text

describing types of critical areas to be consistent with proposed Well Head Protection policy in Draft Emergency Water Supply Master Plan.

- Water System Reliability – Provide context for “reliable”. Acknowledge and address disruptions anticipated after a severe earthquake. Require mitigation to improve system performance. Consistent with Draft Emergency Water Supply Master Plan. Impacts areas: UT-1, UT-2, UT-31, UT-39, UT-41.

Commissioner Dupertuis referred to UT-39 and suggested defining terms such as cost-effective somewhere in the text.

- Annexation – There is only a small area remaining in the Potential Annexation Area (PAA). Clarify the process for extending utilities in the PAA. Impacted policies: UT-14, UT-15, UT-16, UT-17

Senior Planner Nesse reviewed the timeline for drafting, refining, and adopting the Comprehensive Plan amendments with final adoption expected in 2024.

Vice Chair Hines asked if King County is required to inform the City of Bellevue if they make any changes to their wastewater treatment policies and processes. Mr. McQuilliams replied that they probably would not be required to but they would be subject to their own NPDES permit. Senior Planner Nesse added there are policies in the Utilities Element around cooperation with King County, and they try hard to work together. Mr. Lane pointed out that the City is also represented on a number of advisory boards.

Commissioner Dupertuis noted that the City’s long-range Comprehensive Plan is relying on good faith and goodwill as much as regulatory compliance. It might be something to address as the Comprehensive Plan develops. Vice Chair Hines commented that he was specifically thinking of the issue with tire antioxidant chemical in runoff. The chemical in the dust from tires was recently discovered by the University of Washington researchers to be harmful to fish. The treatment technologies for this might be expensive or non-existent, but he thought if they got the solids out it could help. He noted that this is an example of something that Bellevue might support, but could be costly.

b) Lake Washington Sewer Lake Line Management Plan Update

Assistant Director Linda De Boldt and Senior Engineer Angela Chung made the presentation on the Lake Washington Lake Lines Management

Plan. Staff will return in 2023 to update the ESC on the project progress and, if needed, request feedback on policies. Today is an informational update.

Senior Engineer Chung reviewed some background on Bellevue's Lake Lines and their locations in the City of Bellevue Service Area. The infrastructure is aging and if we do nothing, will begin to fail. Due to where they are located, this will present a great service level, financial, and environmental risk. The project goal is to study, understand, identify, and prioritize the Lake Washington Lake Lines and create a management plan that addresses key operational, financial, and capital investment strategies. The project is required to follow the State Environmental Policy Act (SEPA) to identify and evaluate probable impacts, alternatives, and mitigation measures. The Programmatic Environmental Impact Statement (EIS) will study the cumulative short-term and long-term direct and indirect impacts up front. In the EIS process the City is mandated to have specific public input through the process.

Project Progress: Staff has completed data gathering and defining the service area. They are currently focused on preparing the draft EIS and working through the mitigation analysis. After that they will present the draft EIS to the public and have a public commenting period. Comments will be incorporated into a final EIS which will be incorporated into a management plan. There are three different tracks that underlie the project concurrently: the programmatic EIS, public engagement, and management. This is an integrated approach, so each track feeds information into another track.

Ms. Chung explained that staff is considering three alternatives for lake line replacement (upland, on shore, and in water). She gave a summary of each one and discussed possible construction methods for each alternative. She summarized outreach efforts already performed and public engagement planned for the future. Public involvement platforms include online open houses, City of Bellevue website, social media, email, mail (utility bill stuffers and newsletter article), and presentations. She reviewed the integrated project schedule with the three different tracks. Final plan is anticipated to be completed at the end of the first quarter of 2024.

Commissioner Dupertuis thanked staff for the presentation. He referred to the three alternatives being looked at and asked what it means when it says, "ownership of sewer lines to be determined". Ms. Chung noted that in some areas there will be pipe on private property. There is some question about who owns or maintains different portions of the pipe. Commissioner Dupertuis referred to the Service Area Map and noted that

it looks like for alternative 2 they would have to work in people's backyards. Ms. Chung confirmed this.

Commissioner Dupertuis asked if private pipes that are currently being used to take water out of the lake are part of the analysis. Who is responsible for making sure those are up to standard? Asst. Director De Boldt replied that those are private pipes, and the City of Bellevue is not responsible for those.

