

439.2002.2646

FILE NO. 439

PROPOSAL NO. 83-152

Sponsored by Council Member Bujacich
By Request of County Executive

ORDINANCE NO. 83-152

AN ORDINANCE of the Pierce County Council Ratifying the
External Critical Water Supply Service Area
Boundaries as Proposed by the Water Utility
Coordinating Committee

WHEREAS, the Pierce County Council passed Ordinance No. 83-9
declaring Pierce County a Critical Water Supply Service area pursuant
to RCW 70.116; and

WHEREAS, Pierce County passed Resolution No. 83-130 establishing
a Water Utility Coordinating Committee (WUCC); and

WHEREAS, pursuant to WAC 248-56-510, the WUCC has formulated a
recommendation for boundaries for the External Critical Water Supply
Service Area and a justification for said recommendation; and

WHEREAS, the recommendation of WUCC is that all of Pierce County
be included in the plan and that the boundary be the same as the county
boundary; and

WHEREAS, WAC 248-56-600(4) requires the County Council to conduct
at least two public hearings on the proposed boundaries; NOW, THEREFORE,

BE IT ORDAINED by the Council of Pierce County:

Section 1. Having reviewed the recommendations and justification
for boundaries for the External Critical Water Supply Service Area,
as proposed by the Water Utility Coordinating Committee, and after
conducting two public hearings, the County Council hereby ratifies said
recommendation.

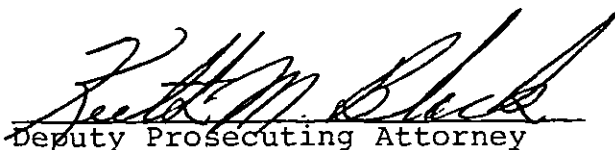
Section 2. The boundary of the County of Pierce is hereby established
as the boundary for the Critical Water Supply Service Area.

PASSED this 8TH day of NOVEMBER. 1983.

PIERCE COUNTY COUNCIL
Pierce County, Washington


Council Chair

Approved As To Form Only:


Deputy Prosecuting Attorney

ORDINANCE NO. 83-152 (Cont'd)

ATTEST:

Marlene Ellsworth
Marlene Ellsworth
Clerk of the Council

PIERCE COUNTY EXECUTIVE

David Friend

Approved Vetoed
this 10th day of Nov.
1983.

Affidavit of Publication

STATE OF WASHINGTON)

COUNTY OF PIERCE)

ss.

..... EARL L. MURPHY....., being first duly sworn, on oath deposes and says that he/she is the publisher of the NEWS REVIEW, a weekly newspaper. That said newspaper is a legal newspaper and 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 weekly newspaper in Pierce County, Washington, and is now and during all of said time was printed in office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of ... Ordinance.. No.. 83-152

..... as it was published in regular issues (and not in supplemental form) of said newspaper once each week for a period of ... one..... consecutive weeks, commencing on the

..... 23..... day of.. NOVEMBER, 19 83 and ending on the

..... 23..... day of.. NOVEMBER, 19 83 both days inclusive, and that such newspaper has regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$...10..01

Earl L. Murphy

Subscribed and sworn to before me this...24...day of NOVEMBER 19 83

J. Murphy
Notary Public in and for the State of Washington
Residing at Sumner.

NOTICE
ADOPTION OF
PIERCE COUNTY ORDINANCE NO. 83-152
NOTICE IS HEREBY GIVEN that Ordinance No. 83-152, and Ordinance ratifying the External Critical Water Supply Service Area Boundaries as proposed by the Water Utility Coordinating Committee has been adopted. A summary of the Ordinance is attached to this notice.
Section 1. Having reviewed the recommendations and justification for boundaries for the External Critical Water Supply Service Area, as proposed by the Water Utility Coordinating Committee, and after conducting two public hearings, the County Council hereby ratifies said recommendation.
Section 2. The boundary of the County of Pierce is hereby established as the boundary for the Critical Water Supply Service Area.
NOTICE IS FURTHER GIVEN that copies of this Ordinance are filed in the Pierce County Council's Office, 1048 County-City Building, Tacoma, WA 98402, and are available for inspection Monday through Friday between the hours of 9:00 A.M. and 4:00 P.M. A copy thereof may be obtained for a minimal photocopy charge.
Ordinance No. 83-152 was passed by the Pierce County Council on November 8, 1983, signed by the Executive on November 10, 1983 and becomes effective November 20, 1983.
Published in the News Review, Nov. 23, 1983

