



King County

Department of Natural Resources and Parks
Wastewater Treatment Division

King Street Center, KSC-NR-0500
201 South Jackson Street
Seattle, WA 98104-3855

March 16, 2015

Lynne Danielson, General Manager
Olympic View Water and Sewer District
8128 228th Street Southwest
Edmonds, WA 98026

Dear Ms. Danielson,

I am writing regarding Olympic View Water and Sewer District's (District's) Determination of Non-Significance for proposed Amendment No. 2 (Amendment) to the District's 2007 Comprehensive Sewer Plan which was issued on February 4, 2015. The District's analysis for the Amendment recommends refinement of Alternatives 2 and 3, both of which would result in increased environmental and community impacts from the construction of redundant infrastructure.

The introduction to the Amendment states that its purpose, in part, is to document and clarify service area boundaries. However, the document does not describe current utility service area boundaries and wastewater service to the Point Wells Urban Center site. The Amendment also does not adequately describe the contractual obligations between the King County Wastewater Treatment Division (WTD) and the local sewer utility for the provision of wastewater services, and potential negative impacts to regional ratepayers.

I am in receipt of the District's February 23, 2015 response to my letter to the District on February 10 regarding any diversion of wastewater flows from the Point Wells service area away from King County facilities. As stated in the February 10 letter to the District, the Ronald Wastewater District has contractual obligations to send flows from the Point Wells area to King County facilities which continue through July 1, 2036 and these obligations are binding on any successor. Therefore, the new infrastructure described in Alternatives 2 and 3 could not be used to divert any flows from WTD facilities.

As your amendment notes WTD is in the process of developing a regional Wastewater Conveyance System Improvement (CSI) Program Update that identifies those areas where WTD will add capacity to serve the growth coming to our region. This CSI Program Update will include programmatic planning for improvements to the WTD owned and operated conveyance between Richmond Beach Pump Station and the Edmonds Treatment Plant to maintain capacity to 2036 and beyond. These improvements are similar to Alternative 1 that is dismissed in the Amendment without explanation. I would note that WTD's improvements

to the Richmond Beach Pump Station will provide capacity for Point Wells and other surrounding areas, thus benefiting the regional ratepayers.

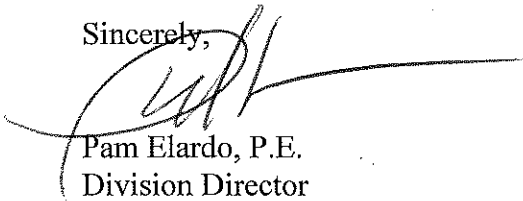
Conversely, Alternatives 2 and 3 in the Amendment both involve construction of a “new regional pump station” and conveyance that would parallel the existing regional infrastructure. Building redundant infrastructure would negatively impact ratepayers from a financial perspective and result in potentially significant increased environmental and community impacts.

The alternatives analysis in the Amendment concludes by stating that service by the District will provide a more direct and cost-effective route to the Edmonds treatment plant without providing any evidence to support this statement. The significant information gaps identified in the paragraphs above are examples of where evidence is lacking. The concluding alternatives analysis paragraph also notes that further evaluation of options is recommended as more refined development proposals are received. To be complete, the alternative analysis needs to acknowledge the existing conditions relating to wastewater treatment in the Point Wells Urban Center site, including contractual obligations for wastewater treatment, accurate utility service area boundaries, and the planned upgrades WTD has for its wastewater assets that serve Point Wells and other portions of our regional service area.

Finally, I would note that the proposed Amendment once approved by the District will require review and approval under King County Code (KCC) 28.84. Plan amendments are reviewed and approved to ensure that wastewater management within King County’s service area meets the requirements of KCC 28.84, 13.24, other applicable statutory requirements, and is consistent with the King County Comprehensive Plan.

If you wish to contact me regarding these comments or for any other questions you might have regarding King County WTD’s service to the Point Wells area, I can be reached at pam.elardo@kingcounty.gov or 206-477-4530.

