

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

REGULAR AGENDA REQUEST

TO: Board of County Commissioners
Mark McCauley, County Administrator

FROM: Brent A. Butler, AICP, Chief Strategy Officer

DATE: September 23, 2024

SUBJECT: Water Utility Coordinating Committee Appointment of Position Number 7 and a Board of County Commissioners' Alternate

STATEMENT OF ISSUE:

In 2024, the Board of County Commissioners (Board or BoCC) repealed any documents or resolutions establishing the Water Utility Coordinating Committee (WUCC) and replaced its members with a new slate of WUCC members as set forth in Table 1 below. The composition of the WUCC is governed by Washington Administrative Code (WAC) 246-293-150 (*see* Attachment 1), and must consist of no fewer than four members as set forth in the WAC.

The Board also directed that position number seven be filled by someone associated with a Group B public water system. To accomplish this, staff published a call for participation in the Port Townsend Leader and Mr. Jim Chase responded on February 29, 2024. He shared that as the recent past President of the Basalt Beach Water Association, a Class B purveyor, he is willing to assist the county. Mr. Chase has served for 15 years on this eight-member association which has existed for over 60 years. Mr. Chase is willing to accept an appointment. Additionally, staff received an e-mail from Mr. Neil Lamka, who serves as President of the Olympus Beach Tracts Water Board (Olympus). Because Olympus has 73 users, a water system that's slightly larger than what the Board specified by resolution, staff plans to explore other ways to incorporate his interest and readvertise the availability of an appointment as an alternate.

TABLE 1: Proposed Water Utility Coordinating Committee

Member (Position Number)	Alternate	Required or Optional
(1) County Commissioner (Greg Brotherton)	Determined by BoCC	Required
(2) Jefferson County Public Health Director,	Determined by the EPH Director	Required
(3) Jefferson County Community Development Department (DCD) Director,	Determined by the DCD Director	Required
(4) City of Port Townsend Public Works Director	Determined by the Director of Public Works	Required – one water purveyor with over fifty services within the critical water supply service area
(5) Public Utility District Number 1 Executive Director	Determined by the PUD Executive Director	
(6) Olympic Sewer and Water President	Determined by the President of the Port Ludlow Associates	
(7) Jim Chase, former President Basalt Beach Water Association		Not Required

At an earlier BoCC meeting, the Board stated that Commissioner Brotherton is appointed as the county's WUCC member because a county legislative authority within the declared critical water supply service area is required. At today's meeting, we request that the Board determine who Commissioner Brotherton's alternate shall be when he is unavailable, and also to appoint both the WUCC Position Number 7 member, and position number 7's alternate.

A Request for Proposals (RFP) that incorporates a scope of work ("SOW") to establish a new CWSP has been completed and posted on the county website. Go to:

<https://www.co.jefferson.wa.us/1764/Coordinated-Water-System-Plan> The RFP was drafted after obtaining assistance from a team consisting of county staff, water purveyors, the Washington State Department of Health, and Jefferson County Public Environmental Health. It has been published in the Daily Journal of Commerce to determine the overall CWSP update cost.

BACKGROUND:

Last updated in 1997, the Jefferson County Coordinated Water System Plan ("CWSP") requires revisions to incorporate new water law and implement best practices. Generally, the required procedures are contained in the Washington Administrative Code (WAC), Chapter 248-56 WATER SYSTEM COORDINATION ACT—PROCEDURAL REGULATIONS. Companion provisions address the community's need for fire-protection in Chapter 248-57 WATER SYSTEM COORDINATION ACT—FIRE FLOW REGULATIONS. While the CWSP should consider the water infrastructure needs over a 50-year planning horizon, it must meet a minimum 20-year planning horizon.