NOTICE
OF ADOPTION OF PIERCE COUNTY ORDINANCE NO. 83-152

NOTICE IS HEREBY GIVEN that Ordinance No. 83-152, an Ordinance ratifying the External Critical Water Supply Service Area Boundaries as proposed by the Water Utility Coordinating Committee has been adopted. A summary of the Ordinance is as follows:

BE IT ORDAINED by the Council of Pierce County:

Section 1. Having reviewed the recommendations and justification for boundaries for the External Critical Water Supply Service Area, as proposed by the Water Utility Coordinating Committee, and after conducting two public hearings, the County Council hereby ratifies said recommendation.

Section 2. The boundary of the County of Pierce is hereby established as the boundary for the Critical Water Supply Service Area.

NOTICE IS FURTHER GIVEN that copies of this entire Ordinance are filed in the Pierce County Council's Office, 1046 County-City Building, Tacoma, WA 98402, and are available for inspection Monday through Friday between the hours of 9:00 A.M. and 4:00 P.M. A copy thereof may be obtained for a minimal photocopy charge.

Ordinance No. 83-152 was passed by the Pierce County Council on November 8, 1983, signed by the Executive on November 10, 1983 and becomes effective November 20, 1983

REPORT OF STANDING COMMITTEE

October 25, 198³

The Public Works Committee has considered Proposal No. 83-152, an ordinance ratifying the external Critical Water Supply Service Area boundaries as proposed by the Water Utility Coordinating Committee

and has voted the following action:

- Do Pass
- Do Pass as Amended
- Do Pass as Substituted
- Do Not Pass
- Postpone Indefinitely
- Forward With No Recommendation

B. C. ...
 VICE Chairman

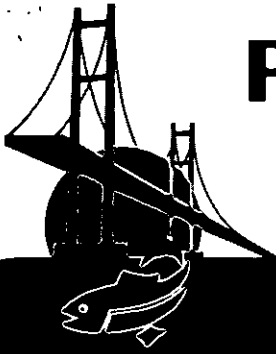
Hyllis K. ...
 Member

 Member

COMMENTS: Jake Bujacich, Chairman, excused

MINORITY REPORT IF APPLICABLE

Member



PIERCE COUNTY


OFFICE OF THE PIERCE COUNTY EXECUTIVE
930 Tacoma Avenue South, Room 535, Tacoma, Washington 98402
Telephone: (206) 598-4415

September 29, 1983

BOOTH GARDNER
Pierce County Executive

MEMORANDUM

TO: Shirley Winsley,
Chairman, County Council

FROM: Booth Gardner, 
County Executive

SUBJECT: Establishing External Boundaries for Coordinated
Water System Plan.

RECEIVED
SEP 29 1983
PIERCE COUNTY
COUNCIL

Shirley:

The Water Utility Coordinating Committee has recommended that the Water System Plan be County-wide and are requesting that the Council conduct a public hearing per WAC 248-56-600(4).

I concur and am attaching the Committee's recommendation for action by the Council.

BG:flh

Attachments

PIERCE COUNTY

2401 SOUTH 35TH STREET, ROOM 6

TACOMA, WASHINGTON 98409

(206) 593-4570



September 15, 1983

MEMORANDUM

TO: Booth Gardner
County Executive

FROM: Dan Cagle *dc*
Planning Department

SUBJECT: Water Utility Coordinating Committee Recommendation for
External Boundaries for Coordinated Water System Plan

In accordance with the Procedural Regulations for administering the Public Water System Coordination Act (WAC 248-56) the Pierce County Utility Coordinating Committee has formulated the attached recommendation and justification for the establishment of the critical water supply service area boundary for the County Coordinated Water System Plan.