Sincerely,



Pam Elardo, P.E.
Division Director

cc: Debbie Tarry, City Manager, City of Shoreline
Mark Gregg, Interim General Manager, Ronald Wastewater District
Mark Henley, Municipal Unit Supervisor, Washington Department of Ecology
Alison Evans, Permit Manager, Washington Department of Ecology

Encl: Letter to Olympic View Water and Sewer District dated February 10, 2015



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Wastewater Treatment Division

Department of Natural Resources and Parks
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201 South Jackson Street
Seattle, WA 98104-3855

February 10, 2015

Lynne Danielson, General Manager
Olympic View Water and Sewer District
8128 228th St SW
Edmonds, WA 98104-3855

Dear Ms. Danielson,

I am writing to follow up on initial comments that the King County Wastewater Treatment Division (WTD) provided on Olympic View Water and Sewer District's (Olympic View) planning process to update its 2007 Comprehensive Sewer Plan. WTD appreciates its partnership with Olympic View. However, WTD understands that Olympic View may be contemplating infrastructure that could divert flows from WTD. As discussed below, even if the Ronald Wastewater District (Ronald) no longer serves the Point Wells area, flows from that area are contractually committed to WTD through 2036.

The Municipality of Metropolitan Seattle (Metro) entered into a sewage disposal agreement with Ronald on June 23, 1960, which was superseded by a new agreement executed on November 6, 1969 (Agreement) to provide wastewater treatment services for Ronald's service area. Metro and King County merged in 1994 and under the Agreement, King County continues to provide wholesale services to Ronald, including the area known as Point Wells.

The Agreement, as amended, commits Ronald to deliver all sewage collected in its service area to WTD for treatment through July 1, 2036. This legal requirement is binding on any successor to Ronald. The Agreement speaks to the cessation of Ronald by dissolution or other means. Specifically, section 10 of the Agreement states in part:

"Neither of the parties hereto shall have the right to assign this Agreement or any of its rights and obligations hereunder nor to terminate its obligations hereunder by dissolution or otherwise without first securing the written consent of the other party and this Agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto."

Lynne Danielson
February 10, 2015
Page 2

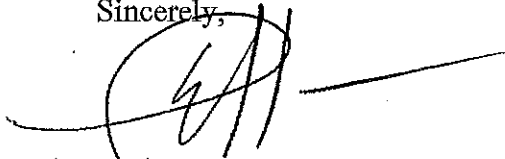
Thus, any infrastructure development that could be used to divert flows from WTD potentially interferes with WTD's contractual rights and also may harm ratepayers.

For years, WTD has invested significant ratepayer revenues in sewer infrastructure throughout WTD's regional service area, including the areas served by Ronald. WTD is committed to ensuring that these sewer investments continue to protect public health and the environment for the 1.5 million residents living in the region who paid for those improvements. Thus, Olympic View's infrastructure investments cannot be designed to divert flows from WTD. As indicated earlier, all flows from the Ronald service area must continue to be delivered to WTD regardless of which entity ultimately provides retail sewer service.

WTD appreciates its partnerships with the Ronald and Olympic View Districts, and WTD will continue to serve all of the ratepayers in the Ronald service area, including Point Wells.

WTD looks forward to receiving a copy of the Olympic View comprehensive plan update for comment. If you have any questions regarding this letter or WTD's provision of wastewater treatment services as Olympic View prepares its comprehensive plan update, please contact me at 206.477.4530 or pam.elardo@kingcounty.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'Pam Elardo', with a long horizontal line extending to the right.

Pam Elardo, P.E.
Division Director

cc: Debbie Tarry, City Manager, City of Shoreline
Michael Derrick, General Manager, Ronald Wastewater District
Mark Henley, Municipal Unit Supervisor, Washington Department of Ecology
Alison Evans, Permit, Manager, Department of Ecology