



Creeks, Drainage, and Wastewater Advisory Committee (CDWAC)

November 12, 2014 Meeting notes
 Seattle Municipal Tower, 700 Fifth Avenue
 Room 5965
 5:30 pm – 7:30 pm
 Co- Chairs: Kendra Aguilar & Noel Miller

| Committee Members & CAC Staff | Present? | SPU Staff & Guests | Role |
|--|-----------------|--------------------|--------------------------|
| Kendra Aguilar | Y | Nancy Ahern | SPU, DWW Deputy Director |
| Jeremy Andrews | Y | Dave Schuchardt | SPU, Director's Office |
| Marilyn Baylor | Y | | |
| Suzie Burke | N | | |
| C'Ardiss Gardner Gleser | N | | |
| Schylar Hect | Y | | |
| Kaifu Lam | N | | |
| Fiona McCargo | Y | | |
| Noel Miller | Y | | |
| Devin O'Reilly | N* | | |
| | | | |
| Heidi Fischer, Program Support | Y | | |
| Sheryl Shapiro, DWW Policy Liaison CAC Program Manager | Y | | |
| | <i>*excused</i> | | |

PLEASE NOTE ACTION ITEMS ARE ✓ MARKED AND HIGHLIGHTED IN YELLOW

- 1) Regular Business
 - a. Welcome and Introductions

The committee members, guests, and SPU staff introduced themselves.

2) SPU Realignment: Drainage and Wastewater Branch, Nancy Ahern, Drainage and Wastewater Deputy Director

- As part of the Strategic Business Plan adopted by the Seattle City Council in August of 2014, SPU is in the process of realigning its organizational structure for better alignment around its three lines of business: Drinking Water, Solid Waste, and Drainage and Wastewater.
 - Ray Hoffman, SPU Director, the Customer Review Panel, and the organizational consultant advising SPU all agreed that reorganization on a high level was necessary.
 - The goal is to increase productivity, and efficiency, and enhance delivery of our core services to our customers
- Currently, there are two big branches: 1) Utility Systems Management, which performs planning and regulatory tasks, and 2) Field Operations and Maintenance.
 - The current structure is complex and can be overly confusing, and creates a separation between the “office” and the “field.”
- The functions of these two branches will be integrated and aligned into the three lines of business: Drainage and Wastewater, Solid Waste, and Drinking Water.
 - There are some exceptions.
 - Some functions will cross all three lines of business.
 - All capital work will continue to be handled by the Project Delivery Branch.
 - An advantage will be a single leader who will provide a single point of accountability for each line of business, diminishing the division that currently exists between planning/regulatory and field operations.
 - Rick Scott, formerly the Field Operations Director for Drinking Water, is now the Director for the entire Drinking Water line of business.
 - Directors for Drainage and Wastewater and Solid Waste will be identified soon.
- CDWAC will continue to advise the Drainage and Wastewater line of business, and the new branch executive will be supporting the Committee’s work.
 - The SPU Director has set up a new function called Utility Services that will be supporting the Strategic Business Plan (SBP) implementation and measuring our performance and efficiency. Melina Thung from the Finance Branch will direct that group.
 - The CAC Program Manager is working with Melina to plan for the CACs’ involvement in implementing the action items from the SBP.

Questions and Comments from the Committee

- Question: Where will Sheryl Shapiro (the CAC Program Manager and DWW Policy Liaison) be in these divisions?
 - Answer: The current plan is for her to remain in both positions in her current work group in DWW.
- Comment: There have been reorganizations for SPU in the past but this one is bigger.
 - Response: We did a big one in 2005 where we focused the organization on Asset Management. SPU has been more matrixed than other comparable organizations and the current reorganization will address that.

- We still won't be fully oriented around our lines of business because support services are still centralized, some functions will cross all three lines of business, and all capital work will continue to be handled by the Project Delivery Branch.

