

6/7/78

Introduced by: Bernice Stern

78-533

Motion No. **3679**

1
2 A MOTION authorizing the County Executive to execute
3 a memorandum of understanding for coordinated surface
4 water planning consistent with the SNOMET/King County
Areawide Water Quality Plan.

5 WHEREAS, the Congress passed the Federal Water Pollution Control Act of
6 1972 and recognized as a national goal that the Nation's waters should be
7 "fishable and swimmable" by 1983, and
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9 WHEREAS, Section 208 of the Water Pollution Control Act calls for
10 areawide waste treatment management planning, and
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12 WHEREAS, the State of Washington designated SNOMET and King County as
13 the responsible agencies for developing an areawide water quality plan for
14 portions of the Snohomish River Basin and southwestern Snohomish County, and
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16 WHEREAS, the Areawide Water Quality Plan identified urban stormwater
17 runoff as the major problem in six drainage basins in southwestern Snohomish
18 County, and
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20 WHEREAS, any increased stormwaters and related pollution generated in
21 these six drainage basins may adversely affect residents in jurisdictions
22 downstream, namely, Bothell, Lake Forest Park, and King County, and
23

24 WHEREAS, the areawide water quality planning program assisted local
25 jurisdictions in southwest Snohomish County develop surface water
26 drainage ordinances as a first step in the control of the downstream impacts
27 of development, and
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29 WHEREAS, coordinated basin planning and development of surface water
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1 facilities is a desirable and necessary activity to support such local
2 drainage ordinances;

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4 NOW THEREFORE, BE IT MOVED by the Council of King County:

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6 The County Executive is hereby authorized to execute the memorandum of
7 understanding in substantially the form as attached committing King County's
8 participation in coordinated surface water planning.

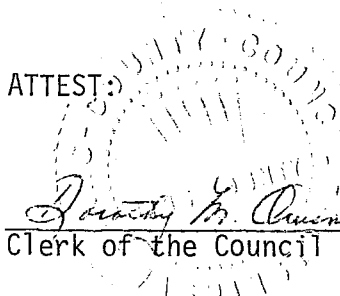
9
10 PASSED this 21st day of August, 1978.

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13 King County Council
King County, Washington

14
15 Bernard Stern
16 Chairman

17 ATTEST:

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19 Jocelyn M. Quinn
20 Clerk of the Council



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MEMORANDUM OF UNDERSTANDING
FOR COORDINATED SURFACE WATER PLANNING

1 THIS AGREEMENT is entered into by and between THE CITY OF BOTHELL,
2 (hereinafter referred to as "Bothell"), THE CITY OF BRIER, (hereinafter
3 referred to as "Brier"), THE CITY OF EDMONDS, (hereinafter referred to as
4 "Edmonds"), THE CITY OF EVERETT, (hereinafter referred to as "Everett"),
5 THE CITY OF LAKE FOREST PARK, (hereinafter referred to as "Lake Forest Park"),
6 THE CITY OF LYNNWOOD, (hereinafter referred to as "Lynnwood"), THE CITY OF
7 MOUNTLAKE TERRACE, (hereinafter referred to as "Mountlake Terrace"), KING
8 COUNTY, and SNOHOMISH COUNTY, as follows:

9 WITNESSETH:

10 WHEREAS, the Drainage Basins of McAleer, Lyon, Swamp, North, Bear,
11 and Big Bear-Evans Creeks (hereinafter called the "Basins") include lands
12 within unincorporated King County and Snohomish County and the corporate
13 limits of Bothell, Brier, Edmonds, Everett, Lake Forest Park, Lynnwood,
14 and Mountlake Terrace, (hereinafter collectively referred to as the
15 "Jurisdictions"); and

16 WHEREAS, the Jurisdictions recognize that land development within
17 the Basins has led to increasing problems of flooding, erosion, sedimentation,
18 water pollution, loss of fish habitat, fish and other wildlife through
19 inadequate control of drainage; and

20 WHEREAS, the Jurisdictions recognize that anticipated increases in
21 population and building within the Basins have the potential for further
22 disruption of the natural drainage systems, increased water quality
23 degradation and decreased attractiveness of the Basins unless effective
24 measures are implemented within the Basins; and

