

ORDINANCE No. 118041

C-5 111142

AN ORDINANCE authorizing the Seattle Water Department to amend an earlier agreement with the Washington Department of Health to incorporate the City's recommendations to install ozone disinfection facilities on the Cedar River source and establish a new work plan for implementing these new facilities.

OK

*Law Department*

# The City of Seattle--Legislative

INDEXED

## REPORT OF COMMITTEE

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_ report that we have considered the same and respectfully recommend that

*Full Council Vote 5-0*

Committee Chair

### COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>2-26-96</i>	By: <i>Pagelet</i>
Referred: <i>2-26-96</i>	To: <i>Utilities</i>
Referred:	To:
Referred:	To:
Reported: <i>MAR 11 1996</i>	Second Reading: <i>MAR 11 1996</i>
Third Reading: <i>MAR 11 1996</i>	Signed: <i>MAR 11 1996</i>
Presented to Mayor: <i>MAR 1-2 1996</i>	Approved: <i>MAR 1 4 1996</i>
Returned to City Clerk:	Published: <i>Little</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

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ORDINANCE 118041

AN ORDINANCE authorizing the Seattle Water Department to amend an earlier agreement with the Washington Department of Health to incorporate the City's recommendation to install ozone disinfection facilities on the Cedar River source and establish a new work plan for implementing these new facilities.

WHEREAS, the City of Seattle owns and operates a public water system including water from the Cedar River as one of its sources of supply, and

WHEREAS, on May 18, 1994, pursuant to Resolution 28918 the City and the Department of Health entered into an Agreed Order to ensure ongoing compliance with the Surface Water Treatment Rule, and

WHEREAS, the City has now completed extensive Cedar River water quality and pilot studies which establish ozone disinfection as the preferred option for Surface Water Treatment Rule compliance and public health protection, and

WHEREAS, the City submitted its treatment recommendation on November 16, 1995, per the requirements of the Agreed Order, and the Department of Health approved said recommendation on January 25, 1996, and

WHEREAS, the City and the Department of Health have agreed on amendment to the Agreed Order to reflect the City's treatment recommendation and establish a new work plan to be undertaken to accomplish the next steps in implementing treatment improvements on the Cedar River source, as more fully set forth in the Agreed Order Amendment,

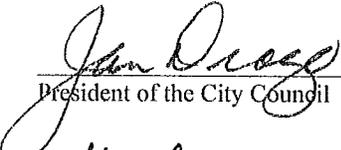
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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent of Water is authorized to sign the amendment to the Agreed Order with the Department of Health, establishing a work plan for ozone disinfection process implementation, substantially in the form of the document which is attached hereto and incorporated by reference.

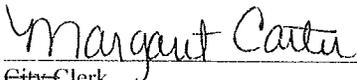
Passed by the City Council the 5 day of March, 1996, and signed by me in open session in authentication of its passage this 5 day of March, 1996.

  
\_\_\_\_\_  
President of the City Council

Approved by me this 14 day of March, 1996.

  
\_\_\_\_\_  
Mayor

Filed by me this 15 day of March, 1996.

  
\_\_\_\_\_  
City Clerk

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SEATTLE CITY ATTORNEY  
MARK H. SIDRAN

M E M O R A N D U M

TO: Margaret Carter, City Clerk's Office  
FROM: Sharon Metcalf, Assistant City Attorney  
RE: Agreed Order to be Filed with Ordinance 118041  
DATE: April 17, 1996

Enclosed for appropriate filing is a fully signed copy of the Agreed Order Amendments which the City Council authorized to be signed via the above-referenced ordinance. Thank you for your assistance.

cc: Judith Noble (w/out enc.)  
Nancy Davidson (w/out enc.)