The critical water supply service area boundary is the boundary which is established to define the area/areas within the County where problems exist relative to the provision of water service, and which will be addressed by the plan.

It is the concensus of the Committee that all of Pierce County be included in the plan and, consequently, the recommended boundary be the same as the County boundary.

WAC 248-56-600(4) requires that the County legislative authority conduct at least two public hearings on the boundary recommendation within six months from the date of submittal to the Council. If the Council takes no action to adopt the proposed or a modified boundary within the six month period, the proposed boundaries are automatically ratified.

Please transmit the attached letters of recommendation to the Council for their consideration. I would recommend that the first public hearing on this matter be scheduled as soon as possible.

DC/scw
Enclosures
LRP:MS15:1

RECEIVED
SEP 29 1983
PIERCE COUNTY
COUNCIL

PIERCE COUNTY
PLANNING DEPARTMENT
NED M. LANGFORD
DIRECTOR

4089

PIERCE COUNTY

2401 SOUTH 35TH STREET, ROOM 6

TACOMA, WASHINGTON 98409

(206) 593-4570



September 15, 1983

RECEIVED

SEP 29 1983

PIERCE COUNTY
COUNCIL

PIERCE COUNTY
PLANNING DEPARTMENT
NED M. LANGFORD
DIRECTOR

Pierce County Executive
Pierce County Council
COUNTY-CITY BUILDING

Re: Recommendations for External Boundary - Public Water Systems
Coordination Act

Dear Mr. Gardner and Members of the Pierce County Council:

The Pierce County Water Utility Coordinating Committee (WUCC) has met in accordance with the provisions of the Public Water System Coordination Act and the associated actions taken by the Pierce County Council. The procedures of the law require that the WUCC meet and review the water supply needs of the area and recommend to you the desired study area referenced as the External Boundary of the study area.

The WUCC has met and discussed the needs of Pierce County water utilities and the need for improved water supply service. The WUCC has recommended that the entire County be declared a Critical Water Supply Service Area and that the provisions of the act be implemented throughout the entire County. This recommendation is based upon the following general conclusions:

- (1) There is a large number of water utilities providing water service under different design standards, conditions of service, and with a varying degree of planning to meet the future needs in both the urban and rural areas.
- (2) The anticipated result of the Coordinated Water System Plan will be beneficial to both the water utilities and County government in meeting the future needs of Pierce County. Therefore, the procedures and standards that will be developed by the water utilities should apply uniformly throughout the County and not just to a portion of the County.
- (3) The water resources of the County, and in particular the groundwater resources, that are currently utilized by a

County Executive
Pierce County Council
September 15, 1983
Page 2

major share of the water utilities are subject to potential contamination from existing developments in the County and potential future land uses. The recharge areas of groundwater aquifers are not restricted to the urbanizing area of the County but may be influenced by activities above the groundwater recharge area in more remote areas of the County. Therefore, the procedures and guidelines developed by the water utilities and County staff should apply uniformly throughout the County to recognize the importance of managing and protecting our groundwater resources.

- (4) Alternative sources of supply for future needs of the County include groundwater, the Green River, and possibly other surface supplies in the County. Therefore, planning for both retail service as well as source development should encompass the entire County.
- (5) One of the problems associated with water service in Pierce County is the large number of small water systems without an adequate revenue base and management system to expand to meet future needs in certain areas. It is important to prevent the proliferation of additional small inadequate systems and, therefore the entire water supply needs of Pierce County should be considered and appropriate guidelines and procedures developed to minimize adding to the small system problems.

During the two meetings of the Water Utility Coordinating Committee, the above issues were discussed and there were no objections to the recommendation to establish the County borders as the external boundary of the study area. Therefore, it is the recommendations of the Water Utility Coordinating Committee to initiate the two required public hearings by the County Council on the recommendation. We urge your immediate consideration of scheduling the two public hearings required and to add your support for establishing the County boundary as the external boundary for the study.

