



## Legislation Text

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**File #:** 2007-0581, **Version:** 2

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Clerk 11/28/2007

AN ORDINANCE approving the Covington Water District 2007 Water System Plan Update.

### STATEMENT OF FACTS:

1. K.C.C. chapter 13.24 requires approval of comprehensive plans for water utilities as a prerequisite for granting right-of-way franchises and approval of right-of-way construction permits. Plans are required from water utilities with sources of supply, or distribution facilities, within unincorporated King County. With some exceptions, this requirement also applies to amendments to such plans.
2. RCW 43.20.260 requires that water system plans for any new industrial, commercial, or residential use are to 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.
3. King County approved the Covington Water District 1994 Comprehensive Water System Plan in May 1998. It includes provisions for capital facilities to address anticipated growth within Covington's service area, improvements to its existing facilities and additional provisions for water conservation. It also includes provisions for serving two different service areas-its retail service area and its future service area.
4. The Covington water district currently provides water service in southeast King County,

north of the Green river and bound to the west by the cities of Auburn and Kent. The district's corporate boundaries include approximately fifty-three square miles, and its service facilities extend into unincorporated King County and include the cities of Covington, Maple Valley and Black Diamond. The Covington water district identified its retail service area to be coincident with the "future service area" established in 1989 in the South King County Coordinated Water System Plan ("CWSP"); see the discussion of service area in subsection 7 of this statement of facts. The district currently serves fourteen thousand seven hundred nineteen residential connections and forecasts growth within the service area to over seventeen thousand seven hundred forty-six residential connections by 2011, and twenty-three thousand five hundred eighty-eight residential connections by 2025. Multifamily homes are a small segment of the population served and the district anticipates serving five hundred sixty multifamily connections by 2025.

5. The district began providing water service in 1960 and over the years, it merged with a number of smaller districts. Water is provided by ten ground water wells and interties with the cities of Tacoma and Auburn. Annual average water consumption is approximately three million eight hundred twenty thousand gallons per day with a maximum day of seven million five hundred forty thousand gallons per day. Average water use for a single family residence is two hundred twenty-two gallons per day. The district, based on Puget Sound Regional Council forecasts, estimates that growth in water demand for single family, multifamily and employment, average day demand will be five million two hundred twenty thousand gallons per day in 2011 and six million nine hundred twenty thousand gallons per day in 2025. Maximum day demand will increase to ten million two hundred ninety thousand gallons per day in 2011 and thirteen million six hundred forty thousand gallons per day in 2025. The district has adequate capacity to meet forecasted demand beyond 2025. In addition, it is investigating a number of supply

alternatives to meet demand beyond then including additional wholesale water from the Cascade Water Alliance, and possibly displacement of existing nonpotable supply use by use of reclaimed water in conjunction with King County.

6. The district's plan identifies thirty-four million five hundred thousand dollars in water system improvements to be completed in the next six years and an additional fourteen million five hundred thousand dollars between 2013 and 2025. The financing plan calls for the majority of cost to be allocated to future customers as the projects primarily address growth-related issues. Utility sales and service fees along with connection charges provide the bulk of the revenue for the district.

7. The Covington water district's service area or areas include a corporate boundary, a retail service area, and a future service area. The future service area was approved as part of the South King County CWSP adopted in 1989. A retail service area as defined by the Washington state Department of Health ("DOH") under the 2003 Municipal Water Law was not described and demarcated on a map in the water system plan. By working with the Covington water district they have described their retail service area to be the same as the boundary described in the CWSP for their future service area. The plan proposes no boundary changes at this time. The Covington water district states in its plan that it could, but is not able to provide water to numerous areas within the external boundary of the water district due to the fourteen existing Class A public water systems and over one hundred-thirty Class B public water systems already providing water service within their own service areas. Within its service area, the district intends to continue supplying water and service to two wholesale systems, which are Sugarloaf and Ravensdale, that are current customers. The district also states that it intends to be a satellite management agency, as authorized under the Public Water System Coordination Act, to provide service, such as via ownership/operation of new small systems, within the remainder of its

designated future service area. The provision of satellite management services is consistent with the King County Comprehensive Plan and CWSP.

8. Covington agreed to supplement the draft plan with information to describe in more detail how it intends to provide "timely and reasonable" service within its proposed retail service area, as required by State law. In general, the district understands "timely" to mean provision of service within 120 days after an agreement for service is reached. With regard to the "reasonable" element of the clause the district views this to mean service is reasonable if:

- A. A condition of service is consistency with local land use plans and development regulations;
- B. The conditions of service and associated costs are consistent with the conditions of service described in the plan; and
- C. The conditions of service and associated costs are consistent with experiences of other applicants requesting similar service.

This language is a reasonable interpretation of the law's requirement. The Covington water district has agreed to amend its administrative code within one year to reflect the criteria by which timely and reasonable service will be provided. The supplemental information on provision of water in a timely and reasonable manner is a condition of the ordinance to ensure public access to the information.

9. Covington water district has acknowledged there may be opportunities for the use of reclaimed water-particularly with regard to irrigation of numerous golf courses, parks and schools. A water reuse feasibility study was completed in 2006. Covington water district is in the process of developing a reclaimed water program and working with King County on the use of reclaimed water.

10. The water system comprehensive plan, as amended and supplemented, has been determined by the Utilities Technical Review Committee (UTRC) to be substantially consistent with the

requirements of the King County Code, and the King County Comprehensive Plan, as documented by the checklist provided by the executive with the transmittal letter.

11. Under the state Environmental Policy Act, Covington water district reviewed the draft Comprehensive Water Supply Plan, completed a checklist, and issued a Determination of Nonsignificance on April 7, 2006.

12. DOH has not yet approved the Covington water district plan. DOH indicated that Covington water district has provided adequate responses to their comments, and DOH will approve the Covington water district plan on receipt of the King County approval ordinance, and may approve the plan before the final King County approval, conditioned on the receipt of the King County approval.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The Covington water district 2007 Water System Plan Update, Attachment A to this ordinance, is hereby approved as a comprehensive water system plan with conditions.

With regard to the provision of timely and reasonable service, the district's retail service area shall be the same as the CWSP boundary as defined in the plan. A service is found to be timely and reasonable if, among other factors:

- A. Provision of service is done within one hundred twenty days after an agreement for service is reached.
- B. A condition of service is consistency with local land use plans and development regulations.
- C. The conditions of service and associated costs are consistent with experiences of other applicants requesting similar service.
- D. The conditions of service and associated costs are consistent with experiences of other applicants requesting similar service.

The district shall provide King County utilities technical review committee with a

copy of the District Administrative Code after it has been revised and updated to reflect the supplemental information provided on the timely and reasonable service criteria.