
MISCELLANEOUS REQUIREMENTS

This chapter documents miscellaneous facility plan requirements from the State of Washington's *Criteria for Sewage Works Design* ("The Orange Book," Ecology, August 2008), including information on water quality management plan conformance, SEPA/SERP compliance, and public involvement.

11.1 WATER QUALITY MANAGEMENT PLAN CONFORMANCE

King County's Regional Wastewater Services Plan (RWSP) addresses water quality management with respect to the sewer system and CSOs. The RWSP identifies wastewater projects to be built through 2030 to protect human health and the environment, serve population growth, and meet regulatory requirements.

The RWSP includes a CSO Control Plan that consists of the amended 1988 CSO Control Plan (1995 Plan Update), identification of 21 CSO control projects, and a goal for achieving control at each CSO location by 2030. The *2000 CSO Control Plan Update* was included in the West Point NPDES permit application. The *2008 CSO Control Plan Update* submitted to Ecology as part of the West Point NPDES permit identified the Barton and Murray CSO projects among four high-priority projects.

11.2 STATE ENVIRONMENTAL POLICY ACT COMPLIANCE

Compliance with the State Environmental Policy Act (SEPA) is a prerequisite for obtaining any permits/approvals for a CSO project. SEPA allows agencies to consider and mitigate for environmental impacts of proposals as well as to provide opportunities for public participation prior to any final decision. King County, as SEPA lead agency, will conduct SEPA review for this project. SEPA documents will be provided in Appendix D when available.

11.3 STATE ENVIRONMENTAL REVIEW PROCESS COMPLIANCE

All projects that receive financial assistance from the State Water Pollution Control Revolving Loan Fund must meet the provisions of the State Environmental Review Process (SERP) (WAC 173-98-100). SERP compliance helps ensure that environmentally sound alternatives are selected that satisfy the state's responsibility to ensure compliance with the National Environmental Policy Act. The following sections summarize compliance with the applicable federal regulations under SERP. King County will complete SERP for the proposed project, including preparation of a SERP Environmental Information Checklist.

11.3.1 National Historic Preservation Act/Archaeological and Historic Preservation Act

The National Historic Preservation Act requires federal agencies to evaluate the effects of federal undertakings on historical, archaeological, and cultural resources, and to consult with

the State Historic Preservation Officer regarding possible adverse cultural resources impacts. A review of historic, archaeological, and cultural resources that could be impacted by the proposed alternatives is summarized in Chapter 8.

11.3.2 Clean Air Act

The Clean Air Act establishes a comprehensive program for improving and maintaining air quality throughout the United States. A review of air quality issues for the proposed alternatives is summarized in Chapter 8.

11.3.3 Coastal Zone Management Act

The proposed projects are not within designated shorelines. Therefore, the Coastal Zone Management Act regulations and requirements are not applicable.

11.3.4 Endangered Species Act

Section 7 of the Endangered Species Act prohibits federal agency actions from jeopardizing listed species or adversely modifying designated critical habitat. A review of endangered/threatened species and habitats in the project areas is summarized in Chapter 8.

11.3.5 Farmland Protection Policy Act

The proposed alternative areas are not located on the inventory of prime or unique farmlands and will not impact or convert any existing farmlands to non-agricultural uses. Therefore, the Farmland Protection Policy Act regulations and requirements are not applicable.

11.3.6 Fish and Wildlife Coordination Act

There are no fish-bearing streams or water bodies within the project areas. Therefore, the Fish and Wildlife Coordination Act regulations and requirements are not applicable.

11.3.7 Executive Order 11988, Floodplain Management

The proposed alternative project areas are not within a mapped Federal Emergency Management Agency floodplain. Therefore, the regulations and requirements of Executive Order 11988 are not applicable.

11.3.8 Executive Order 11990, Protection of Wetlands

The proposed alternative project areas do not include any wetlands. Therefore, the regulations and requirements of Executive Order 11990 are not applicable.

11.3.9 Wild and Scenic Rivers Act

The purpose of the Wild and Scenic Rivers Act is to preserve the scenic, cultural, historic, recreational, and geologic values of selected rivers. No federally recognized wild and scenic rivers are in the project areas. Therefore, the regulations and requirements of this act are not applicable.

