

Removing Barriers Rule Subtask Force

November 13, 2007 1:00 – 4:00

Department of Ecology, Lacey Bldg.

Draft Meeting Summary

Attendees:

Jim Rioux, City of Olympia
Maryanne Guichard, Department of Health
Clint Perry, Evergreen Valley Utilities
Bill Peacock, P.E., City of Spokane
Walt Canter, WA Association of Sewer and Water Districts

Ecology

Melissa McEachron- Chair
Kathy Cupps
Jim McCauley
Denise Arkola

Facilitator

Penny Mabie, EnviroIssues

Action Items

- **Collect and share methods to predict workloads and staffing.** Email Melissa what your agency or organization uses. Melissa will schedule time on the January agenda to review and share.
- **Read ELI Report.** A copy is in the hard copy of the Removing Barriers Chapter Report. Melissa will also email a copy to members.
- ***No December Meeting***
- ***Next meeting January 22, 1:00pm – 4:00pm*** – Look at timing for meetings beyond January.

Initial Ideas and Recommendations

- ***Organizational Structure and Staffing & Resources***
 - Ecology should hire an efficiency expert to evaluate organizational structure and workload estimates.

Agenda Review

Melissa reviewed the Agenda with the group and added two items:

- Follow-up FTE information
- Draft Chapter on Removing Barriers Subtask Force work. (2007 Report to the Legislature)

New Task - Melissa handed out Draft copies of the Report

The groups reviewed the updated **Draft** Report. Changes from the October version include:

- Additional Assignments (pg 3)
The Barriers group will also be responsible for legislative recommendations on these additional assignments:

- Chapter 4 – Reclaimed Water Implementation in Local Plans
- Chapter 5 – Reclaimed Water Implementation in Watershed Planning
- Chapter 6 – Governor’s Directive to Harmonize Statutory Planning Requirements
- Chapter 8 – Implementation in Water Supply Plans
- Additional Reports
 - The Environmental Law Institute report on Liability and Indemnity.
 - 2003 Reclaimed Water Workshop Report

Discussion and Comments

- When does Ecology (Melissa M.) need recommendations for legislative recommendation? Ecology needs recommendations from this group by the end of June 2008 to make the deadlines for 2009 legislative proposals.
- There is a lot of work here.

Task 2 – Reclaimed Water Projects - Jim McCauley

Jim McCauley, Senior Engineer walked the group through flowcharts of the permitting process (step-by- step). Jim’s focuses on the external and internal technical assistance and policy and development – Regional office have local knowledge of what is going on in their areas.

Jim described each stage of permitting from pre-application through issued permit. Jim noted he created the flow charts based on the ECY-DOH permitting process described at the July Rule Advisory committee meeting. (PowerPoint from the 2007 Rule Advisory Committee on the Ecology website.)

Highlights of the information in the flow charts:

- Big Picture – Ecology receives applications for various types of projects.
- Planning through all phases to final permit being issued
 - Interagency coordination - Incorporates/coordination – up to lead agency to be responsible for contact – will be in MOU
 - Consistent with July Rule Advisory committee
 - Determination of who will be lead agency
- Planning and feasibility Report Flowchart
 - Engineering Report or plans/specifications
 - Water Rights impairment analysis – assumption that it is already done in planning stage
 - 60 – 120 days for timeline – *if* it is a sound submittal
- Joint Permit application

Discussion and Comments

- When would the Dept. of Health be lead agency? Ecology and Health are still working together identify those circumstances. The agencies are also working on an updating an MOU.
- What are the timeframes for issuing a permit? If everything goes smoothly –it could be minimum of 180 days (with NPDES component). The length of time it takes varies greatly and really depends on the type of project.