FILED  
CITY OF SEATTLE  
96 APR 18 PM 4:33  
CITY CLERK

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STATE OF WASHINGTON  
 DEPARTMENT OF HEALTH  
 ENVIRONMENTAL HEALTH PROGRAMS  
 Air Quality Center, Bldg 2 • P.O. Box 47820 • Olympia, Washington 98504-7820

In Re: )  
 City of Seattle ) Docket No. 94-015  
 KING COUNTY )  
 ) AGREED ORDER AMENDMENTS  
 ID# 77050Y )  
 \_\_\_\_\_ )

To: Honorable Norman B. Rice, Mayor  
 City of Seattle  
 600 Fourth Avenue  
 Seattle, Washington 98104

Judith Pippin, City Clerk  
 City of Seattle  
 600 Fourth Avenue  
 Seattle, Washington 98104

Diana Gale, Superintendent  
 Seattle Water Department  
 Dexter-Horton Building, 10th Floor  
 710 Second Avenue  
 Seattle, Washington 98104

BY AGREEMENT OF THE PARTIES, the Agreed Order signed by the City of Seattle and issued on May 18, 1994, by the Department of Health (DOH) is amended by the following additions and deletions.

1. Finding 1.1 is amended by adding at the end the following language: "On January 1, 1995, Diana Gale replaced Robert Groncznack as Superintendent of the Water Department".
2. The following additional Findings are added:
  - 1.13 Studies Completed. The City has completed a series of studies and investigations required by the Agreed Order issued on May 18, 1994, and has submitted reports summarizing those studies to the Department of Health.

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1.14 Accelerated Decision and Rearrangement of Work Scheduled. Based on those studies, the City has concluded that it has sufficient information to accelerate its treatment recommendation, in advance of completing some of the Facilities Planning work which was originally contemplated. The remaining Facilities Planning tasks have been rearranged to occur in conjunction with conceptual design.

1.15 Treatment Recommendation. As required by this Agreed Order, the City has recommended improvements which it proposes to make to its treatment system to ensure compliance with surface water treatment requirements found in chapter 246-290 WAC. That recommendation is in accord with the preliminary findings summarized in paragraph 1.11. The City proposes to install an ozone disinfection facility to treat the Cedar River source, and to relocate its point of primary disinfection from the Cedar River diversion to the outlet from Lake Youngs Reservoir. The treatment plant will be designed to facilitate addition of filtration, should that technology be required at some time in the future.

1.16 Remaining Contingencies. The City's proposal is contingent upon successful completion of final engineering studies, as well as environmental reviews required by the State Environmental Policy Act chapter 43.21C RCW.

1.17 DOH Approval. After consultation with the Environmental Protection Agency, DOH has approved the City's proposed relocation of the source compliance point to the outlet of Lake Youngs and the proposed treatment recommendation as described in paragraph 1.15 herein. DOH agrees that the approved proposal is in conformance with current applicable surface water treatment requirements found in chapter 246-290 WAC. Further, DOH agrees that the City has satisfied its obligations with regard to the Cedar River Compliance Study Work Plan.

3. Paragraph 2.1 of the Order is amended by adding the following language at the end: "As described in these Amendments, the City has satisfied its obligations with regard to the Compliance Study Work Plan, and shall complete the Cedar River Treatment Implementation Work Plan, attached hereto as Exhibit B, and incorporated by reference".
4. Paragraph 2.2 of the Order is amended by adding the following language at the end: "During implementation of the Cedar River Treatment Work Plan, the City will provide the reports identified in the Work Plan, and will continue to meet with DOH quarterly to review Work Plan progress".

5. Paragraph 2.3 is rewritten to read as follows: "The City shall conduct public involvement activities as required by the State Environmental Policy Act. In addition, the City shall, in consultation with DOH, carry out a program to keep its customers informed of the status of activities to be performed pursuant to this Agreed Order, as amended".
6. Paragraph 3.1 is amended by the insertion of the words "Treatment Implementation" immediately preceding the words "Work Plan".
7. Paragraph 6.1 is amended by the insertion of the words "Treatment Implementation" immediately preceding the words "Work Plan".

No other provision of Agreed Order, Docket No. 94-015, is modified or affected by these amendments.

THESE AMENDMENTS ORDERED AND AGREED TO this 26 day of Feb, 1996.

*Eric Slagle*  
 Eric Slagle, Assistant Secretary  
 Environmental Health Programs  
 Washington State Department of Health

THESE AMENDMENTS AGREED TO this 11<sup>th</sup> day of April, 1996.

