

AGENDA MEMORANDUM

SUBJECT

Motion to adopt Resolution No. 2022-18 adopting Cascade's 2023 Legislative and Public Policy Agenda.

BACKGROUND

Each year, Cascade develops a legislative and public policy agenda to guide its activities at the federal, state, and municipal levels of government in order to further Cascade's and its members' interests. This agenda builds on Cascade's existing relationships with legislators, agency staff, state and national water industry organizations, and other partners in order to advance key interests as well as track and respond to issues as they arise during the year.

The 2023 Legislative and Public Policy Agenda (attached) is similar to Cascade's 2022 agenda and continues to focus on affordability, PFAS (per- and polyfluoroalkyl substances) measures at both the state and federal levels, resiliency and continued monitoring of funding opportunities. New this year are provisions opposing cost shifting by the Washington State Department of Transportation and support for a water utility exemption from the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The agenda also contains a list of issues that Cascade monitors generally, and support for new legislative initiatives not specifically addressed by the legislative agenda would be brought back to the Public Affairs Committee and the Board for further direction.

The agenda is presented in track changes so the Board can easily see the changes from last year. The Public Affairs Committee has reviewed and supports the 2023 Legislative and Public Policy Agenda.

PROCUREMENT PROCESS

N/A

FISCAL IMPACT

N/A

OPTIONS

1. Motion to adopt Resolution No. 2022-18 adopting Cascade's 2023 Legislative and Public Policy Agenda.
2. Do not adopt Resolution No. 2022-18 adopting Cascade's 2023 Legislative and Public Policy Agenda and provide alternate direction to staff.

RECOMMENDED ACTION

Motion to adopt Resolution No. 2022-18 adopting Cascade's 2023 Legislative and Public Policy Agenda.

ATTACHMENTS

1. Resolution No. 2022-18.
2. Cascade's 2023 Legislative and Public Policy Agenda.



CASCADE WATER ALLIANCE
RESOLUTION NO. 2022-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CASCADE WATER ALLIANCE,
A WASHINGTON MUNICIPAL CORPORATION, ADOPTING THE 2023 LEGISLATIVE AND PUBLIC POLICY
AGENDA

WHEREAS, the Cascade Water Alliance (“Cascade”) is a Washington municipal corporation formed under authority of the Joint Municipal Utilities Authority Act (Chapter 39.106 RCW) to provide water supply to its Members;

WHEREAS, the Cascade staff in consultation with the Public Affairs Committee has drafted a 2023 Legislative and Public Policy Agenda to guide Cascade’s activities and legislative efforts in the federal, state and municipal levels of government to advance Cascade’s and its members’ interests.

WHEREAS, the Cascade Board of Directors now desires to adopt the 2023 Legislative and Public Policy Agenda.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CASCADE WATER ALLIANCE as follows:

Section 1. Adoption of Cascade’s 2023 Legislative and Public Policy Agenda. The Board hereby adopts the 2023 Legislative and Public Policy Agenda (Attachment 2).

Section 2. Effect. This Resolution shall be in full force and effect on the date of its adoption.

ADOPTED AND APPROVED by the Board of Directors of the Cascade Water Alliance at a meeting thereof, held on the 26th day of October 2022.

CASCADE WATER ALLIANCE

Penny Sweet, Chair

Attest – Ray Hoffman, Chief Executive Officer

Angela Birney, Vice Chair

Allan Ekberg, Secretary/Treasurer

Members

Yes _____

No _____

Demand Share

Yes _____%

No _____%

Include in CWAC?

Yes

No



2023 Legislative and Public Policy Agenda

Cascade supports measures at all levels of government that enhance Cascade’s ability to provide safe, clean, reliable water in a cost-effective, environmentally sensitive manner. Cascade’s strategy is to develop and implement an overall legislative and public policy plan that will continue already established positive relationships at all governmental levels to further Cascade and its members’ interests.

FEDERAL

The plan includes outreach as appropriate to Cascade’s Congressional delegation, as well as key committees, agencies such as the Departments of the Interior and Energy, the Environmental Protection Agency and the Corps of Engineers. Cascade will seek opportunities to have a presence at key industry and/or policy meetings and events by staff and/or members.

2023 Federal Agenda:

- **Mud Mountain Dam operations:**
 - **Fish Passage and Barrier Structure:** Ensure necessary funding is available to keep this project on track to meet federal biological opinion requirements and monitor project testing progress.
 - **Multi-Purpose Study:** Study the possibility of expanding the flood control purpose of the Corps of Engineers’ Mud Mountain Dam to include storage of water for later use supporting in-stream flows, recreation and water supply with other key stakeholders in the Lake Tapps community.
 - **Gauging/Ongoing Monitoring on the White River:** Continue Cascade’s commitment to accurate gauging and monitoring on the White River.
- **Infrastructure and Study Funding:** Continue Cascade’s commitment to resilience (seismic, water quality, climate) and monitor water utility infrastructure funding opportunities for infrastructure, studies, analyses, and forecasting.
- **Water Affordability Programs and Funding:** Monitor and support water affordability programs and funding, including COVID-19 relief funding opportunities for water utilities.
- **PFAS: Support a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) exemption for water utilities engaged in PFAS (per- and polyfluoroalkyl substances) clean-up.** Track proposed legislation and/or rulemaking for PFAS (per- and polyfluoroalkyl substances) that will require monitoring, recordkeeping, reporting, treatment, removal, mitigation, and/or other follow-up actions by water utilities and work with members on advocacy as needed. Support measures that ensure PFAS removal, treatment costs, and responsibility are assigned to the parties responsible for PFAS releases

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so impacted water utilities are not responsible for other parties' releases and contamination. Support federal funding for water utilities to remove PFAS from drinking water supplies.

