

# The Tap



**INSIDE THIS ISSUE:**

2020 Legislative Update	4
Covington Turbine Project	6
2019 Event Photos	7

- [Camano Water Association](#)
- [City of Bonney Lake](#)
- [City of Fife](#)
- [Covington Water](#)
- [Firgore Mutual Water Co.](#)
- [Fox Island Mutual Water Association](#)
- [Fruitland Mutual Water Co.](#)
- [Lake Josephine Riviera](#)
- [Lakewood Water District](#)
- [City of Milton](#)
- [Mt. View-Edgewood Water Co.](#)
- [Parkland Light and Water](#)
- [Peninsula Light Co.](#)
- [Pierce County Public Works and Utilities](#)
- [City of Puyallup](#)
- [Rainier View Water Co.](#)
- [Spanaway Water Co.](#)
- [Town of Steilacoom](#)
- [Summit Water & Supply Co.](#)
- [City of Sumner](#)
- [Tacoma Water](#)
- [Public Utility District No. 1 of Thurston County](#)
- [Valley Water District](#)
- [Washington Water Service Co.](#)
- [City of Yelm](#)

## President's Pipeline

### **Emergency Management Approach within the Cooperative**

Planning for an emergency response is clearly an area that we as a cooperative should be able to provide value to our member institutions. Unfortunately, I have struggled with the approach the cooperative has taken and would like to use this article as a forum to open a discussion around the issue. To begin that discussion, let me briefly describe our current approach, identify why that might be a challenge to implement, and then present a hypothetical alternative as a springboard for further thinking.

### **Our Current Approach**

The current focus of the Water Cooperative centers on creating a roster of equipment and certified water operators so that if our transportation network becomes incapacitated, district managers would be able to draw from the people and resources already residing in close proximity to our service areas. Presumably, these local operators would be helpful to rapidly triage the situation

and re-establish minimum levels of service.

The main obstacle I foresee is that if my crews can't respond to a critical situation, the last thing I want is some random person showing up "fixing" things. The fact that an individual has an DOH certification card might be better than nothing, but if they are not familiar with my system, I am not convinced having them do something, just to be doing something, will be helpful.

What exactly do we picture these people doing? Are they going to re-start a well pump that isn't working? Are they going to just start turning valves to isolate sections of the system? How about working on a chlorinator? Do you want an operator who has never worked on your system doing any of those things in an emergency?

If and when our regular

operators can respond, this is most likely the most challenging, stressful, and important environment of their career. Adding a complete stranger to a work team is potentially more disruptive than helpful?

I'm also not sure about the phone call to ask for that help. Does it go something like this, "Hello is \_(utility operator)\_ there? I'm \_(District Manager)\_ from \_(your local)\_ water district. I understand you are a certified water operator. Your name was on a list of operators that live near our water system. In the midst of this regional tragedy, if you are not otherwise planning to try and make it to work, your family is OK, and you have some tools with you, could you come help us?"

"No, I'm not sure what we need, where to go to be

CONTINUED ON PAGE 2



**CHS  
ENGINEERS**

- District Engineer
- Design
- Modeling
- Special Studies
- Comprehensive Planning
- Construction Management

- JLDs
- Reservoirs
- Pump Stations
- Treatment & Reuse
- 3D Surveying & Mapping

[www.chsengineers.com](http://www.chsengineers.com)  
12507 Bel-Red Road, Suite 101, Bellevue, WA 98005  
**425-637-3693**

## President's Pipeline

CONTINUED FROM PAGE 1

helpful, who might be there to help, or what you will be doing." "I think we might have a way to pay you for your time?"

I foresee other challenges. But for purposes of this article let's say those are the most prominent.

### A Different Tack

In an effort to foster a discussion of alternative approaches, the following is based on the ideas put forth in General Stanley McChrystal's book Team of Teams.

What if we had a worker exchange program? Each agency would have the opportunity to nominate one operator to participate. The primary criteria in selecting the nominee, is that this operator has to be the best of your best. If your superintendent doesn't lie

awake at night thinking, "How will anything get done without this individual around?" then you have the wrong person.

With this group of operators, the cooperative works out a rotation where each nominated operator reports to another of our agencies for 8 weeks. At the end of the 8 weeks, we hold banquet in their honor, buy them and their significant other a steak dinner, and thank them for their efforts.

