

Potlatch Wastewater Reclamation Facility: Public Comments and Responses

November 18, 2010 Skokomish Tribal Center Submitted by Lennea Magnus

On November 18, 2010, the Skokomish Tribe hosted a public meeting on the Potlatch area Wastewater Reclamation Facility. Below are comments and questions regarding the project. Our project partner, Mason County; the project engineer, Gray & Osborne and the Skokomish Community Development Office provide a response to comments and questions below.

Comments were limited to 4 minutes.

Public Comments and Questions

00:24:48 Larry Knutson

I'm Larry Knutson from Tillicum Beach. My comments are personal. I run the water system there. I've been following this project all along. I would love to have sewers, at an affordable cost. At this point still nobody has discussed operating costs. They always talk about a term called the E.R.U. the equivalent size of a residence. And there's about 50 million different definitions of it. And I guess what I would like, the story I hear, we don't have operating costs yet cause we don't know what it will cost to operate the plant. I understand that, but we have the data for our neighborhood. It's not going to change in the next five years. Parks not going to build way out in the next five years. I don't think. And so we know what our populations are and they don't match that 2007 study and so I'd like to see an update. There's no reason that can't be provided and I think you need help with it because you don't use Mason County information for the Tribe but you use it for the rest of us residents and we're as equally or unequal match for the county as the Tribe is, but on the other side. So I guess I'd like to see at least the data that makes up the demand side. We don't need the operating costs yet. Thank you.

What is an ERU (equivalent residential unit)?

An ERU is a way to think about the amount of wastewater generated. One single family house is considered "one ERU." For the purpose of this discussion, an ERU is considered to be one single family house, with 2.5 people, each generating an estimated 100 gallons per day of wastewater, including the water that leaks into the system from the environment (groundwater and water from storms). This number might change as we have more flow data. A business could have multiple ERUs depending on the amount of water they use. (This

definition comes from the Mason County Belfair Wastewater project Question & Answer publication.) ERU is a measurement utilized by project engineers to calculate the projected capacity of a wastewater treatment plant.

ERUs utilized in the project planning are consistent for all residents.

00:26:24 Brian (& Helen) Fulwiler

I'm Brian Fulwiler. My family has been on the Canal since the 1930's. And I just want to make sure everyone understands the people that don't, aren't looking forward to a new system here. We still have great reverence for the canal. And respect for what goes on there and we maintain our properties that comply with all the county departments that have ever been set forth.

My belief is you don't need our waste flow to operate the Tribe's system but you want the money to help subsidize it. And I believe that the Hood Canal conservation could be handled satisfactorily on an individual property owner basis in our area. We do not have substandard lot sizes as in one of the reports I read and our properties have considerable depth from the back to front to handle waste.

The Potlatch area treatment plant was not planned or designed to be a treatment plant serving only the Tribe. It has been planned and designed to serve the entire community within the Potlatch area. Each of the three plants are planned to serve the entire residential and commercial populations within the three service areas.

The County, the Tribe, the PUD environmental agencies and the funding agencies, including EPA and the WA State Legislature have all agreed to work diligently to develop this project and the other two wastewater projects along the west shore of Hood Canal to impact continued issues with low dissolved oxygen and nitrogen in the sensitive Canal waters.

The message we gave at the September 2nd meeting went along the lines a little bit with what Larry said was that in order for us to be able to make decisions on part of all public in our areas, we want to know if we are going to be mandated to participate, be provided the choice, or would totally excluded. Also, we need to know how the governance is going to

work on this project. How we the public are going to be represented on any board. Right now I think that is a big question mark for anyone who's even contemplating getting involved.

Then finally, as Larry indicated, we'd like to have someone present and explain the annual and monthly operating costs and explain to us how it is cost effective and not subsidization. As far governance goes, now that the PUD has withdrawn from the tri-party, making it a bi-party, I want to know how the non tribal fee property owners are going to be represented. I don't believe also in terms of mandate that the Skokomish Tribe has any ability to regulate the nontribal fee land owners to join up on this based on Supreme Court law.

The governance structure for the 3 projects is still being developed. The operating costs are still being developed and will be better understood as we reach 60% design. The Value Engineering Project indicated that the estimated over all cost of the Potlatch Bubble Project is consistent with the cost estimate developed in the "facility plan".

Most often costs of building the system and hook up are born by residents and businesses through direct fees and charges. The Potlatch area system is being designed and constructed with grant funds. Hook up costs will also be covered by grant funds. The only charge to residences and businesses who hook up to the system when it is constructed will be a monthly charge for the actual service.