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- **Lead and Copper Rule:** Track the implementation of EPA's Lead and Copper Rule and compliance requirements for members.
- **High Efficiency Water Standards:** Support legislation and rulemaking that promote high efficiency water standards for fixtures, appliances or products.

STATE

Cascade will continue to grow its strong existing relationships at both the legislative, executive and staff levels as well as with key water industry associations.

2023 State Agenda:

Legislative Priorities:

- **COVID-19 Relief:**
 - **Funding** – Support funding to offset losses by cities and districts related to forgiving late fees and delinquent accounts for customers impacted by the COVID-19 emergency.
 - **Collections** – Protect existing authority and provide flexibility and new tools to allow utilities to work with impacted customers on payment plans in order to preserve the financial viability of the utility and avoid raising rates on other customers, including an extension of the ability to collect outstanding debt related to waiver of late fees and shut offs.
- **Remote Meetings** – Support legislation that allows open public meetings to be held in-person, in a hybrid format, or fully remote, at an organization's discretion. Support additional tools and flexibility for hybrid and remote meetings; oppose additional record-keeping requirements or mandates.
- **Cost Responsibility for Utility Relocations:** Oppose the Washington State Department of Transportation (WSDOT) proposal that would prohibit WSDOT from funding utility relocations, effectively shifting cost responsibility for state project utility relocations from taxpayers to ratepayers.
- **PFAS Measures:** Work with affected utilities on legislation and/or rulemaking for PFAS (per- and polyfluoroalkyl substances) that will require monitoring, recordkeeping, reporting, treatment, removal, mitigation, or other and follow-up actions by water utilities and work with members on advocacy as needed. Support measures that ensure PFAS removal, treatment costs, and responsibility are assigned to the parties responsible for PFAS releases so impacted water utilities are not responsible for other parties' releases and contamination. Support state funding for water utilities to remove PFAS from drinking water supplies. Track legislation and/or rulemaking proposals for PFAS in wastewater and/or reclaimed water that could impact water utilities.
- **Resiliency Funding:** Work as a member of the Water Supply Forum to develop and implement a multi-year seismic resiliency funding strategy.
- **Affordability Measures:** Support continued funding of the Department of Commerce Connecting Housing to Infrastructure Program (CHIP) that reimburses utility connection

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charges. Support streamlining the program to reduce the administrative burden on utilities. Consider actions and/or legislation to allow utilities to address affordability issues, as directed by the board.

- Collection Flexibility: Protect existing authority and provide flexibility and new tools to allow utilities to work with impacted customers on payment plans to preserve the financial viability of the utility and avoid raising rates on other customers, including an extension of the ability to collect outstanding debt related to waiver of late fees and shut offs.
- Milfoil Prevention: Support state action to follow the example of California and Oregon and restrict boater access to state waters without a boat inspection.

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Legislation Cascade is monitoring and/or supporting as appropriate:

- Promote Cascade and Members' Presence at Legislature as Industry Leader/Problem Solver:
 - Review, and, if appropriate, support members' 202²³ legislative agendas.
 - Work with other agencies of which Cascade is a member – support and promote approved issues on agendas of groups like the Water Supply Forum, Washington Water Utilities Council (WWUC), and Washington Association of Sewer and Water Districts (WASWD).
 - Support existing industry organizations – Continue to further common water-policy interests, legislative goals, technical fixes as needed, conservation, etc.
- Climate Change: Monitor climate change proposals that have implications for water supply planning and resiliency.
- Resiliency Planning: Continue to lead resiliency planning for members on issues as needed.
- Water Efficiency Measures: Review and support legislation that promotes high efficiency water standards for fixtures, appliances or products.
- State funding options for infrastructure and investments: Cascade will continue to monitor proposals regarding water infrastructure investments.
- ~~Department of Commerce Green Economy Report – Monitor the report to the Legislature, specifically the water sector recommendations and potential task force opportunities for Cascade and members.~~
- Initiate and Participate in Legislative Workshops and Committees: Cascade will promote responsible, environmental water use/regional governance at workshops/committee hearings.
- Monitor Other Key Industry Issues: Watch progress on pending or emerging issues.
- Tours: Offer legislators/staff tours of the Lake Tapps Reservoir to educate them on critical issues there.

MUNICIPAL

Cascade works with all cities and counties in our service area and the Lake Tapps/Pierce County area and will continue to hold regular meetings with the Four Cities (Bonney Lake, Buckley, Sumner and Auburn), Lake Tapps communities, Pierce County and other related agencies. Cascade will continue to identify and address issues as they arise.

202²³ Municipal Agenda:

- Support Cascade members' legislative agendas as appropriate.
- On-going monitoring of King County legislation, regulations or permits that may have an impact on Cascade members, including the Clean Water Plan's elements that involve reclaimed water.

- Ongoing monitoring and engagement in (Pierce County, Bonney Lake, Buckley, Sumner) local land use (comprehensive plans, shoreline management plans), stormwater, water quality and other issues that may impact Cascade's operations in the White River and Lake Tapps area.