

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners
Mark McCauley, County Administrator

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

DATE: November 6, 2023

SUBJECT: Coordinated Water System Plan

STATEMENT OF ISSUE:

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](#). In 1997, the Jefferson County Board of Commissioners (“Board” or “BoCC”) adopted declaration 97-83 creating CWSSA for all of Jefferson County. Jefferson County’s Coordinated Water System Plan (“CWSP”) builds upon this declaration. Other counties made this declaration as early as the 1980s (e.g., Pierce County www.piercecountywa.gov/951/Coordinated-Water-System-Planning).

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

The Jefferson County Public Utility District No. 1 (“PUD”) has identified issues arising from the failure to update the CWSP, and the Jefferson County Comprehensive Plan fails to fill the void by including much of the required state guidance governing water systems. According to the Washington State Department of Health (DOH), there is a significant difference between counties that have a CWSP and those that do not. Generally, the CSWP leads to a more coordinated and streamlined development process where it exists. For example, Clallam County does not have an adopted CWSP, which necessitates debate on a case-by-case basis to determine if an applicant needs to drill a well versus connect to an existing water service area. For developers, this lack of predictability in process has the potential to increase development costs and slow permitting.

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. For example, 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.

BACKGROUND

CWSPs originate in the Public Water System Coordination Act of 1977, which predates growth management (see <https://app.leg.wa.gov/rcw/dispo.aspx?Cite=70.116>). While Jefferson County, along with thirteen other counties, has maintained coordinated water system plans, many other municipalities phased out such plans and incorporated them into the Comprehensive Plan. Although some counties with CWSPs such as Walla Walla (est. pop., 63K), Grant (est. pop., 103K), Skagit (est. pop., 132K), Island (est., pop. 88K) are more comparable to Jefferson County's population size, the state's seven largest counties (e.g., King, Pierce, Snohomish, Clark, Thurston, Kitsap, Whatcom) all have CWSPs. King County has multiple CWSPs in place, e.g., East King, South King, and Skyway.

Jefferson County began the process to adopt a plan in 1997 by the formation of a steering committee; it neither appears to have adopted the CWSP along with the comprehensive plan nor as a stand-alone planning guidance document. That said, the 1997 document has guided water system area changes in Jefferson County since then through a local Water Utility Coordinating Committee (WUCC).

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. Upon its completion, it should be adopted along with the comprehensive plan. However, the Department of Health does not require a CWSP, but it does require the fulfillment of certain responsibilities as more fully set forth by WAC 246-293-300. As such, it may be a 'best practice' to have one to ensure sustainability of current and future water sources and to ensure consistency.

Coordinated water system plans are supposed to include all water system owners throughout the county, and these owners would typically cover the costs of the plan update. The county process for establishing the Planning Commission, the Board of Equalization and other boards is typically how the CWSP's planning committee would be established. WAC 246-293-150 states that the composition of the Water Utility Coordinating Committee (WUCC) shall consist of one representative from each of the following: county legislative authority within the declared area; county planning agency having jurisdiction within the declared area; health agency having jurisdiction within the declared area under Chapters 70.08, 70.05, 43.20 RCW; and water purveyors with over fifty (50) services within the declared area. WAC 246-293-150 allows that other interested persons may also be appointed as nonvoting members of the WUCC.

FISCAL IMPACT/COST-BENEFIT ANALYSIS:

The CSO is currently funded until March 31, 2023. More analysis is necessary to understand the time commitment associated with the update of the CWSP through an in-house team consisting of an assigned

DCD staff person. The cost would likely be significantly reduced over that of the cost of hiring a consultant.

RECOMMENDATION:

After listening to concerns expressed by the county's water purveyors and the experience of other counties as shared by the invited Department of Health representative for Jefferson County, determine next steps.

REVIEWED BY:



Mark McCauley, County Administrator

11/3/23

Date