11.4 PUBLIC INVOLVEMENT AND OUTREACH

The goal of public involvement and outreach was to inform interested citizens about the Barton and Murray CSO basin control projects and to provide opportunities for meaningful involvement in the CSO control planning process. The objectives were as follows:

- Provide timely and clear information to stakeholders and the public about the purpose of the project and their opportunities to participate.
- Conduct a clear, systematic and objective process for identifying and evaluating alternatives for CSO control and associated wastewater infrastructure and selecting preferred alternatives and sites.
- Obtain input from stakeholders and the public on the alternatives and criteria before proposed alternatives and sites are selected by King County.

11.4.1 Agency Stakeholder Engagement Process

To facilitate stakeholder input, a workshop for local and state agency staff and tribal entities was held on May 7, 2009 to describe the development of the CSO control alternatives and their evaluation criteria. This workshop covered the North Beach, South Magnolia, Murray, and Barton basins. Agencies and tribes were sent a letter of invitation and a reminder email. A meeting summary was sent to all attendees.

Workshop participants reviewed the CSO program, the range of approaches the County considered to address CSOs in the four basins, and the public outreach approach. Participants provided input on the approaches, existing conditions, current and future projects, plans and opportunities for coordination and methods for public outreach. The project team used this input to guide development of the range of alternatives that would be considered as well as to modify the existing public involvement plan where appropriate.

A technical memorandum was sent in early 2010 to agency stakeholders as the alternatives were narrowed from nine to three. The memo explained how the short list of alternatives was determined and solicited written comments to inform the identification of an alternative for environmental review. Agencies were also notified via email of all public meetings. Stakeholders will receive a letter explaining how their input was used to inform the process, as well as provide information about the upcoming SEPA process.

Elected officials (King County Executive, King County Councilmembers Jan Drago and Joe McDermott, Seattle City Councilmember Tom Rasmussen), agencies (Department of Ecology, Seattle Public Utilities and Seattle Public Utilities and Neighborhoods Committee, Suquamish, Muckleshoot and Tulalip Tribes) and regional committees (Metropolitan Water Pollution Abatement Advisory Committee and Regional Water Quality Committee) were briefed at key milestones for each basin.

11.4.2 Public Meetings and Briefings

King County hosted public meetings, community group meetings and briefings between 2007 and 2010 to provide information about the development of CSO control alternatives and to

facilitate public participation in the planning process. In advance of the public meetings, postcards or newsletters were mailed to property owners in the basin area, people who had joined the mailing list, and representatives of community organizations who had expressed interest in the planning process. Email notifications were sent to the County's contact lists and community organizations with listservs for additional distribution. Notices of public meetings were available on the project and King County websites and were provided to local and regional media through press releases.

11.4.2.1 Barton Basin Public Meetings

- June 27, 2007: A joint public meeting was held for the Barton and Murray communities to explain the overall CSO control project and discuss the alternative means for controlling CSOs.
- October 8, 2009: A public open house was held to provide an overview of the CSO control problem in the Barton basin, explain approaches identified to control CSOs, provide information on how to stay up to date on progress, and solicit input.
- March 18, 2010: A public meeting was held to present the three preferred CSO control alternatives and solicit public input.
- August 5, 2010: A technical information session was held to provide additional information about the green stormwater infrastructure alternative to residents in Sub-basin 416.
- November 1, 2010: A public meeting was held to present a community-generated alternative proposing a CSO facility sited in Lincoln Park and to solicit feedback on this alternative.

11.4.2.2 Barton Basin Community Group Meetings and Briefings

- 2007 – 2008: Several community briefings were given at the request of the Fautleroy Community Association during regularly scheduled board meetings.
- November 10, 2009: The Fautleroy Community Association board held a meeting to discuss concurrent projects including the Barton Pump Station upgrade, the proposed CSO control project, and beach sand replacement in Fautleroy Cove.
- During 2010, King County public involvement staff attended several Fautleroy Community Association Board meetings to discuss the CSO control project and the schedule for selecting alternatives.

11.4.2.3 Murray Basin Public Meetings

- June 27, 2007: A community briefing was held for the West Seattle community to inform citizens of the CSO control project.
- October 7, 2009: A public open house was held to provide residents with broad background on the CSO control problem in the Murray CSO basin, explain approaches

identified to control CSOs, provide information on how to stay up to date on progress, and solicit input.

- March 29, 2010: A public meeting was held to present the three preferred CSO control alternatives and solicit public input.
- June 19, 2010: A technical information session was held to respond to citizens' requests for technical information and information about the process to identify and screen CSO control alternatives.
- November 1, 2010: A public meeting was held to present a community-generated alternative proposing a CSO facility sited in Lincoln Park in the Barton basin, and to solicit feedback on this alternative.

