

## Meeting Minutes

### Drinking Water Advisory Group Monday, May 4, 2015

Location: Kent, WA with video conference to Spokane and Tumwater  
Time: 1:30 – 4:30 pm

1. Mike Means, Office of Drinking Water (ODW) – **Welcome and emerging issues**
  - Drought—likely moving toward drought in Western Washington.
    - The messages are challenging to deliver, but we are working to create them.
  - The Needs Assessment Survey officially starts on June 1.
    - The assessment is supposed to be finished by the end of November.
    - We hope to get an extension since it started later than originally expected.
  - Current rule updates:
    - Revised Total Coliform rule
    - Disinfection rule
    - Group A rule
    - Lab rule
    - Recently filed the CR101 for Drinking Water State Revolving Fund (DWSRF) emergency funding
  - Issues we've seen in the past year:
    - Findings of incident on Mercer Island, including monitoring
    - Looking at our cross-connection control program
    - Water system data integrity, including machine calibration

A fluoride standard of 0.7 as the optimal fluoride level released by the federal Department of Health and Human Services. We are waiting for the Center for Disease Control and Prevention's proposed optimal range based on the 0.7 guidelines.

2. Donna Lynch, ODW – **Celebrating Drinking Water Week**
  - National Drinking Water Week is always celebrated the first full week in May.
  - This year, we celebrated with outstanding water systems and operators May 1-7.
  - The winners include:
    - Cheryl Capron – Seattle Public Utilities – Operator of the Year
    - Tacoma Water – Commitment to Excellence
    - Steven S. Prather – Water Services, Clark Public Utilities – Lifetime Achievement
    - John D. Wesely – Cedar Water Treatment Facility – Going Above and Beyond
    - Phil Gady – Going Above and Beyond
    - Melissa Young – FlyingFox LLC – Going Above and Beyond
    - City of Colville Water System – Pursuit of Excellence
    - Kitsap Public Utility District – Commitment to Excellence

3. **Open Mic** – Come prepared to let us know what’s new with you...

- Fluoride standards:
  - This rule deals with water systems that actively fluoridate their water.
  - As an agency, we support systems to fluoridate.
  - Looking at a variety of things to make some recommendations to the Board of Health.
  - Fluoride isn’t an instantaneous benefit, it’s a cumulative impact.
  - Optimal operating level is 0.7 Mg/L.
  - The national standard is lower than our current operating range.
  - We are working with the State Board of Health to develop draft rule language.
  - Call [Stephen Baker](#) at 360-236-3138 if you have comments, questions, or concerns.

**Question:**

Is there any naturally occurring fluoride around the state?

*Yes, we have systems in Eastern Washington that currently have to treat their water to meet the standard.*

- Chlorine residual
  - We do not currently have a definition, but we want operators to stop using devices that report below the threshold.
  - The proposal says 0.2 Mg/L of free chlorine or less if approved by us.
    - We will create internal guidance to address levels less than 0.2 Mg/L.
- Tacoma has opened their new filtration plant. It is the largest filtration facility in Region 10.

**Comments about the Utilities & Transportation Commission (UTC) workshop:**

- *It was a very good workshop; many good things were brought up. Discussed a lot of questions about revenue and smaller for-profit water systems. Attendees expressed similar confusion about rate setting under the UTC. – Drew Noble*

*Joe Crossland, ODW: Please let us know how we can help you with confusion about setting rates. We are working with the UTC to create communication products on this topic.*

- *There was a very interesting session at the American Water Works Association (AWWA) conference. There was quite a bit of discussion about the demand on water. The demand is actually going down and it’s a matter of how much per capita water can continue to decrease. – John Kounts*

4. Blair Burroughs, Washington Association of Sewer and Water Districts (WASWD) –

**What’s going on at WASWD and partnering with ODW**

- WASWD is a nonprofit and 501C(6)
- There are about 180 water and sewer districts in the state and about 91 are WASWD members.
- Currently have about 115 associate members involved in the water and wastewater industry including engineers, lawyers, accountants, architects, financial, etc.

- Need to have an organizational culture that facilitates strategy.
  - Collaboration: Believe we work better when we work together.
  - Communication: All responsible for communicating in an open, respectful, and candid manner.
  - Resourcefulness: Believe in using common sense, creativity, and persistence to meet needs of stakeholders.
- Board and committee work: Board of directors, government relations, conference and training, finance, strategic planning, small districts, section meetings, technology retrospective rating.
- WASWD’s core work: Educate, Advocacy, Collaborate.
  - Education: Conference with certified continuing education classes for personnel, sessions on timely topics for commissioners, presentations by consultants, and suppliers.
  - Workshops and webinars on timely topics only for members.
- Members to WASWD get access to the Municipal Research Services Center (MRSC).
  - Advocacy:
    - Lobbyists: Joe Daniels & Scott Hazlegrove
    - Regulatory Liaison: Clair Olivers
    - Coordination with other associations, including WWUC
    - LobbyGov
    - Member updates
    - Action alerts

**Question:**

Is there any opportunity for you to advocate for a water system to become a water district?  
*We have done that before. Clark Halvorson wants to reduce the number of water systems.*

- Litigated matters
  - Amicus brief in *Wenatchee v. Chelan County PUD* case involving right of city to impose utility tax
  - Contributing to cost of amicus brief in *DOE v. Wahkiakum County* biosolids case
  - Retained counsel to advise WASWD on implications of *Swinomish* case and possible legislative solutions
  - Attorney meetings
- Collaboration
  - Providing opportunities for members to network, share knowledge, and collaboratively respond to industry needs
  - WWUC, including Legislation Committee
  - Small Water Systems Workshops: Collaborating with Department of Health, Washington Public Utility District Association, Evergreen Rural Water of Washington, Rural Communities Assistance Corporation, Municipal Research Service Center, State Auditor’s Office, and Department of Commerce
    - Blair would really like to see these trainings put on again.
    - We were able to provide information and different options applicable to small systems.