3) Update on Lower Duwamish Superfund Cleanup, David Schuchardt, SPU Director's Office and member Lower Duwamish Waterway Group

- The Lower Duwamish Waterway Group (LDWG) is a partnership among The Boeing Company, King County, the City of Seattle, and the Port of Seattle that works with the U.S. Environmental Protection Agency (EPA) and the Washington Department of Ecology to study the best and most effective alternatives to clean up the Lower Duwamish Waterway, which was listed as a Superfund site in 2001.
 - It's worked well so far to have fewer organizations, primarily public ones, leading the study and early action cleanup efforts, but we will be bringing in other responsible parties (industries) for the final riverwide cleanup.
 - SPU is involved in the cleanup because we own the pipes. (SPU was not one of the organizations that contributed to the contamination.)
 - SPU is very active in source control.
 - Seattle City Light is also involved because of electrical equipment.
- In 2013, the EPA released a proposed plan to clean up the waterway and a final Record of Decision is expected by the end of 2014.
 - Prior to issuing their decision, they had a 105 day public comment period on their proposed plan. They received a lot of comments and will be addressing all of the significant ones in their decision.
 - The EPA's proposed plan is one of 12 alternatives.
 - It's a slightly larger plan than LDWG's recommendation, but in general LDWG and SPU support it.
 - Parties implementing the cleanup would be responsible in perpetuity for monitoring the site.
- Each alternative that was studied has different advantages and disadvantages.
 - Removal of all of the sediment is the most permanent, but has the highest cost, and the highest impact on human health, since it brings the buried contaminants to the surface for a significant period of time.
 - The EPA's proposed plan uses a combination of technologies and, like all alternatives, includes issuing fish advisories.
 - The EPA considers length of construction time, because as long as construction goes on, more sediment is stirred up, making fish more contaminated, and more people are at risk.
- The intent of the cleanup is to protect human and resident species' health.
 - The most significant risk for people is consumption of resident fish and shellfish (not salmon) from the river.
 - We cannot decontaminate the fish, but we can address the sediment, which will help the fish, which will reduce human health risk.
- The EPA would like to achieve a one in a million risk of cancer from tribal consumption of fish from the Duwamish, assuming a diet that is comprised entirely of fish from the Duwamish. This leads to their proposed sediment cleanup level of 2 parts per billion (ppb) of PCBs.

- However, we cannot get the Duwamish sediment any cleaner than its source, the Green River, which currently has roughly 40 ppb of PCBs.
- The Duwamish receives 100,000 tons a year of upstream sediment.
- CDWAC commented to the EPA in a June 2013 letter supporting a cleanup plan using a combination of technologies, such as the EPA Proposed Plan.
 - Now our elected officials are hearing from some community groups that they do not support the proposed plan, and would prefer complete dredging of the contaminated sediment.
 - CDWAC could get involved, but the committee would need to decide if and how.
- LDWG is planning two more studies related to the cleanup.
 - One is a survey of fishers to ask about their fishing behaviors and beliefs in 10 different languages.
 - The other is a technical study that will add activated carbon and sand to the top of contaminated sediments and observe the results.

Questions and Comments from the Committee

- Question: Are there contaminants other than PCBs in the Duwamish?
 - Answer: Yes, PCBs present the greatest risk, but there are over 40 contaminants that are pretty well correlated with PCBs. Cleanup will address all of the chemicals.
- Question: Are there efforts underway to bring the level of contamination of the Green River down?
 - Answer: There are, but they are in the formative stage. The Department of Ecology and King County are doing a lot of basic science to determine from where the contaminants are coming. Many things from the built environment in the watershed older than the 1970s could be a contributor of PCBs.
- Question: Is the EPA's proposed standard of 2 ppb of PCBs used in other places?
 - Answer: This is the lowest standard that the EPA has ever established. For example, the Hudson River in New York may reach about 350 ppb after cleanup is complete, but they also do not have high rates of tribal fish consumption in that area.
- Question: How are the effects of contaminated fish being mitigated for the tribes?
 - Answer: Resident fish are the biggest risk. The Muckleshoot tribe manages their own fishery, and does not fish for resident species. Instead, they fish mostly salmon. They would like to fish the resident species, which might be possible after the cleanup is complete.
- Question: Are their plans to mitigate the effect of construction on the salmon runs?
 - Answer: Yes, construction is planned around the salmon runs. Construction can only be done at certain times in the year. Sometimes there are conflicts with Tribal fishing as well; if so, we develop agreements with the Muckleshoots to manage these.
- Question: Why are some community groups advocating for more dredging, given the risks of increased risk during construction?