Pierce County Executive
Pierce County Council
September 15, 1983
Page 3

We are prepared to respond to questions and will attend the meeting to present the recommendations of the Committee to the Council and the public. If you have any questions, or need additional information, please contact me.

Sincerely,



DEREK SANDISON, Chairman
Pierce County Water Utility Coordinating Committee

DS/scw

LRP:LS15:3

cc: Dan Cagle
Pat Wiles
Don McCarty
Howard Harman

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON }
County of Pierce } ss.

NOTICE OF PUBLIC HEARING BEFORE THE PIERCE COUNTY COUNCIL. NOTICE IS HEREBY GIVEN that the Pierce County Council will consider Proposal No. 132, AN ORDINANCE of the Pierce County Council Relating to the External Gravel Water Supply Service Area Boundaries as Proposed by the Water Utility Coordinating Committee.

NOTICE IS FURTHER GIVEN that copies of the entire proposed Ordinance are filed in the Pierce County Council's Office, 1046 County City Building, Tacoma, WA 98402, and are available for inspection Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m. A copy of the proposed Ordinance may be obtained for a minimal photocopy charge.

NOTICE IS FURTHER GIVEN that hearings upon the proposed Ordinance will be held on TUESDAY, THE 15TH OF NOVEMBER, 1983 and on TUESDAY, THE 21ST OF NOVEMBER, 1983 at 9:00 a.m. in the Pierce County Council Chambers, 10th Floor, County City Building, Tacoma, WA 98402.

All persons interested in this matter may appear before the Council and be heard either in favor or against the proposed Ordinance. At the conclusion of the hearing on said date, the Council may adopt the Ordinance, amend and adopt it, deny it or continue the hearing to a date certain.

By action of the Pierce County Council dated October 11, 1983.

Betty Cantrell, being first duly sworn, on oath, says: that she is the legal clerk of THE TACOMA NEWS TRIBUNE, a daily newspaper published in Tacoma, Pierce County, Washington, and of general circulation in said State, and having a daily circulation of over 106,000 copies. That said newspaper is now and at all of the times herinafter mentioned was a legal newspaper as defined by the laws of this State, duly approved by the Superior Court of Pierce County, Washington.

That the advertisement, of which the attached is a printed copy as it was published in the regular issues (and not in supplement form) of said newspaper, was published once each week for XXXXXXXXXXXXXXX consecutive weeks commencing on the 26th day of October, 1983 and ending on the XXXXXXXXXXXXXXXXXXXX day of XXXXXXXXXXXX, 1983 both dates inclusive.

That the full amount of the fee charged for said publication was the sum of \$ 43.16

Betty Cantrell

Subscribed to and sworn before me on this 1st day of November, 1983.

Brian R. Rupp

Notary Public in and for the State of Washington, Residing at Tacoma, Pierce County, Washington

PIERCE COUNTY COUNCIL

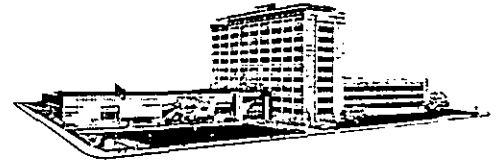
930 Tacoma Avenue South, Room 1046, Tacoma, Washington 98402 - 2176

Telephone: 593-4000

COUNCIL OFFICERS

Shirley Winsley, Chair
Joe Stortini, Vice-Chair
Joe Vraves, Pro-Tempore

October 18, 1983



The Tacoma News Tribune
1950 State Street
P. O. Box 11000
Tacoma, WA 98411

Gentlemen:

Enclosed herewith for publication in your paper in issue of
OCTOBER 26TH, 1983

is a copy of the Notice of Public Hearing on Proposal No. 83-152.

Please submit bill for same, together with proof of publication in
DUPLICATE, to the County Council Office, Room 1046, County-City Building,
Tacoma, WA 98402.

It would be greatly appreciated if you would submit your bill and
affidavit IMMEDIATELY after the last date of publication.

