



## Legislation Text

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Clerk 09/23/2008

AN ORDINANCE approving the King County Water District No. 90  
Comprehensive Water System Plan, 2006.

### STATEMENT OF FACTS:

1. King County adopted K.C.C. chapter 13.24, which requires approval of comprehensive plans for water and sewer utilities that distribute or obtain water, or provide sewer collection or treatment, in unincorporated King County as a prerequisite for operating in unincorporated King County, receiving approval for annexation proposals, being granted right-of-way franchises and being given approval for right-of-way construction permits. K.C.C. 13.24.060 prescribes the requirements for approval of such plans, including consistency with state and local planning requirements.
2. RCW 43.20.260 requires that water system plans for any new industrial, commercial, or residential use be consistent with the requirements of any comprehensive plans or development regulations adopted under chapter 36.70A RCW or any other applicable comprehensive plan, land use plan, or development regulation adopted by a city, town or county for the service area. King County adopted a Comprehensive Plan that includes water supply and wastewater policies in its provisions for facilities and services (Policies F-225 through F-244) that call for consistency with other adopted plans, support for regional water supply planning, pursuit of reclaimed water and water conservation and protection of water resources.
3. King County last approved the King County Water District No. 90 Comprehensive Water

System Plan ("the plan") in 1998. Both the Washington state Department of Health ("DOH") and King County regulations require water system plans to be updated every six years; King County water district No. 90 ("the district") has been pursuing an update of the plan for the past few years.

4. The district operates a water supply system in the central part of King County, east of the city of Renton and north of the Cedar river. The district provides service to over sixteen thousand people, six thousand six hundred nine connections, in its retail service area for water. The annual average day demand (water consumed) is approximately one million seven hundred forty thousand gallons per day ("mgd"); the peak day consumption, which is generally during the hottest summer and fall periods, is approximately two and one-half times average day demand.

5. The district's water system plan describes its intention to assure that water service is provided throughout the future service area assigned to the district as part of the approval of the 1990 East King County Coordinated Water System Plan ("CWSP"), including much of unincorporated King County. The purpose of the CWSP, which includes individual water system plans, is to identify preset and future water service needs, and to set forth the means for meeting those needs. While the plan does not directly discuss in a single place the district's duty to provide service within its "retail service area," it provides sufficient information to conclude that it has both the intention and capacity to do so.

6. The district's plan identifies a set of measures that it has implemented to pursue water conservation within its boundaries, in accordance with DOH 1994 planning guidance. Although the plan does not describe certain aspects of the conservation program with specificity, DOH has approved the conservation program. In addition, the district participates with the city of Seattle public utilities ("SPU") and other SPU wholesale water purveyors in a program for conservation and efficient use of water. The current SPU regional effort for efficiency of water use is called

the Regional 1% Water Conservation Program and it expires in 2010. The program has a target of one percent reduction in demand across the SPU regional system each year, is a regional program and is not an individual utility goal or mandate. SPU and its operating board, which is a subset of its wholesale customers that includes the district, agreed in concept to a new target of fifteen mgd in water conservation between 2011 and 2029. Based on discussions with staff at DOH, it appears that the district relied on its understanding that current and past participation in the SPU regional conservation program would meet its system obligations for water conservation. Because of the significance of this issue to multiple water purveyors in King County, staff of the department of natural resources and parks are pursuing with DOH its interpretation of the conservation planning requirements for individual systems within the SPU regional system.

7. Pursuant to King County Comprehensive Plan Policies F-208, F-211, and F-212, water and sewer districts that provide service in unincorporated King County must have financing strategies to show the ability to meet projected needs for facilities and services in accordance with the Growth Management Act and the King County Comprehensive Plan. The district's plan describes a current capital water budget for 2006-2012 of approximately ten million four hundred eighty-nine thousand dollars. The district states that capital improvement projects ("CIP") will be funded by rates, general facility charges, system development charges or outside funding sources, or any combination thereof. Total water sales in 2005 were two million three hundred eighty-three thousand six hundred thirty-nine dollars, of which approximately forty-two percent was paid to Seattle for wholesale water. Much of the CIP expense will be funded by developers when they create additional single-family and multifamily residential units, from utility local improvement districts, with general facilities charges, and with the remainder paid from water and sewer monthly service rates.

8. K.C.C. chapter 13.24 requires review of water system plans by the utilities technical review committee ("UTRC"), and a recommendation to the King County executive and council on the plan and the requirements under K.C.C. chapter 13.24 and consistency with the King County Comprehensive Plan. The planning data and district operations have been reviewed by the UTRC, and consistency is found as follows:

- a. The population and employment forecasts developed by the Puget Sound Regional Council for service areas were considered and a customized forecast was appropriately used;
- b. The plan appropriately used the King County land use classifications;
- c. Capital facility plans are adequate to meet anticipated facility and service needs;
- d. The plan is consistent with applicable state water quality, and waste management standards, with reclaimed water use partially evaluated; and
- e. The plan is consistent with other pertinent county adopted plans and policies.

9. The DOH has not yet approved the district's water plan, pending approval by King County. Approval from DOH is expected after the King County council acts.

10. The district completed a state Environmental Policy Act checklist and issued a determination of nonsignificance for the issuance of the plan on April 12, 2006.

11. The district's operations and facilities meet multiple existing statutory, administrative and planning standards. As the district's operations, facilities and planning meet the requirements of the King County Code and are consistent with the King County Comprehensive Plan, the UTRC recommends approval of the plan.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County Water District No. 90 Comprehensive Water

System Plan, 2006, Attachment A to this ordinance, is hereby approved as a comprehensive water system plan.

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