In the short term they come back to our organizations having been exposed to other ways of doing things. We have a real, organic connections between our agencies formed from putting our very best face forward. And we have the opportunity to recognize those individuals doing exceptional work.

### Emergency Response in Fable Form

Nothing in the above talked about emergency response, so why would I propose this for emergency management? Let me explain through a hypothetical fable. I've used utility names to ground this in geography, but everything else is imagination.

Picture three of Puyallup's operators on their way to respond to a disaster first thing in the morning. We then listen in on their first cell phone conversations.

John, Puyallup's operator, is talking with his manager, "Craig, we are on our way to the Main Street break. Figured we would start at the incident closest to our supply sources. I've got people headed to the other reported breaks but figured we would focus our biggest effort here first."

John again, "Hang on Craig, I've got a call from Charlie over at Mt View Edgewood. He helped us out last summer and it sure would be nice to have his help today. Let me talk to him and I'll call you right back in a minute."

John, after switching to the call from Charlie, "Morning Charlie. Oh, do we have a mess on our hands today. We think it was the employee we let go last week but are not sure. If it was, he sure got us good."

Charlie, "I saw a report on the news that something

serious is going on over there. I'm already headed your way with a couple of our operators to see if we can't lend a hand. Where would you like us to go?"

"Could you head up to our 12" transmission main by the mall? Remember where you helped us cut in a valve on that line last Summer. I think the situation is about a half mile west of where we were working. Ed is looking into it but I didn't have any equipment to send his way."

"I remember Ed. I'll call back to our shops and get them coming with the backhoe and some of the 12" fittings from our shop."

"What about Mt. View Edgewood's system?" John asked. "Any chance you guys were hit too?"

"I've got Kevin making some rounds to check things out. I'll call Pacific to see if their crew can make the rounds with him. Isabelle over there knows our system pretty well from last summer and it wouldn't hurt to have a couple people along in case we find something..."

While this conversation is taking place, we refocus our attention to another conversation in the truck's jump seat. "Laura, this is Dale from Sumner. The guys just heard something on the radio about your system being in trouble and wanted to know if we could help?"



*Brett Wise*

Owen Equipment Sales **Website:** [Owen Equipment](http://owenequipment.com)

**Phone:** (253) 852-5819 **Cell:** (253) 249-6369

**Address:** 8721 S. 218<sup>th</sup> St Kent, WA 98033

**Email:** [bwise@owenequipment.com](mailto:bwise@owenequipment.com)

## President's Pipeline

CONTINUED FROM PAGE 2

"Thanks, you guys are the best. It might be some sabotage by a guy who got fired last week. It's pretty upsetting, but we are trying not to think about that and just tackle what needs to be done."

Laura continued, "We've got reports of something happening up at the Town Center reservoir. I seem to recall last summer that you guys had a couple extra chlorine metering pumps sitting around and Ray was pretty good about setting those up. Could you send a couple guys over there? You might bring that portable generator and a barrel of sodium hypochlorite. I think they said something about the disinfection system having been taken

out."

"We will be right on it. I'll see if our police can't help us get through the traffic." Dale replied. "Give me a call if you find out more or need something else."

### For Further Discussion

Could this be a blueprint for an effective emergency response? Admittedly, it's not in the direction of centralized control. It also necessitates trusting and empowering field staff. It also puts our response as close to the problem as we can get it. Most interestingly, the largest components consist of relationships and trust.

In the end, I would favor an emergency response to be based on those traits than on a phone list of

## Kennedy/Jenks Consultants

- Enduring relationships
- Trusted expertise
- Promises delivered

Over 120 Professionals in Washington & Oregon

- |  |                                   |
|--|-----------------------------------|
| • Asset Management and Master Planning | Seattle, WA<br>(206) 652-4905     |
| • Water Quality and Treatment          | Federal Way, WA<br>(253) 874-0555 |
| • Source Development                   | Portland, OR<br>(503) 295-4911    |
| • Water Reuse                          | Eugene, OR<br>(541) 338-8135      |
| • Distribution and Pumping             |                                   |
| • Stormwater                           |                                   |

Visit our web site: [www.KennedyJenks.com](http://www.KennedyJenks.com)

people I don't know and an equipment inventory of machines I don't have keys to. But I will look forward to our continued discussions ahead.