The "Water Resources Act" of 1971, RCW 90.54, sets forth the State's fundamentals for water resource management intended to ensure that the waters of the State will be protected and fully utilized for the greatest benefit to the people of the State. The [Public Water System Coordination Act of 1977](#) (PWSCA) created Critical Water Supply Service Areas (CWSSA) in Washington State because "an adequate supply of potable water for domestic, commercial, and industrial use is vital to the health and well-being of the people of the state," [RCW 70.116.010](#). The designation of a CWSSA confirms that a study of a geographical area demonstrates that water supply problems related to uncoordinated planning, inadequate water quality or unreliable service appears to exist.

On October 24, and December 12, 1983, the BoCC formally adopted resolutions 97-83 and 118-83 respectively, accepting the Jefferson County public utility district's preliminary assessment of problems related to public water supply service, and the WUCC's recommendation to confirm and legally establish the limits of the critical water supply service area as the whole of Jefferson County. These resolutions endorsed the findings of the preliminary assessment of more than 60 representatives of public water systems in Jefferson County, PUD, staff and other interested parties discussed on September 27, 1983. This initiated water planning, engineering and technical analysis that led to the county's first CWSP which the BoCC adopted by resolution 13-86 on January 23, 1986.

In 1995, the BoCC adopted resolution 79-95 formally establishing the WUCC's roles and responsibilities and later declared by resolution 93-95 that the CWSSA boundaries were true and correct, as recommended by the WUCC.

CWSP

- Provides maximum integration and coordination of public water system facilities
- Is the coordinating document that provides policy recommendations

- Helps coordinate delivery of water of Group A water systems
- Sets framework and process of water system review plans
- Identifies future demand and if there are sufficient water rights to meet demand
- Sets minimum standards for fire flow

ANALYSIS:

As more fully set forth in the October 23, 2023 agenda request on this topic, the Jefferson County Public Utility District No. 1 ("PUD") continues to identify water supply problems related to uncoordinated planning, inadequate water quality or unreliable service in part due to the failure to update the CWSP.

FISCAL IMPACT/COST-BENEFIT ANALYSIS:

The funding available for the Comprehensive Plan update would not be sufficient to update the CWSP, and therefore an alternative source of funding would be necessary. As shared previously, the most significant challenge identified for the CWSP update is cost and staff capacity. Many jurisdictions establish funding in one of three ways. (1) represented parties of the proposed water utility coordinating council would each contribute to the cost of a CWSP update, (2) the county uses the general fund to pay for the update, (3) a taxing district is established. e.g., Whatcom County Flood Control District (FCD) was established in the early 1990s and includes in its permissible uses costs for (a) Stormwater, (b) Flooding, (c) Coordinated Water System Plan creation and updates and water-related natural resource activities such as protecting shellfish beds. King and Pierce counties have FCDs; a stormwater utility however is the more common use.

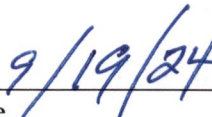
RECOMMENDATION:

After accepting public comment, staff requests that the Board appoint the following individuals:

- (1) Mr. Jim Chase to Water Utility Coordinating Committee Position Number 7 and
- (2) One County Commissioner to serve as Commissioner Brotherton's alternate.

REVIEWED BY:


 Mark McCauley, County Administrator


 Date

ATTACHMENT 1 –

Chapter 246-293-150 Water utility coordinating committee—Establishment.

- (1) Within thirty days following the declaration of a critical water supply service area, a water utility coordinating committee composed of not less than three voting members shall be appointed by the declaring authority.
- (2) The water utility coordinating committee shall consist of one representative from each of the following:
 - (a) County legislative authority within the declared area;
 - (b) County planning agency having jurisdiction within the declared area;
 - (c) Health agency having jurisdiction within the declared area under chapters 70.08, 70.05, 43.20 RCW; and
 - (d) Water purveyor with over fifty services within the declared area. (Other interested persons may be appointed as nonvoting members of the committee by the authority declaring the critical water supply service area if determined appropriate.)
- (3) At the first meeting of the water utility coordinating committee, the following shall be determined:
 - (a) Chairperson; and
 - (b) Rules for conducting business, including voting procedure.