11.4.2.4 Murray Basin Community Group Meetings and Briefings

- Between 2007 and 2009, County staff attended two Fauntleroy Community Association board meetings to keep neighbors informed and updated on the project.
- October 21, 2009: The Morgan Community Association hosted a community meeting to discuss CSO control approaches and the public participation process.
- April 21, 2010: The Morgan Junction Community Association hosted a presentation on CSO control alternatives.
- June – September, 2010: Due to significant concern, King County convened the Murray community advisory group (CAG) to better understand and explore options for CSO control in the Murray CSO basin. This group consisted of 12 residents, four alternates, and several ex-officio members. Eight meetings of the Murray CAG were held to debate and discuss CSO control alternatives.

Public input from all meetings and briefings was used to identify an alternative for further review. While most community members recognized the need to deal with CSO control problems in the Murray basin, few members supported the three alternatives presented by the County. Neighbors of Lowman Beach Park submitted a statement with more than 700 signatures opposed to siting an underground storage facility in Lowman Beach Park. Community members considered Lowman Beach Park a treasured space, but they were also against using private property for a storage site. The in-street control option was also opposed due to possible lengthy street closures and traffic disruptions. The Murray CAG was established in response to community objection to the Lowman Beach Park alternative. The Murray CAG issued a report in October recommending storage in Lincoln Park, triggering strong opposition from the Barton/Fauntleroy Community.

11.4.3 Public Information

11.4.3.1 Project Website

In 2009 a project website, www.kingcounty.gov/CSObeachprojects, was established to make information on the development of the CSO control approaches available to the public. A link

to the project website was made available on the Wastewater Treatment Division's homepage and provided to the public in meeting notices, press releases, newsletters and emails and at meetings.

Notice of all public meetings and stakeholder workshops were posted on the website. After public meetings, written summaries, presentations, and handouts were made available on the website. Interested parties were able to sign up for the project mailing list and were provided a phone and email contact for King County staff.

Technical information was made available on the website as a separate link (<http://www.kingcounty.gov/environment/wtd/Construction/Seattle/BeachCSO/Library/TechInfo.aspx>) to allow interested citizens opportunities to better understand the decision process. Individuals could request CD copies of the technical information as needed.

11.4.3.2 Project Mailings

A newsletter was mailed to about 5,000 basin residents in fall 2009 with information about the upcoming decision process for CSO control projects and options for community involvement and participation. The newsletter included a mail-in form to sign up for email updates and/or hard copies of web materials. A second newsletter was sent in spring 2010 to announce the three selected alternatives for CSO control and provide information about a public meeting to discuss the alternatives. Newsletters were also provided as a PDF by email and mailed to local and state agencies and tribes. A technical information session flier was sent in July 2010 to residents within the upper basin that would be affected by the GSI solution. In October 2010, a flier was sent to residents in the Fauntleroy neighborhood to announce the November 1, 2010 public meeting. Sandwich boards were placed throughout Lincoln Park to ensure maximum attendance at the meeting.

In addition to targeted mailings, news releases were sent at key milestones to local and regional media, including blogs, and to city and state agencies for distribution.

11.4.4 Comment Tracking and Response Process

Members of the public submitted feedback or input in a variety of ways. Stakeholders and members of the public were invited to ask questions and provide comments at all of the stakeholder workshops and public meetings. The consultant team and representatives of King County responded to comments and questions during those meetings. A summary of public comment and response from each meeting was posted in the meeting summary available on the project website, and a 'frequently asked questions' page was included on the website.

King County community relations planning staff received the comments that were submitted via the website, an online survey, email and phone. The comments were saved by County staff for their records. Some comments were intended to inform the CSO control decision process and did not require a response. For questions and comments that did require a response, King County staff responded via email or phone. The West Seattle blog, <http://westseattleblog.com/>, a media resource used extensively by the Barton and Murray communities, provided extensive coverage of options, discussions, decisions and process.

Public input from all meetings, briefings, and comments was used to identify an alternative for further review. Based on the strong level of public input during the decision-making process, specific requests from stakeholders, and King County's commitment to public involvement, the County is planning continued public outreach throughout the design and construction phases. An updated public involvement plan will be developed for design and construction to keep the community and stakeholders engaged and informed, and to respond to concerns during design, environmental review and construction.