*Jason Van Gilder, PE  
Associate Engineer –  
Public Works  
City of Sumner*

## PACIFIC groundwater GROUP

Water Resource & Environmental Consulting

### Water Resources

- Groundwater Development and Planning
- Water Rights Permitting Support
- Modeling Groundwater Flow Systems
- Saltwater Intrusion Evaluations

### Land Use/Development

- Stormwater Management
- Hydrologic Effects of Land Development
- Property Transactions & Site Assessments

### Environmental

- Remedial Investigations/Feasibility Studies & Cleanup of Upland and Sediment Sites
- Landfill Monitoring/Permitting
- Cost Allocation

Find our new  
RWCPC website at  
[www.rwcpc1966.org](http://www.rwcpc1966.org)

We welcome your questions and suggestions anytime

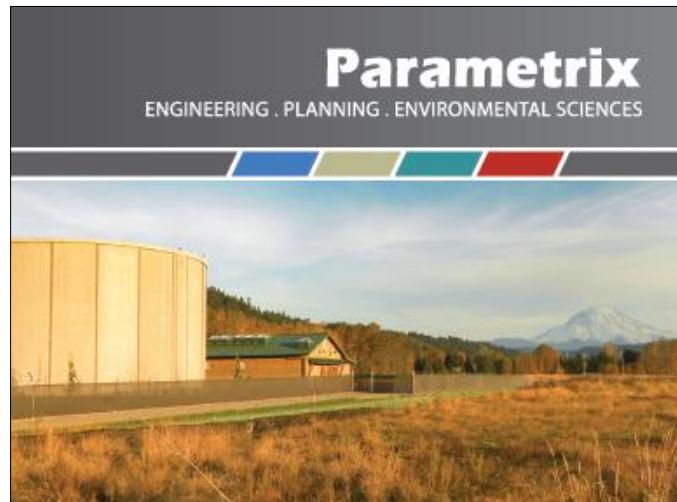
# 2020 Legislative & Legal Update

## 2020 State Legislative Preview

The 2020 Washington Legislature started January 13, for a scheduled 60-day short session. Given that the operating budget is fairly stable, it is likely the Legislature will adjourn close to their March 12 sine die deadline. Water resource issues are not expected to have a major part in the 2020, due in large part to the many issues that are "in the works" that could result in the 2021 Session taking on major water resource policy issues.

For 2020, the leading water resource policy issue will likely be the issue of water banking, and more generally the use of the state's Trust Water Program to protect

water rights from relinquishment. A Seattle Times article regarding the acquisition of water rights by a Wall Street-backed company has generated significant interest from legislators, who are concerned both about speculation in water rights and the impact of downstream water right transfers in the area of origin. These controversies are not new, and efforts to protect water rights from being transferred out of rural areas of Washington State date back to the 1990's, when the cause was championed by former State Senator Bob Morton (R – 7th, Kettle Falls). It is likely that a number of different trust water rights and water banking bills will be considered by the



**Parametrix**  
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Helping clients with water resource management, water systems, and drinking water quality since 1969

Legislature, though it is too soon to tell whether sufficient consensus on defining both the problem, and the solution, can be identified.

In addition, bills filed early in the session indicate legislative interest in the issue of PFAS in drinking water as two bills on this issue were pre-filed before session.

### Task Forces, Reports, Policy Guidance, and Rulemaking

Much of the reason for the likely lack of legislation action in 2020 is due to the number of different policy and administrative actions currently underway. These issues include the Foster Task Force ("Joint Task Force on Water Supply Mitigation"); Skagit Task Force ("Water Supply Task Force"); Ecology's review and report of possible basins for a

future water rights adjudication; and Ecology's proposed rulemaking to implement the Hirst Fix legislation, ESSB 6091, in the Nooksack Basin, WRIA 1. It is likely that all of these policy or administrative efforts will conclude by the end of 2020, setting the stage for significant legislation action in 2021.