25 WHEREAS, the Jurisdictions recognize that surface waters in the
26 Basins flow across governmental boundaries requiring multi-jurisdictional
27 planning, coordination and implementation on a basin-wide basis; and

28 WHEREAS, certain of the Jurisdictions have enacted similar
29 ordinances to control drainage problems caused by building and land develop-
30 ment; to wit: King County Ordinances 2281 and 2812; City of Edmonds Ordinance
31 1924; City of Lynnwood Ordinance 908; and Bothell Ordinance 843; and

32 WHEREAS, the Jurisdictions recognize that uncontrolled and

1 unplanned development may well lead to drainage problems for one another than
2 can most effectively and efficiently be addressed through comprehensive basin
3 planning within the individual Basins; and

4 WHEREAS, the Basins are within designated PL 92-500 Section 208
5 Areawide Waste Management Study areas conducted either by the Snohomish County
6 Metropolitan Municipal Corporation (SNOMET) and King County (hereinafter
7 called SNOMET 208), or by the Municipality of Metropolitan Seattle, (herein-
8 after called METRO 208), both of whom have identified surface water drainage
9 in developing areas as one of the most pressing problems of non-point sources
10 of pollution; and

11 WHEREAS, these Section 208 studies have identified the
12 responsibility and need for local general purpose governments to coordinate
13 and undertake comprehensive drainage basin planning together that will lead
14 to the funding, facility construction, maintenance, regulation, administration,
15 enforcement, and monitoring of basin drainage management activities; and

16 WHEREAS, King County and Snohomish County have the responsibility
17 for coordination of urban drainage within their respective counties as
18 recommended by the report, "Environmental Management for the Metropolitan
19 Area, Part II Urban Drainage" (RIBCO, 1974), and both have the planning and
20 management capabilities to exercise that responsibility; and

21 WHEREAS, Jurisdictions recognize that their respective surface
22 water policies often require the construction of facilities such as on-site
23 detention/retention ponds and that small detention/retention ponds
24 distributed uniformly throughout a basin may be in certain instances more
25 expensive and less effective in reducing downstream peak flows than are
26 community detention/retention ponds whose location is determined by a
27 comprehensive drainage basin plan.

28 NOW, THEREFORE, the parties hereto agree as follows:

29 1. Preparation of Basin Plans

30 The Jurisdictions hereby state their intent to enter into
31 appropriate interlocal agreements on a Basin-by-Basin approach to fund,
32 prepare, adopt and update at appropriate intervals Comprehensive Drainage

1 Plans in the Basins which they affect. The planning agreements shall address,
2 but not be limited to, the following elements:

- 3 A. Planning budget;
- 4 B. Allocation of planning costs;
- 5 C. Identification of the lead agency and staff for plan
6 preparation;
- 7 D. Reaffirmation of the participant's intent to consider
8 adoption of the plan upon completion. (See Section 3 below)

9 The planning agreements shall be entered into at such time as the
10 affected Jurisdictions desire to pursue comprehensive drainage planning for
11 one of the Basins. Funding for the preparation of Basin Plans will be
12 sought from Federal, State and/or local sources as appropriate.

13 2. Content of Comprehensive Drainage Plans

14 Comprehensive Drainage Plans shall contain or address, but not be
15 limited to, the following elements and activities:

- 16 A. Goals and objectives for the Basin;
- 17 B. Water quality and quantity data collection and evaluation;
- 18 C. Growth projections;
- 19 D. Identification of existing and potential critical flood,
20 drainage and erosion areas;
- 21 E. Computer simulation modelling of alternative means to control
22 drainage problems, including structural devices and land use
23 alterations;
- 24 F. Public involvement;
- 25 G. Type, location and estimated cost of drainage facilities
26 needed for water quality and quantity control;
- 27 H. Procedures for adoption and implementation of the completed
28 Basin plan to include financing mechanisms and responsibil-
29 ities and implementing schedule.

30 Basin plans shall be prepared and adopted so as to comply with the
31 procedural and substantive requirements of RCW 36.94, the County Services
32 Act, and shall demonstrate technical and Financial feasibility.