- Answer: They may be emphasizing permanence and feeling less concerned with cost. They also do not want to run the risk of the buried contaminated sediment being released into the environment during an earthquake (although the EPA-approved Feasibility Study shows that would not be a significant risk, and the performing parties would need to repair any such damage).
- Question: What part of the cleanup efforts are being led by SPU?
 - Answer: SPU is involved in all of these efforts, and is currently leading the source control and cleanup of Terminal 117, in the early action phase. SPU's role in the future riverwide cleanup has yet to be fully determined.
- Question: Is there a source that lists the main reasons/talking points for SPU's position on the Duwamish cleanup?
 - Answer: That information can be found in the fact sheet on the Lower Duwamish handed out to committee members.
- Comment: The CDWAC letter to the EPA on this matter from June 2013 was good and it still holds.
- Comment: Dredging moves contaminants out of sediment into water and fish. As with lead based paint, sometimes full removal can cause more exposure.
- Comment: As a comparison, I have asbestos in my house and cannot remove it because it would cost too much money.
- Question: Once the EPA's Record of Decision is released, what happens?
 - Answer: Nothing immediately, but reporters will be involved and there will be a buzz among elected officials.
- Question: Would this cleanup plan impact SPU's rate projection?
 - Answer: These efforts do affect our rates; much is beyond the reach of the current Strategic Business Plan, and might affect rates starting in 2018 or 2019. Rates will be affected for decades because the cleanup costs will be bond financed

Committee Discussion

- With respect to the anticipated imminent release of EPA's Record of Decision (ROD), the Committee discussed whether CDWAC would comment again on the EPA's proposed cleanup plan by resending the letter from June 2013, possibly with a cover page with Committee member updates and bulleting key points.
 - This may be important because the current Mayor and some Councilmembers were not in office in June 2013 and have likely not seen this letter.
 - The Committee also discussed the timing of resending the letter.
- The matter of having appropriate letterhead and a logo was discussed briefly.
 - The Committee had previously worked on creating a logo/letterhead but it hasn't been finalized for submission to SPU and potentially City staff for review.

- This does not prevent the Committee from writing a letter now.
 - ✓ The Committee Chair will follow up with Devin O'Reilly about completing the logo/letterhead for submission.
- The Committee Chair led a discussion about the pros and cons of responding sooner or later or both. Because the EPA's ROD was supposed to be released today (but was not), it could happen soon.
 - Some members felt that a response now, before the ROD is released, would be more likely to be heard, have more of an impact, and be seen as proactive rather than reactive.
 - Some members felt that a response after the ROD is released, while it could be seen as reactive, might also have more impact politically because more attention will be given to responses after the ROD.
 - Committee members expressed inclinations for each option, but did not have strong preferences.
 - The group decided to respond soon by sending their June 2013 letter to the EPA to the Mayor and the Council, with a cover notice reaffirming CDWAC's support for the EPA's proposed plan.
- However, some Committee members expressed concern over sending the letter too quickly, and wanted Committee members to have a full week to review it, along with the new cover summary, before it was sent.
 - A particular concern was about the members who were not present at the meeting.
- There was also some discussion about the role of the Committee in commenting on issues outside of SPU.
 - The Program Manager reminded the members that the Committee's role is to provide comments and advice in relation to areas on which SPU has an impact.
 - The Lower Duwamish Cleanup is one of those areas because SPU is a participating agency.
- The Committee Co-Chair noted that a quorum was present, and the plan was to resend a letter that CDWAC had previously sent. In the interest of weighing in before the ROD is released so that CDWAC's position does not become moot, she felt that the group should move more quickly.
 - ✓ She proposed that she would email the committee members in the next day or two with the draft of the cover summary and a copy of the June 2013 letter, and would send it to the Mayor and Council by Friday or the following Monday.
 - The cover summary will note that while most CDWAC members present at the meeting agree with the June 2013 letter, some Committee members may have differing opinions.
 - The Committee agreed.
- When the ROD is released, the Committee will take more time in crafting a response and give members a full week to review any letter that is sent.

3) Wrap Up

a. Around the Table

- Jeremy Andrews reported attending a week long ecology conference last month, and noted that the big takeaway was collaboration and the hidden surprises it can bring.
 - ✓ He will brief the Committee next month.
- One member had a question about the status of CDWAC's group agreements, and the Committees' bylaws.

- The Policy Liaison/Program Manager responded that the group agreements are nearly all signed and submitted. The governing document of the CAC Program is the Charter, which applies to all three of the Community Advisory Committees (CACs). It needs to be updated; this will happen in the next year and will include CDWAC having some discussions with the other CACs.
 - Another member noted her interest in Venema Creek, and finding more information about it on the website and in community outreach material.
 - Another member reported that the salmon in Pipers Creek are spawning now.
- b. Review/Approve Meeting Notes for September and October
- October notes are approved.
 - September notes are approved.

Meeting ended 7:40pm.