*Diana H. Gale*  
 Diana Gale, Superintendent  
 Seattle Water Department

Approved as to form:

*Ric Lopez*  
 Assistant Attorney General

*Shawn A. Ketsap*  
 Assistant City Attorney

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**EXHIBIT B**  
**CEDAR RIVER TREATMENT IMPLEMENTATION WORK PLAN**

**PART I - FACILITIES PLANNING AND CONCEPTUAL DESIGN**

According to the schedule presented in Attachment 1, the City shall submit to the Washington State Department of Health (DOH) a document summarizing the facilities planning tasks outlined below:

**A. Baseline Design Criteria Establishment**

Baseline design criteria will be established including process layout, plant hydraulic criteria, facilities sizing, and plant layout through a review of the Cedar Pilot Study results and previous Cedar compliance work on plant design criteria. System operational issues will also be considered in establishing the criteria.

**B. Siting Studies**

Siting studies for an ozone disinfection facility will be completed for the Cedar River source and will include the evaluation of relocating the point of primary disinfection to the outlet of Lake Youngs Reservoir. The disinfection facility will be sited and planned to facilitate the addition of filtration, should that technology be required at some point in the future. Pipeline routes between existing and proposed treatment facilities will also be defined and investigated. These studies will include:

- Geotechnical studies - Geotechnical studies will be conducted to confirm site feasibility, foundation conditions, and related costs at preferred sites.
- Environmental Field studies - Previous environmental studies will be reviewed and additional environmental investigations conducted to evaluate environmental concerns related to facilities siting, including sensitive areas, water resource and quality issues, archeological impacts, potential mitigation and other environmental concerns.
- Constructability and Cost - Constructability, operational flexibility and cost tradeoffs will also be evaluated for the facilities to assist in facility siting.
- Other facility siting studies, as needed, will be conducted to assist in making a siting decision of the Cedar Treatment facilities.

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**C. Hydraulics and Raw Water Delivery System Evaluation**

An evaluation of the Cedar River source transmission system pipeline hydraulics and raw water delivery systems for the new treatment facilities will be completed. These studies will include a determination of capacity and pressure limitations, the need for future pipelines under future operating scenarios, and an evaluation of pumped and gravity, pumped raw water delivery approaches. Impacts of the new facilities on the transmission system downstream of Lake Youngs Reservoir will also be evaluated. In addition, an evaluation of how the Landsburg Diversion will fit in with future system improvements will be conducted.

**D. Pump Station and Intake Structure Evaluation**

An evaluation of a new raw water pump station and intake in the Lake Youngs Reservoir will be completed including the type of intake structure, optimum vertical and horizontal intake location(s) in the reservoir, and an investigation of constructability issues will be performed. Water quality benefits and possible increased in operational flexibility will also be considered in the new intake evaluation.

**E. Lake Youngs Flow Regime Improvements Evaluation**

A study plan will be developed and studies/evaluations will be conducted to determine the requirements and best method for increasing the residence time in the Lake Youngs Reservoir. These studies will be integrated with the new intake evaluation described in Part I D.

**F. System Conceptual Plan**

A conceptual plan for the Cedar River source from the diversion to the control works will be developed, addressing overall system configuration, existing and future treatment facilities, transmission system, operational guidelines, use of Lake Youngs Reservoir, the Tacoma Seattle Intertie (to the extent necessary), and other factors as needed.

**G. Summary Report**

A comprehensive facilities planning report will be prepared summarizing the work performed in the above tasks and presenting recommendations on overall system configuration including treatment facilities and siting, facilities sizing, a new intake in Lake Youngs Reservoir, raw water delivery system, and transmission system improvements.

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SWD/WDOH Agreed Order  
Cedar River Treatment Implementation  
Work Plan

## PART II - ENVIRONMENTAL ASSESSMENT

An environmental assessment of the alternative sites will be conducted which will lead to preparation of a draft and final EIS for the Cedar Treatment Facilities. These assessments will evaluate alternative sites and project configurations. Work elements for this task include:

- Environmental Field Studies
- Archeological Investigations
- Construction Impacts and Mitigation Evaluation
- Long Term Impacts and Mitigation Evaluation
- Cumulative Impacts and Mitigation Evaluation

These assessment will lead to completion of a preliminary DEIS for the Cedar Treatment Facilities which will be prepared in conformance with State and the City of Seattle SEPA guidelines. A FEIS on the facilities will then be completed after the project and proposed mitigation are modified as necessary, and all responses are completed.