1 3. Adoption of Basin Plans

2 Upon completion of a Basin Plan, the affected Jurisdictions
3 agree to consider formal adoption of the plan and any modifications to
4 existing regulations or land use plans recommended within the Basin Plan.

5 4. Uniformity of Regulations, Enforcement, Maintenance, and
6 Administrative Procedures in the Basins

7 The Jurisdictions of Brier, Everett, Lake Forest Park,
8 Mountlake Terrace and Snohomish County agree to consider adoption or incor-
9 poration into existing legislation, of surface water ordinances similar to
10 content to SNOMET's Model Ordinance, including a section similar in content
11 to King County Code 20.50.055, to wit, in critical flood drainage and/or
12 erosion areas, property development which would increase the total surface
13 water runoff volume leaving that property shall not be permitted. The
14 Jurisdictions agree to coordinate their administration of surface water
15 management programs and undertake, either individually or by mutual contract,
16 similar enforcement and maintenance operations to the end that reasonable
17 uniformity in policy implementation is achieved throughout the Basins.

18 5. Review of Land Use Plan and Drainage Modifications

19 The Jurisdictions agree that any party to this agreement
20 considering a substantial modification to its land use or drainage plans,
21 drainage regulations or administrative procedures will notify the other
22 parties in advance and offer them the opportunity to comment upon such
23 changes as they may affect existing or proposed drainage structures and
24 programs of the other parties.

25 6. Areawide Coordination

26 The Jurisdictions within each 208 planning area agree to work
27 with the areawide continuing planning authorities established by the SNOMET
28 208 and METRO 208 programs to further water quality improvement in surface
29 water drainage and utilize the SNOMET 208 continuing planning authority as a
30 forum for the discussion of drainage issues/problems of areawide concern.
31 The Jurisdictions further agree to jointly consider changes in drainage best
32 management practices and runoff calculation methods requested or suggested by

1 any party to this agreement. Coordination with the METRO 208 areawide
2 authority will be maintained by the SNOMET 208 areawide authority or its
3 designee.

4 7. Lead Agency Assignments

5 The Jurisdictions agree that responsibility for facilitating
6 joint planning for each Basin (see attached basin boundary map) will be as
7 follows:

- 8 A. Big Bear-Evans Creeks - King County;
- 9 B. Bear Creek - Snohomish County;
- 10 C. Lyon Creek - King County;
- 11 D. McAleer Creek - King County;
- 12 E. North Creek - Snohomish County;
- 13 F. Swamp Creek - Snohomish County.

14 Basins and sub-basins not enumerated herein are not subject to this agreement.
15 Lead agency designation for actual Basin plan preparation will be determined
16 by the subsequent planning agreements stipulated in Section 1, supra. Nothing
17 in this agreement shall prevent Jurisdictions from voluntarily cooperating
18 on basin planning in shared basins not covered by this agreement.

19 8. Effective Date

20 A. This memorandum shall be effective as of the date when
21 five or more Jurisdictions have signed it. It shall be effective as to
22 other Jurisdictions on the date of their signing.

23 b. This memorandum became effective on _____ 1978.

24 ATTEST:

CITY OF BOTHELL

25 _____

Royal Bordison, Mayor

26 APPROVED AS TO FORM:

27 _____

Date: _____

28 ATTEST:

CITY OF BRIER

29 _____

Mayor

30 APPROVED AS TO FORM:

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Date: _____

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ATTEST:

CITY OF EDMONDS

Harve H. Harrison, Mayor

APPROVED AS TO FORM:

Date: _____

ATTEST:

CITY OF EVERETT

William Moore, Mayor

APPROVED AS TO FORM:

Date: _____

ATTEST:

CITY OF LAKE FOREST PARK

James W. Hunt, Mayor

APPROVED AS TO FORM:

Date: _____

ATTEST:

CITY OF LYNNWOOD

M.J. Hrdlicka, Mayor

APPROVED AS TO FORM:

Date: _____

ATTEST:

CITY OF MOUNTLAKE TERRACE

John Enbom, Mayor

APPROVED AS TO FORM:

Date: _____

ATTEST:

KING COUNTY

John Spellman, County Executive

APPROVED AS TO FORM:

Date: _____

ATTEST:

SNOHOMISH COUNTY BOARD OF COMMISSIONERS

Don Moa, Chairman

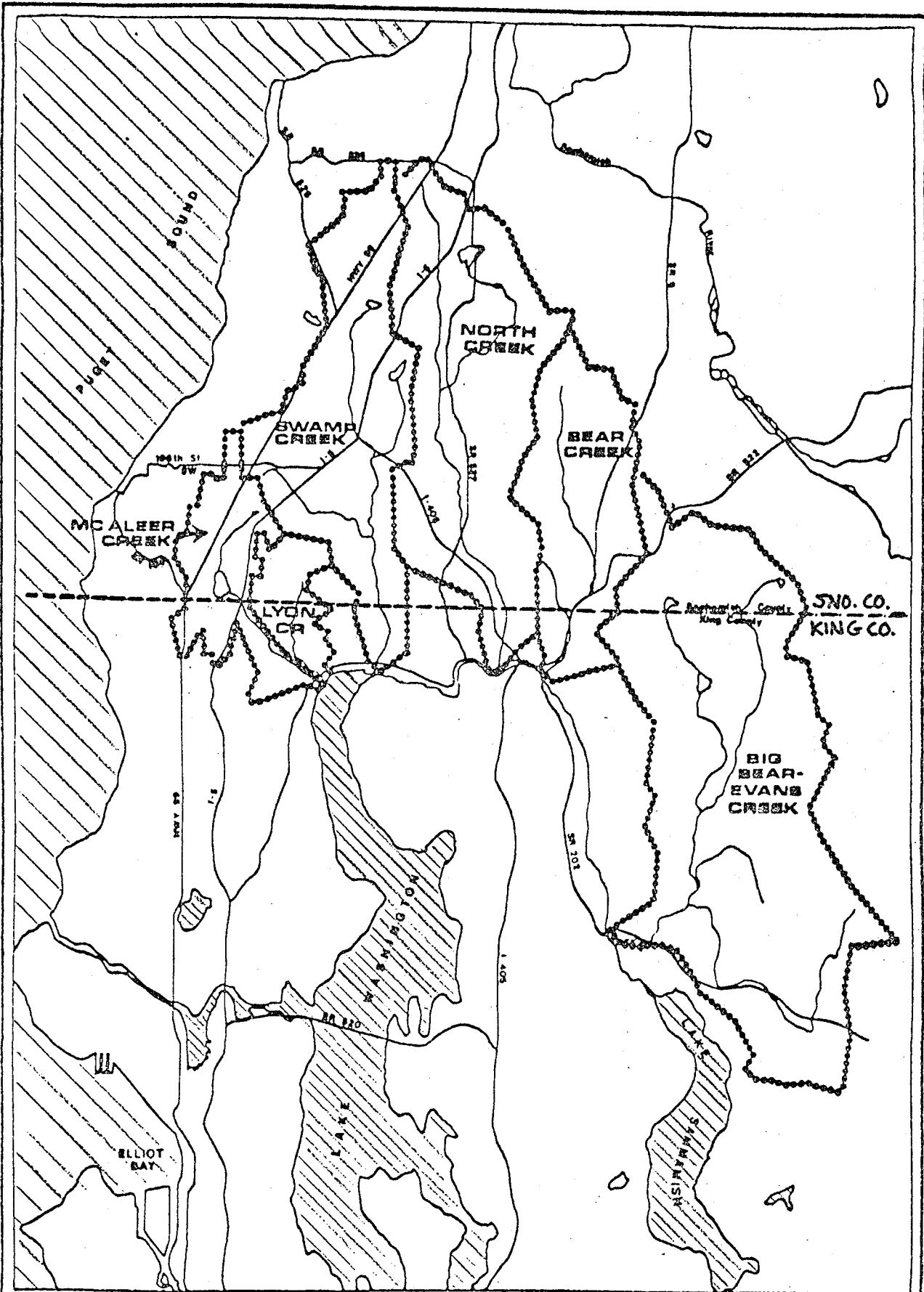
APPROVED AS TO FORM:

Richard S. Young

Date: _____

APPROVAL RECOMMENDED
Snohomish County Planning Dept.

BY: *SEP* DATE: 4-6-78



COOPERATIVE DRAINAGE PLANNING BASINS