Very truly yours,

PIERCE COUNTY COUNCIL

By _____
Marlene Ellsworth, Clerk

Enclosure

COUNCIL OFFICER/COMMITTEE CHAIRPERSON

Phyllis Erickson, District No. 1
Chair, Housing & Human Services

Joe Vraves, District No. 2
Chair, Criminal Justice & Intergovernmental Relations

R. "Clint" Richardson, District No. 3
Chair, Fiscal Management

Joe Stortini, District No. 4
Chair, Planning & Community Development

Wendell Brown, District No. 5
Chair, Operations

Shirley Winsley, District No. 6
Chair, Rules & Council Facilities

Jack Bujacich, District No. 7
Chair, Public Works & Facilities

NOTICE OF PUBLIC HEARING
BEFORE THE PIERCE COUNTY COUNCIL

NOTICE IS HEREBY GIVEN that the Pierce County Council will consider Proposal No. 83-152,

AN ORDINANCE of the Pierce County Council Ratifying the External Critical Water Supply Service Area Boundaries as Proposed by the Water Utility Coordinating Committee.

NOTICE IS FURTHER GIVEN that copies of the entire proposed Ordinance are filed in the Pierce County Council's Office, 1046 County-City Building, Tacoma, WA 98402, and are available for inspection Monday through Friday between the hours of 9:00 A.M. and 4:00 P.M. A copy of the proposed Ordinance may be obtained for a minimal photocopy charge.

NOTICE IS FURTHER GIVEN that hearings upon the proposed Ordinance will be held on TUESDAY, the 1ST OF NOVEMBER, 1983, and on TUESDAY, the 8TH OF NOVEMBER, 1983, at 9:00 A.M. in the Pierce County Council Chambers, 10th Floor, County-City Building, Tacoma, WA 98402.

All persons interested in this matter may appear before the Council and be heard either in favor of or against the proposed Ordinance. At the conclusion of the hearing on said date, the Council may adopt the Ordinance, amend and adopt it, deny it or continue the hearing to a date certain.

By action of the Pierce County Council dated October 18, 1983.

Affidavit of Publication

STATE OF WASHINGTON)

COUNTY OF PIERCE)

ss.

Earl L. Murphy

....., being first duly sworn, on oath deposes and says that he/she is the publisher of the NEWS REVIEW, a weekly newspaper. That said newspaper is a legal newspaper and 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 weekly newspaper in Pierce County, Washington, and is now and during all of said time was printed in office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of .. Proposal No. 83.152..

..... as it was published in regular issues (and not in supplemental form) of said newspaper once each week for a period of One consecutive weeks, commencing on the

.....26..... day of.....October 19 83 and ending on the

.....26..... day of.....October 19 83 both days inclusive, and that such newspaper has regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$.....12.15

Earl L. Murphy

Subscribed and sworn to before me this 27....day of. October. 19 83

V. Murphy
.....
Notary Public in and for the State of Washington
Residing at Sumner.

NOTICE OF PUBLIC HEARING BEFORE THE PIERCE COUNTY COUNCIL
NOTICE IS HEREBY GIVEN that the Pierce County Council will consider Proposal No. 83-152 AN ORDINANCE of the Pierce County Council Ratiying the External Critical Water Supply Service Area Boundaries as Proposed by the Water Utility Coordinating Committee. A summary of the proposed Ordinance is as follows:
"BE IT ORDAINED by the Council of Pierce County:
Section 1. Having reviewed the recommendations and justification for boundaries for the External Critical Water Supply Service Area as proposed by the Water Utility Coordinating Committee, and after conducting two public hearings, the County Council hereby ratifies said recommendation.
Section 2. The boundary of the County of Pierce is hereby established as the boundary of the Critical Water Supply Service Area.
NOTICE IS FURTHER GIVEN that copies of the entire proposed Ordinance are filed in the Pierce County Council's Office, 10th County City Building, Tacoma, WA 98402, and are available for inspection Monday through Friday, during the hours of 9:00 A.M. and 4:00 P.M. A fee of \$1.00 for the proposed Ordinance may be obtained by a minimal photocopy charge.
NOTICE IS FURTHER GIVEN that hearings upon the proposed Ordinance will be held on TUESDAY the 1ST of NOVEMBER, 1983 and on TUESDAY the 8th of NOVEMBER, 1983, at 9:00 A.M. in the Pierce County Council Chambers, 10th Floor, County City Building, Tacoma, WA 98402.
All persons interested in this matter may appear before the Council and be heard either in favor of or against the proposed Ordinance. At the conclusion of the hearing on the 1st, the Council may adopt the Ordinance, or may accept it, deny it, or continue the hearing to a date certain.
By action of the Pierce County Council dated October 18, 1983.
Published in the News Review Oct. 26, 1983