I also as I made point several times we paid our property tax to the county in exchange to receive services and comply with all their regulations and our representatives are the county commissioners like Tim Sheldon here. And we look to them, you know, they are elected by the people and that's our voice in this. Also I have a question, did the county or tri-party have any guarantee or get the guarantee any certain number of hook ups or non tribal participation in this project so far to receive any commitments for the funds that are financing this?

Funds for the project were not awarded based on potential connections. The "facility plan" did project flows from the area. Those flows still need to be substantiated. Funds for the project were awarded to the Tri-Party Consortium (not directly to the Tribe, Mason County or PUD No.1) with the understanding that properties that

could be serviced by the sewer would be connected.

Relative to the governance as well, I'd like to know why the Tribe wants non tribal fee property owners to participate.

The project is not a "tribal" project, it is a community project that happens to be located within the boundaries of the Skokomish Reservation. The current proposal is that the sewer will serve all properties within the boundaries of the sewer service area.

I'd also like to know from Lennea, based on her experience from the Chehalis Tribe where there's been both tribal trust property and non tribal fee properties involved in these sorts of projects. And does the Tribe believe that they can mandate our participation to pass the tribal ordinance.

The Confederated Tribes of the Chehalis Reservation mandates hook up to utilities for all residents within proximity to public utilities. Lummi is another example of a tribal government that operates one or more utilities and mandates hook up to protect the reservation environment and the health of all reservation residents.

Local and tribal governments have a responsibility the community to safeguard the environment and take measures to assure the development of healthy infrastructure.

And finally the frustration we've had on operating costs. Now we'd like to see what they are going to be. I mean, Dave you provided some and that's a good start. But we'd like to know what you estimate them going to be. High, low range, we'd like to know how it's going to be apportioned between residential, commercial, City of Tacoma, state park and tribal members.

The operating costs are still being developed. Please refer to the above comments on operating costs.

We also like to know just what is the assumption undergoing, underlying the costs for the number of residences in the tribal village. We've heard numbers at these meetings of 2, 25, 70, 150, 250? So that's an important number so we can understand how this is going to work. I think you partially explained how you are going to allocate the

Comments continued on next page →

Comments Continued.....

costs in the first 2 years until you complete the system. And the tribal village has complete built out, but we want to be sure we understand how that's going to step up. And my overall view from the discussion on Monday is that you have considerable

The Potlatch treatment plant is being designed with the assumption of 25 initial residences in the t3ba'das housing development.

00:30:37

Lennea: Thank you Brian.

From the Audience: I'll yield my 3 minutes to my brother in law.

Lennea: Okay. Alright, keep going Brian.

00:30:44 **Brian Fulwiler continued**

Okay. My view was that the discussion on conservatism approach and while we got the money now let's spend it. Okay, I understand that, but that's not from the mentality in the corporate world. And I still have to question whether or not the critical mass is there to support this sort of project on a cost effective basis. Now so, I'm looking at, stepping back maybe one step and looking at it from a tax payer stand point and accountability from our government to provide these things on a cost effective basis. And I think that is a brief run through of all things, I have more questions but those are the highlights. And thank you for your time. I wasn't sure exactly how your format was going to be set up.

The project was not initiated nor planned based on a "critical mass" if the comment is meant to reference a measure of wastewater volume. The project was initiated and planned to reduce contamination of the Hood Canal and serve in conjunction with the Hoodport and Core Tribal Area treatment plants. This portion of the project will serve the Potlatch area community.

00:31:30 **Tim Sheldon**

Well, thank you. I'm State Senator Tim Sheldon. Also your County Commissioner. I'm a little surprised of the format here that it's not more give and take. At the County level we have questions and the opportunity to answer those questions and I think we have a lot of experts here and it would be useful to have that type of a forum rather than a more formal comment period with a limited only to 3 minutes. First a couple points. Then I'll try to hurry through it. Remember the agreement that I participated in and other county commissioners, Norm

Dicks, and others, is a memorandum of understanding. It's not a contract. It's a planning document. I've worked hard for these issues in the canal for a long time and I'm glad to see State Parks here. I think we haven't had enough involvement with State Parks and we need you at the table.

There's a couple issues that I want to raise though that the engineers and the planners can't address. And Mr. Fulwiler addressed one is the governance issues. Who will actually run this system? And of course at the beginning the people anticipated that the PUD would run the system. We all voted for our PUD Commissioners here in this community and the PUD has pulled out so that's a big question for governance. Operations? Who will operate the plant? I think is a big question still to be determined.

The Memorandum of Understanding did not define but does suggest how operations might be handled. The PUD has not indicated an interest in operating the plant, nor has Mason County. The Skokomish Tribe currently operates a domestic water utility and is willing to operate the wastewater treatment plant.