- Public Works Board, including Management Accreditation Certificate
- Public Works Trust Fund Stakeholders Group
- Participation in Center for Sustainable Infrastructure
- Oregon Association of Clean Water Agencies: Water Quality Standards Group
- Member support – WASWD provides:
  - Answers to questions
  - Job postings
  - Surplus equipment postings
  - New website with real-time calendar
  - *Pipeline* (email and mail newsletter)
- You can contact Blair at [Blair@WASWD.org](mailto:Blair@WASWD.org)

**Questions:**

What do you think the Department of Health could do to see more water districts created in the state?

*Could attend community meetings to talk about water districts, but Blair would have to work through the natural resistance to adding another layer of government. Although, a great selling point is that commissioners of water and sewer districts set their own rates, they are not under the UTC. (Blair Burroughs)*

How does a water system become a water and sewer district?

*You must have 10 percent of property owners in the proposed district agree before receiving approval from your county commissioner. Once approval is received, it moves forward to a popular vote. (Blair Burroughs)*

Can renters vote or does it have to be property owners?

*He thinks it has to be property owners, but he will need to check on that. (Blair Burroughs)*

**5. ODW and Department of Ecology – Legislative updates**

- **Brian Walsh – ODW**
  - Thirty-day special session with focus on the budget.
  - About 2,200 bills introduced this session and some of them could still be in play depending on how this session ends.
  - Bill 5250 didn't get through.
  - Public water system bill is Senate Bill (SB) 5238.
  - Water banking, 1187 – Talks about best water banking practices in the Yakima Basin.
  - The bulk of other bills are water resources so Dave Christensen will touch on them.
- **Dave Christensen – Ecology's Water Resources Program**
  - SB 5491 is a short bill that might come back during special session. The bill would apply to the Dungeness, Stillaguamish, Salmon, Washougal, and Wenatchee. All of these rules would have the legislative intent supported.
  - SB 5965 – Study bill to look at different ways to approach mitigation. Usually study bills get through when you can't get policy bills through, but this issue was contentious. Ecology will be doing the study anyway because they believe it's important.

- HB 1187, water banking – Started as water banking best practices with more water restrictions in rural areas.
  - It is becoming tools to address instream and out-of-stream uses.
  - The bill’s goal was to create some fairness, equity, and transparency. It has changed to focus on issues of the Yakima Basin and how water banks aren’t operating well in that area.
  - This includes restrictions that might inhibit Kittitas County from creating their own water bank.
  - Ecology is supportive of fairness, equity, and transparency, but they don’t want to support this bill because water banking was part of their settlement with Kittitas County.
  - There will be more water banking bills that come forward in the future.
- The rest of the legislative information is about drought. It has had a huge impact this year and has been eye opening!
  - There has been talk about an emergency drought funding package (\$18 million for the biennium).
  - It would allow Ecology to assist with irrigation and help water systems if they need to develop interties or drill new wells.
  - Also talking about policy issues around drought, this drought highlights that water is short in our state. There are issues about the role of state government and looking at possible cost share measures.
  - As soon as a bill begins moving through, Ecology will issue emergency criteria. They are considering cost shares as a requirement because that’s the direction the legislature would like them to go.

**Question:**

When you talk about cost sharing, are you looking at 50-50?

*As soon as you talk about cost sharing, you have to look at hardship. The legislature talked about irrigation and agriculture being a 50-50 cost share, but that wasn’t necessarily the case for everyone. Because of that, we are looking at hardship issues and looking at the Department of Health and Department of Commerce’s rules.*

- Nobody wants public health needs to go unmet, but Ecology is trying to figure out how to help the most people and stretch the dollars.
- The drought is also having other unintended impacts. Lake Tapps did some maintenance this year, which required them to drain the reservoir in September. Due to unforeseen circumstances with the drought, they may not be able to fill the reservoir before the summer.
  - Typically, the White River is running at 1,500 CFS, but right now it’s below 800, which typically isn’t seen until late summer.
- **Dave Christensen, reporting for Ecology’s Water Quality Program**
  - Working on Reclaimed Water rulemaking.
    - Filed the CR101 in early April.
    - June 22 – August 1 is the public comment period with rule adoption by the end of the year.

- Ecology is continuing to work on the purple book. They will be meeting with Health to review comments.
  - Their goal is to have the draft manual ready with the draft rule by June 22.
  - See the timeline handout on the [DWAG webpage](#).

**Question:**

Can you talk about 5018, ASR?

*Ecology was actively working to find a solution, but they don't know why it didn't pass. After working together, we reached a point of satisfaction. The compromise was to split the difference, with agreement to find middle ground, but they do not know much more. (Dave Christensen)*

**6. Mike: Queuing up the next meeting**

**Next meeting:**

- Monday, August 3, 2015
- Time: 9 a.m. – 12:30 p.m.