NOTICE OF PUBLIC HEARING
BEFORE THE PIERCE COUNTY COUNCIL

NOTICE IS HEREBY GIVEN that the Pierce County Council will consider Proposal No. 83-152,

AN ORDINANCE of the Pierce County Council Ratifying the External Critical Water Supply Service Area Boundaries as Proposed by the Water Utility Coordinating Committee. A summary of the proposed Ordinance is as follows:

"BE IT ORDAINED by the Council of Pierce County:

Section 1. Having reviewed the recommendations and justification for boundaries for the External Critical Water Supply Service Area, as proposed by the Water Utility Coordinating Committee, and after conducting two public hearings, the County Council hereby ratifies said recommendation.

Section 2. The boundary of the County of Pierce is hereby established as the boundary for the Critical Water Supply Service Area."

NOTICE IS FURTHER GIVEN that copies of the entire proposed Ordinance are filed in the Pierce County Council's Office, 1046 County-City Building, Tacoma, WA 98402, and are available for inspection Monday through Friday between the hours of 9:00 A.M. and 4:00 P.M. A copy of the proposed Ordinance may be obtained for a minimal photocopy charge.

NOTICE IS FURTHER GIVEN that hearings upon the proposed Ordinance will be held on TUESDAY, the 1ST OF NOVEMBER, 1983, and on TUESDAY, the 8TH OF NOVEMBER, 1983, at 9:00 A.M. in the Pierce County Council Chambers, 10th Floor, County-City Building, Tacoma, WA 98402.

All persons interested in this matter may appear before the Council and be heard either in favor of or against the proposed Ordinance. At the conclusion of the hearing on said date, the Council may adopt the Ordinance, amend and adopt it, deny it or continue the hearing to a date certain.

By action of the Pierce County Council dated October 13, 1983.

DRAFT

October 27, 1983

Mr. Alan Rowe, Planner, and
Mr. Bob James, Regional Engineer
Department of Social & Health Services
Mail Stop LD-11
Olympia, WA 98504

Subject: Letter of Understanding - Service Area
Responsibility During Development of Pierce
County Coordinated Water System Plan

Dear Mr. Rowe and Mr. James:

The Pierce County Water Utility Coordinating Committee is proceeding with the development of the Pierce County Coordinated Water System Plan (CWSP), in accordance with WAC 248-56.

It is anticipated that it will take from 1½ to 2 years to complete the CWSP. It is our understanding that the regulations restrict establishment of new water systems during the development of the CWSP except under certain conditions, and that subsequent to its adoption, procedures to establish new systems will be outlined in the completed plan.

To guide the WUCC, Pierce County, and the development community during the preparation of the CWSP, it is desirable to develop this letter of understanding with the Department of Social and Health Services. The procedure that will be followed in responding to inquiries on establishment of new water systems for both short plat and regular plat planning procedures is considered to be the following.

1. Existing Service Area Boundaries

On the date that the County Council adopts the External Boundary of the Critical Water Supply Service Area, the existing boundaries of water purveyors will be interpreted to be the following:

- a) municipal corporate boundaries
- b) water district boundary
- c) boundary review board designated boundaries
- d) existing distribution systems or a DSHS approved system map
- e) water service contracts based on item #2 below.

The boundary may include a combination of the above.

2. Identification of an Existing Public Water System

WAC-56-620 states , "No new public water system shall be approved within the Critical Water Supply Service Area subsequent to establishment of external boundaries unless specifically authorized by the Department."