And rates certainly. Hook ups? Whether they are mandatory or optional? And I want to make a point in this fact sheet here that I think this is incorrect where it says that on page 2 if my business is located in the area will I have to connect and it says you will need to connect to the new system per Mason County and Skokomish Indian Reservation Ordinance and regulations. I have not seen any ordinance passed by the tribe.

The Skokomish Tribe will provide related ordinances as they are available.

I would have some questions about its legality. I am not an attorney. Certainly, we need to have an attorney look at that. And also there is no county ordinance that says you as a resident have to hook up.

In Belfair which is an urban growth area, there are 3 urban growth areas in this county, Shelton the city of, Belfair and Allyn. Those urban growth areas by state law, they are mandated that they have urban services and we have urban services with the Allyn with the north based system in Allyn and we're building, the county is building a sewer system in Belfair. But because it's a, by state law, we have to have urban services provided. And by state law also the growth management act, the county can not extend urban services to a rural area. And this area of the Potlatch bubble is definitely a rural area. So when you

try to put urban services which are sewer, it brings more development, people subdivide their lots, smaller and smaller lots and you get more and more people. That's what the state and GMA does not want to see. The Growth Management Act.

The Skokomish Reservation is not subject to the Growth Management Act (GMA). More work needs to be completed to determine how the Act should be applied in the Potlatch area. The work will be accomplished as we move to the 60% design phase.

The county can extend urban services like sewer to an area if there are failing septic tanks and drain fields and a health hazard. The only failing septic tank that I've encountered in this area is at Longshore's Drive In. That's the only one that I know about. If others know of other failing systems, we the county should know because we work with them on upgrading and fixing those systems. I think there's a lot of issues here. I think we can all work together. I personally think a sewer that has planned here, maybe it would be planned a little differently if I did, but that doesn't matter, what the engineers have here is a good idea, as a system. But I don't believe that the non Indian community has to be mandated to sign up to hook up. I think it could be optional. I think maybe some individuals would want to hook up, would want to abandon their septic tanks, would want to use that area for something else. But I think if we have polarizing positions in this, it would be very difficult. It could come to legal issues. And polarizing positions never work in a community. I'd like to see some kind of compromise and more give and take, give and take questions and working together in our community as one to find a solution, to take advantage of this federal money and do some good things with it. Thank you.

In many cases, sewer construction is planned and designed to accommodate urban growth. This project is not an extension of urban services. There is no urban area proximate to the any of the project areas that is extending services. The project is not planned as an extension of urban growth.

The Potlatch project is a part of a larger action, which was planned and designed to address issues related to restoration of Hood Canal and provision of a safe environment for the entire Hood Canal community.

The project is a multi-year collaboration of tribal, Mason County, state and federal entities that have

worked responsibly and diligently to plan and implement the project.

00:36:22 **Ulli Schluter**

My name is Ulli Schluter and I attended the meeting, excuse my voice I've been down 2 days with a cold so, I attended the September meeting and so far nothing really has changed since then. I hoped to get some more news today. So what has changed since September? That is just a rhetorical question. Dave Bergdolt you gave a lot of numbers, you threw out into the room here. It would have been good to either show the numbers on a board or quickly write them down, what they really mean and what they represent. I mean I try catch up with writing down the numbers but it was almost impossible. I just saw some what of a discrepancy, discrepancy between 2.4 million that you have of construction costs already at 6.5, is that correct? What I'd like about John Wilson was the, like he said, he already has a pre-design report, 30% submittal but on the other hand I didn't quite understand what it means to have a membrane system. So it could have been maybe explained what that entails. You might be referring to the lining of the ponds or something like that. I don't know. So those are questions I would have. Many other questions I had before were answered by other people and they made already the comments.

00:37:57 **Lennea Magnus**

John, could you get up and talk a little bit about what the membrane system entails?

00:38:04 **John Wilson**

I said that the project was going to use state of the art technology to purify the waste water and that would be the membrane system. The membrane is essentially a filter. It is a, you can think of it as a fabric, through which the wastewater is passed. And the pore sizes or the openings in that fabric, just like a sieve are so small that not even bacteria can pass through that filter. Consequently what ends up on the other side is very clean water. That is the water that would be infiltrated to ground. The membrane equipment is actually a series of plates that hold this fabric. Each plate is maybe 4 feet square. And they're stacked together like slices of bread in a loaf of bread. And the water is passed through these membranes in a concrete tank such that the dirty water is on one side. The clean water is withdrawn on the other side.

00:40:55 **Lennea Magnus**

One of the reasons this methodology was selected because it has a very clean effluent. The effluent is clean enough so it can be used for reuse purposes... Dave maybe you can sit with Ulli and go over the numbers.

I want to thank everyone for coming.