## PART III - DESIGN & CONSTRUCTION

Following the completion and approval of the Final EIS the City proposes to begin the design and construction phase of the project.

### A. Design and Construction Implementation Planning

The City shall submit for DOH's review and approval, a detailed design and construction plan for the Cedar Treatment Facilities. Upon approval of the plan by DOH, the City shall proceed with design and construction in accordance with this plan.

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Attachment 1 to Exhibit B  
**CEDAR RIVER TREATMENT IMPLEMENTATION WORK PLAN**  
**SCHEDULE**

<u>Part</u>	<u>Description</u>	<u>Date</u>
I.	FACILITIES PLANNING AND CONCEPTUAL DESIGN	3/1/96-12/15/97
	A. Baseline Design-Criteria Establishment	
	• Provide draft technical memorandum	
	B. Siting Studies	
	• Provide draft technical memorandum	
	C. Hydraulics and River Water Delivery System Evaluation	
	• Provide draft technical memorandum	
	D. Pump Station and Intake Structure Evaluation	
	• Provide draft technical memorandum	
	E. Lake Youngs Flow Regime Improvements Evaluation	
	• Provide draft technical memorandum	
	F. System Conceptual Plan	
	• Provide draft technical memorandum	
	G. Summary Report	
	• Provide final facilities planning report	
II.	ENVIRONMENTAL ASSESSMENT	5/1/97-12/31/98
	A. Draft EIS	
	B. Final EIS	
III.	DESIGN & CONSTRUCTION	TBD
	A. Design and Construction Implementation Planning	

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RECEIVED OMP  
FEB 20 1996

Diana Gale, Superintendent  
Norman B. Rice, Mayor

MEMORANDUM

DATE: February 20, 1996

TO: Utilities and Environmental Management Committee  
Councilmember Margaret Pageler, Chair  
Councilmember Jane Noland  
Councilmember Sue Donaldson

Via Mayor Norman B. Rice

Attention: Tom Tierney, Director  
Office of Management and Planning

FROM: *Tom Tierney*  
Diana Gale  
Superintendent of Water

RE: Cedar Ordinance

Enclosed is an ordinance authorizing the Superintendent of Water to sign the Agreed Order amendments with the Washington State Department of Health, establishing a work plan for ozone disinfection process implementation, substantially in the form of the document attached to the ordinance.

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# City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor

February 21, 1996

The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Water

SUBJECT: AN ORDINANCE authorizing the Seattle Water Department to amend an earlier agreement with the Washington Department of Health to incorporate the City's recommendation in install ozone disinfection facilities on the Cedar River source and establish a new work plan for implementing these new facilities.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Rich Richmire at 684-8478.

Sincerely,

Norman B. Rice  
Mayor

by

  
Tom Tierney, Director

legis/mire4

Enclosure



OK AM 2/21/96

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TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

*Margaret Pogelar*

\_\_\_\_\_  
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**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
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PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

66114  
City of Seattle, City Clerk

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Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CTOT: 118041, 43, 44, 51

was published on

03/28/96

The amount of fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

Subscribed and sworn to before me on

03/28/96

Notary Public for the State of Washington, residing in Seattle

**City of Seattle**

**TITLE-ONLY PUBLICATION**

The full text of the following ordinances, passed by the City Council on March 11, 1996, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 624-8344.

**ORDINANCE NO. 118041**  
Authorizing the Seattle Water Department to amend an earlier agreement with the Washington Department of Health to incorporate the City's recommendation to install ozone disinfection facilities on the Cedar River source and establish a new work plan for implementing these new facilities.

**ORDINANCE NO. 118043**  
Authorizing the Finance Department to close certain capital project funds and to transfer all remaining unexpended and unencumbered balances in said funds.

**ORDINANCE NO. 118044**  
Relating to the Water and City Light Department, authorizing the execution of permit agreements with Puget Sound Power & Light Company for access across and installation of a storm drain in Water Department right-of-way, in connection with the operation of the Stillwater Substation.

**ORDINANCE NO. 118051**  
AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by JUDITH PIP-PIN, City Clerk.

Date of official publication in the Daily Journal of Commerce, March 28, 1996.  
3/28(00114)

Affidavit of Publication

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