### Lakehaven Water & Sewer District, Midway Sewer District, and Highline Water District v. City of Federal Way (City "Excise Tax" Authority on Water/Sewer)

This case is a challenge by water districts against the City of Federal Way's adoption of a 7.75% "excise tax" on water and sewer service by the districts within the City. The Districts argued in King County Superior Court that the City does



## 2020 Legislative & Legal Update

CONTINUED FROM PAGE 4

not have statutory authority to impose such a tax. The court ruled in favor of the City, and a Petition for Discretionary Review is pending before the State Supreme Court. If denied, the appeal will be heard by the Court of Appeals, Division I. This area of the law is the subject of a number of prior court decisions, most recently Chelan PUD vs. City of Wenatchee, in which the Court of Appeals, Division III ruled that water service that is "proprietary" in nature is subject to a city's excise tax authority, but water service that is "governmental" in nature is not taxable.

### King County v. King County Water Districts et al. (County "Rental Fee" Authority in public rights of way)

A number of water districts challenged King County's authority to impose a rental fee for water and sewer infrastructure in County rights of way. The Superior Court ruled that the County does not have such authority, but this decision was reversed by the State Supreme Court, which concluded that King County has such authority, and that the imposition of a rental fee is a fee, not a tax. The decision raises numerous questions for both counties and utilities in terms of who the decision applies to, and how it will be implemented. The

decision could be read to apply only to King County, but arguably could also apply in other home rule counties. Further, the case involved only a specific number of water districts and part of the decision turned on the authority of counties compared to the authority in RCW Title 57, which governs water districts. It is unclear whether the decision would apply equally to other types of public or private water, sewer, electric, or telecommunications utilities.

In addition, the decision raises implementation questions for King County and possibly other counties. For example, in a situation where multiple utilities use the county right of way, how would the "rental cost" be established? The briefing from the parties and decision suggest a number of different methods, but no specific methodology is required by the opinion.

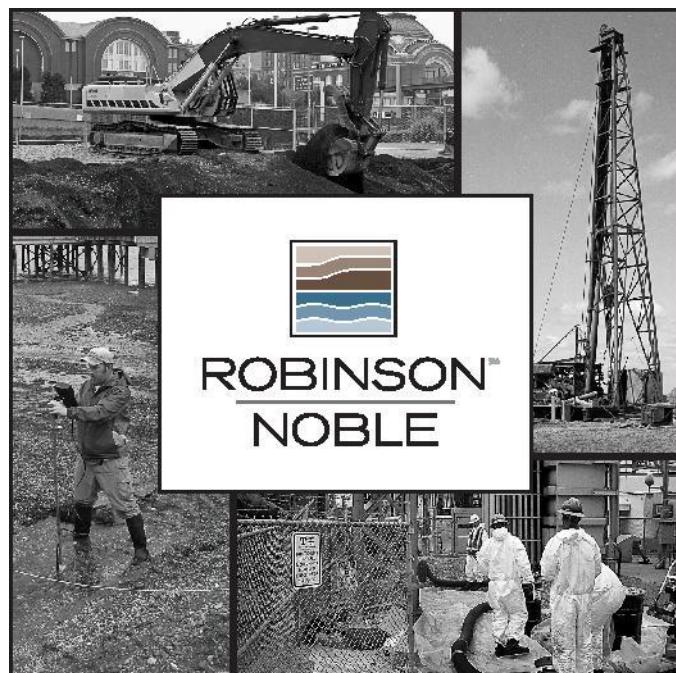
Utility interests are currently reviewing the decision and considering their options, including legislation. It is unlikely the current Legislature would eliminate this new source of county revenue given the strong push from counties in recent years on the need for general fund county revenue.

*Bill Clarke,  
RWCPC Lobbyist*

Do you have a story to tell?

Help make our newsletter a more valuable resource.

Send articles and photos to  
Burt Clothier, Editor  
[Burt@pgwp.com](mailto:Burt@pgwp.com)



**ROBINSON  
NOBLE**

Supporting water purveyors for over 70 years

Groundwater Development, Monitoring & Protection • Regulatory Compliance & Permitting • Emergency Response Services • Geotechnical Engineering • Site Investigation & Remediation

Tacoma  
253.475.7711

[www.robinson-noble.com](http://www.robinson-noble.com)

Woodinville  
425.488.0599

## Covington Water District Turbine Project

In the Pacific Northwest we are fortunate to have access to cheap and clean hydropower. While most of our power comes from large dam projects, the Covington Water District (District) has been intrigued with capturing smaller energy amounts (ie called Micro Hydro) that would otherwise be wasted as it moves through pipes, water treatment facilities and other systems.