Additional Task - Melissa McEachron presented PowerPoint on FTEs (Agency Staff Resources)

- WQ Program
 - 4.5 (Project Position) FTEs – program development 2 FTEs
 - **Agency Lead** (Engineer) - Technical, Policy, Rule/Guidance, All Reclaimed Water Issues, State-wide Reclaimed Water issue Coordination
 - **FTE Senior Planner** – Rule and Policy, Statewide
 - **Environmental Specialist** – Legislative reports and research
 - **Office Assistant** – Administrative Support for Legislative reports and advisory committees
 - **FTE .5 Senior planner** – Long-Term funding subtask force
 - **Senior Engineer** – Back-fill position, project implementation (Ecology Regions and Health), Interagency Work Group
 - **Engineer 3**– Project Review for SWRO and NWRO, Puget Sound Funding
- WR Program
 - Contract \$ only for - Water Rights issues
- Department of Health
 - **FTE – Engineer**
 - **Engineer** (in process of filling)
 - **Part of an FTE** –Legislative Report

Discussion and Comments:

- Does Ecology have any idea how many projects are “lined-up”? Melissa said she would ask Eugene to look at the answers to the questionnaire from this fall and report back. (*Do you plan on any reclaimed Water Projects?*)
- Ecology should look at developing a funding mechanism for fiscal notes. The group noted it could play a part in developing this.
- Has anyone looked at other states’ Reclaimed Water cases that have RW programs? Yes, Ecology has looked at Florida and California. The organizational structures are very different and difficult to compare with the structure in Washington.
- DOE/DOH Agency Staffing-
 - Staffing to match workload
- Use a predictive model or mechanism to project incoming projects and request appropriate staffing funding.
- Scale-up staff to support “start-up” mode of Reclaimed Water
- Charge for reclaimed water that is combined with municipal permits – charged one fee for wastewater facility, but avoid double charging. (to encourage RW.)
 - If separate permit for RW – charged fee for water treatment plant
- Ecology should hire a 3rd party consultant to assess the organizational structure and give recommendations. The information is really a reality check. Ecology and Health need to **reset how to do this work.**

Task 1 – Develop Work plan

Penny Mabie (facilitator) handed out summaries and worked with the group to develop a workplan for 2008.

1) Prioritize from the October 10 meeting

List of potential topics:

- Frontload topics for 2008 June deadline
- What needs most work and recommendations to overcome barriers for each topic

2) Group items and assign them to the 1st or 2nd half of the year.

Marketing – public awareness/outreach; Get rid of yuck factor.

Lack of incentives – certainty in process, ELI report, priority before 6/08 get credit

Economics – funding task force

Ensuring Safe Source, One size fits all, Clear set of technical standards,

Technical, Adaptive change process – technical sources –

Issues assigned by RAC

Planning

Chapters 4, 5, 6, 8 from Legislative Planning chapter in Draft Report

Staffing Levels, Resources, and Roles (within both state agencies)

Bi-agency staffing

Certification Program – 2nd half of year

Permitting – 2nd half of year

Unresolved legal issues – 2nd half of year including ELI report

3) Create a meeting chart with action items (below)

Melissa asked the group if they were comfortable enough for her to convert the chart into a 2008 work-plan for the Legislative Report and start pulling together material for January. Members said yes.

Wrap-up and Adjourn

Next meeting is Jan. 22, 2008, 1:00-4:00 at Ecology Lacey Bldg.

Action items in Red

‘08 - #1 Jan. 23 rd	‘08 - #2	‘08 - #3	‘08 - #4	‘08 - #5	‘08 - #6 (Recommendations Due)
<ul style="list-style-type: none"> • Planning • See the Chapter reports • Overview of what is in the chapters • Prioritize the group’s work • Bi-Agency Staffing • Predicting workload staffing/resources discussion • Meeting length • Estimate of staff time currently being spent on RW – future projection 	<ul style="list-style-type: none"> • Planning • Bi-Agency Staffing • Prioritize the group’s work 	<ul style="list-style-type: none"> • Planning • Bi-Agency Staffing • Marketing • Incentives <ul style="list-style-type: none"> ○ ELI report ○ In work plan 	<ul style="list-style-type: none"> • Planning • Bi-Agency Staffing 	<ul style="list-style-type: none"> • Planning • Bi-Agency Staffing 	<ul style="list-style-type: none"> • Planning • Bi-Agency Staffing
DOE/DOH – MOU					

- Full day meetings? Half day meetings may not be enough for work to get done.
- Possible to get all assignments done in half day meetings?
- Penny will reorganize handout for next meeting with sub-bullets in more details

‘08 - #7	‘08 - #8	‘08 - #9	‘08 - #10
Leg check – in Add: Certification program, Permitting, Unresolved legal issues			