For the purposes of this study, it is our understanding that if a preliminary plat or short plat application was not filed prior to the establishment of the External Boundary, that the associated water system will be considered new and will not be considered for approval except under the conditions outlined in this letter.

If the application for the preliminary plat or short plat was filed prior to the effective date and the processing of the final plat or short plat approval occurs prior to June 1, 1984, and the water system meets all existing Pierce County and DSHS requirements, the system will be considered an existing water system. Plats requiring a public water system must have a contract for service from a DSHS approved system or DSHS approved plans and specifications. Short plats must have a contract for service from a DSHS approved water system or a notice of availability of water acceptable to the Pierce County Health Department.

If the final plat or short plat approval occurs after June 1, 1984, the establishment of a new public water supply system must comply with number 3 below.

3. Establishment of New Public Water System

If new water service is required in an area not currently serviced by an existing water utility, as outlined in number 1 above, or the proposed new system does not meet the time requirements as outlined in number 2 above, an interim future service area boundary establishment will be considered, or a new system will be permitted under the following sequential steps. The identification of a probable future service area or identification of a new system service area will be based on criteria including, but not limited to: topography, readiness and ability to provide water, local franchise areas, future population, land use projections, sewer service areas, and the feasibility of expanding an existing system to serve the area.

- a) If demand for water supply occurs within a purveyor's probable future service area, the following shall apply in the listed sequence:

- 1) The existing purveyor shall provide service in a timely and reasonable manner consistent with state board of health regulations; or
 - 2) A new public water system may be developed on a temporary basis. Before authorization, a legal agreement will be required which includes a schedule for the existing purveyor to assume management and/or connect the new public water system to the existing system.
- b) If a demand for water supply occurs outside any purveyor's probable future service area, or the probable future service area is uncertain, the following shall apply in the listed sequence:
- 1) Those persons anticipating the need for water service shall contact existing nearby purveyors within the critical water supply service area to determine whether any will be interested in expanding their system to provide water service in a timely and reasonable manner consistent with state board of health regulations; or
 - 2) A new public water system may be developed on a temporary basis. Before authorization, a legal agreement with an adjacent system will be required which includes a schedule for the existing system to assume management and/or connect the new public water system to the existing system; or
 - 3) A new public water system may be developed.

If a new water system is approved, the system shall have an approved water system plan pursuant to WAC 248-54-065. It shall anticipate and incorporate the provisions for complying with the anticipated Coordinated Water System Plan for Pierce County.

During the process in which the decision is being made about whether an existing purveyor should service the new development or a new water system should be developed, the criteria to be considered in assessing cost and level of service shall be at least equivalent to the level of service that would meet projected land use requirements or that is generally consistent with adjacent water utility design criteria, whichever is more stringent. DSHS design standards will be considered the minimum requirement.

The criteria to be used on evaluating cost allocations to new development will not be established until the CWSP proceeds to the near completion stage. The interim decisions, therefore, will of necessity be a negotiated compromise between the purveyor and developer, with the CWSP study team assisting if requested.

Concerning the resolution of service area designations where adjacent water utilities are seeking to provide future service to the same geographical area, it is understood that the adopted DSHS procedures will be followed in resolving such conflicts. The DSHS guidelines will not be utilized unless involved purveyors are unable to resolve the conflict by themselves with the assistance of the CWSP study team. It is the general intent of the study to not involve DSHS in a service area conflict resolution until near the completion of the CWSP.

In summary, we have reviewed these understandings with the Pierce County Water Utility Coordinating Committee, and are submitting these to your office for review. If you concur with this understanding, we will use this as a guideline during the development period of the CWSP. Upon final adoption of the CWSP, this understanding will be replaced by the procedures adopted within the plan and state law. May we have your written concurrence of this understanding.

Sincerely,

Derek Sandison, Chairman
Pierce County WUCC

DS:slc

cc: Dan Cagle, Project Manager
Pierce County Council
Pierce County Executive
WUCC Members
Pierce County Homebuilders Association
South Sound Land Use Association
Economic and Engineering Services, Inc.