The District recently completed a long-term project that provides an additional supply tap and transmission supply main off of Tacoma Water's Pipeline 5 via the Regional Water Supply System. While in the past, valves would have been used to reduce the pressure and regulate the flow of the water, the

District looked to harvest the potential energy in the water by instead using a turbine to accomplish the same task. Instead of waste noise/heat, the turbine will produce electricity that will be used to offset the power demand of the adjacent Administrative Building and also to power electric vehicles in the future. For 2019, the turbine offset 82% of the District's Administrative Campus power bill. The District also proactive applied for, and won, a \$79,447 grant from the state Department of Commerce. This helped offset the capital cost of the turbine (\$376,000) and will allow for the return on the investment to be closer to 10 years (instead of 20 years). Also, space was set aside to allow an additional turbine to be

added in the future as the water demand of the District increases.

Eventually, the District will become a net producer of energy from what otherwise would have been wasted using typical design standards in place at this time.

For additional project information, please contact Thomas Keown at [tom.keown@covingtonwater.com](mailto:tom.keown@covingtonwater.com) or (253) 867-0900.

Also, a YouTube video of the project was produced by Puget Sound Energy and can be found here: [https://www.youtube.com/watch?v=6sXKkrn\\_1Bo](https://www.youtube.com/watch?v=6sXKkrn_1Bo)

### RWCPC Standing Committees

#### Communications/Social Committee

Chair: Christie Butler  
Vice-Chair: Burt Clothier

#### Emergency Management Committee

Chair: Kristen Best

#### Equipment/Resource Sharing Committee

Chair: Chris Apple

#### Executive Committee

Chair: Larry Jones

#### Legislative Committee

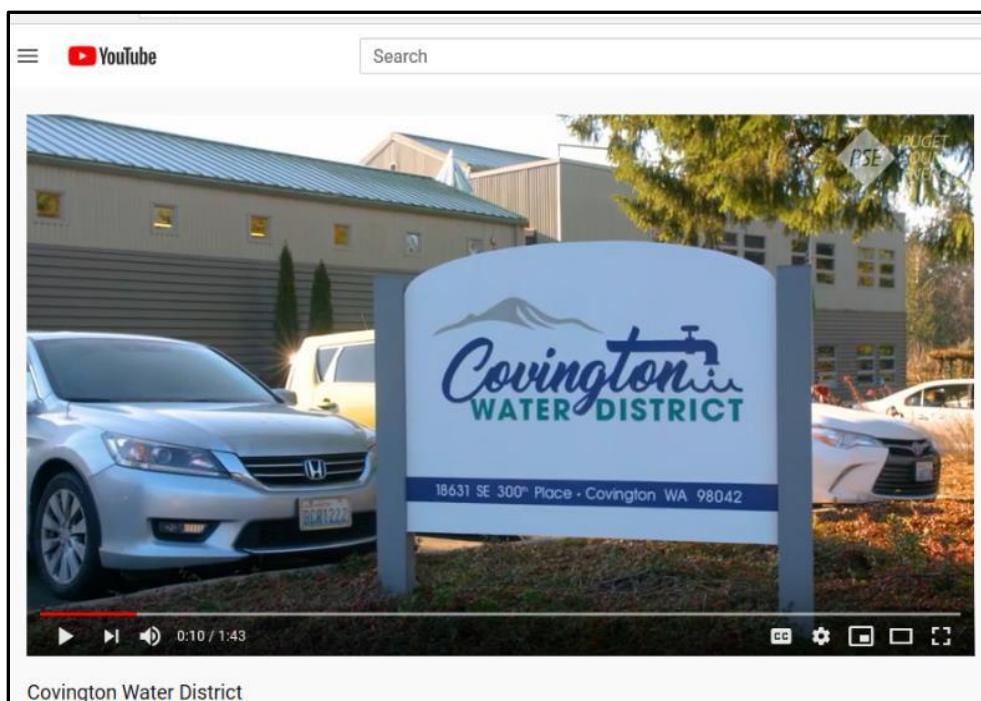
Chair: Jeff Johnson

#### Technical Committee

Chair: Mike Lubovich

#### Water Quality Committee

Chair: Craig Downs



## Annual BBQ Meeting, August 2019



## Annual Meeting & Banquet, December 2019