Vice Chair Hines asked if any of the existing pipes pass through sensitive habitat areas. Ms. Chung replied that they do; the EIS will look at impacts and mitigation areas.

Commissioner Strom asked if the EIS would take into consideration the construction costs. Ms. Chung replied that the management plan will take costs into consideration. The programmatic EIS is intended to analyze the environmental impacts and provide recommended mitigation. These will feed into the management plan together with cost estimates. The management plan will identify the preferred alternative.

Commissioner Strom asked about comments related to scoping. Ms. Chung explained that there were quite a few comments during the online open house and by email. Some comments were very specific to people's property and were not considered environmental scoping comments. People who made those comments were contacted separately for private discussions about their property. Of the official scoping comments the Snoqualmie Tribes encouraged the City to decommission the sewer lines in Lake Washington due to water quality and environmental concerns. They also asked the City to be aware that there is a high likelihood of encountering archaeological deposits when work is being done around the lake. Department of Ecology commented that the waters of the state should be addressed per the Department of Ecology's Clean Water Act. Some Bellevue residents commented that they want the City to be mindful of potential adverse impacts to habitat used by juvenile Chinook salmon in Lake Washington. There were some other comments regarding the fact that we are in an earthquake area. We should be mindful of where the sewer lines are since the lake could be a source of water for homes during an earthquake event.

Staff invited the Commission to participate in the EIS process. The next big opportunity to provide comment will be after the Draft EIS is complete in the first quarter of 2023.

c) Utilities Water Quality Compliance Programs – Outreach, Education, and Enforcement

Regulatory Compliance Supervisor John Sizemore and Operations & Maintenance Manager Don McQuilliams presented. Mr. Sizemore provided an update on utilities compliance programs (listed below) education and outreach materials, upcoming regulatory requirements, and escalating enforcement process.

- Drinking Water Quality Program: Cross connection control & abatement; backflow assembly testing
- Wastewater: Fats, Oils & Grease (FOG) pretreatment and cleaning; illicit connection and/or unauthorized discharge
- Storm & Surface Water: Illicit discharge detection & elimination; private drainage inspection, source control
- Education and Outreach: Source Control Dumpster Outreach Group

Mr. McQuilliams further discussed the source control project. He explained that source control is a requirement of the NPDES Stormwater Permit. 1500 businesses were identified. 20% will be inspected annually. The Permit requires that the City must implement a progressive enforcement policy. He stressed that all Bellevue's programs focus on education and outreach first.

Progressive enforcement is a way to provide clear expectations to staff and customers. It is based off existing code compliance processes and allows flexibility for staff and businesses to work together. The code already emphasizes voluntary compliance before requiring monetary compensation. He reviewed how this would practically work. Staff would first attempt to get voluntary compliance, then issue a reminder, then assess a monetary penalty, and then go to the hearing examiner. To date, staff has not had to issue any fines and has been very successful with voluntary compliance.

Commissioner Strom asked what they are looking for with individual businesses. Mr. McQuilliams replied that they are looking at the base of the business for source control. They are looking for anything that could potentially fall over and spill into the drainage system.

Vice Chair Hines asked if they have had any success with social media for education and raising awareness. Mr. McQuilliams said they haven't looked at that but can consider it.

Vice Chair Hines said he likes the postcard idea. He asked about types of businesses that are the biggest problems with fats, oils, and greases. Mr. McQuilliams replied that restaurants are the biggest offenders, but once they are educated on the topic, the situation typically turns around quickly.

Chair Knezevic asked if this applies to both residential and commercial. Mr. McQuilliams replied that it does.

Chair Knezevic asked that the Commission be informed in the future about improvements and how they are measuring it. Mr. Sizemore replied that the wastewater maintenance crew will be measuring this because they have detailed records about how often they go to certain areas to clean. There will be more information available in the next few years. Chair Knezevic noted that stormwater was the main reason she joined the Commission so she is excited about this.

9. ORAL AND WRITTEN COMMUNICATIONS

10. REVIEW OF COMMISSION & COUNCIL CALENDARS

Deputy Director Liu reviewed the current Commission and Council calendars. December 1 will be the ESC retreat where they will review ESC roles and responsibilities, the Commissioner year in review, and Commission year ahead.

11. ADJOURNMENT

Motion made by Vice Chair Hines, seconded by Commissioner Strom, to adjourn the meeting. Upon a roll call vote, the motion passed unanimously (5-0).

The meeting was adjourned at 8:05 p.m.