

March 29, 1995

Introduced By: Pullen

waterrts/jl  
April 3, 1995 clerk

Proposed No.: 95-221

MOTION NO. **9528**

A MOTION expressing King County's concern over delays in the approval of water rights applications by the Washington Department of Ecology and asking that priority be given to applications necessary to meet state and county growth management goals, consistent with appropriate environmental protection.

WHEREAS, King County has adopted a new comprehensive plan and development regulations to implement it, satisfying requirements of the state Growth Management Act, and

WHEREAS, the King County comprehensive plan establishes an Urban Growth Area where growth is planned to occur at urban densities and to receive urban levels of services, including water service, and

WHEREAS, the King County comprehensive plan also permits Class A water systems to provide water service in rural areas at rural densities, consistent with state and county goals to reduce the proliferation of small systems and thereby improve the coordinated management of limited water supplies, and

WHEREAS, for these policies to work, it is critical that applications for water rights which are submitted by Class A water systems and which are necessary to meet county growth management goals be reviewed and approved by the Washington Department of Ecology in a timely manner, particularly if they are not in direct hydraulic continuity with instream

1 flows and are consistent with DOE requirements established at  
2 the time of application submittal, and

3 WHEREAS, as an example of the consequences of failure to  
4 act in a timely manner, delays in DOE authorization of a  
5 change in place of use necessary for a proposed intertie with  
6 the City of Auburn have caused the Covington Water District  
7 and Water District 111 in southeastern King County to impose  
8 moratoriums on all new connections that do not have specific  
9 prior arrangements for meter installation, thus halting all  
10 new proposals for development in one of the fastest growing  
11 parts of the county, and

12 WHEREAS, the complete application for approval of the  
13 intertie has been before DOE since August, following more  
14 than two years of negotiations between the districts, the  
15 city and DOE, and

16 WHEREAS, applications for water rights from Covington  
17 Water District and other local utilities that are critical to  
18 meet growth management goals could be approved with  
19 conditions, if there are scientifically documented direct  
20 hydraulic continuity effects, thus mitigating the effect on  
21 surface flows and the environment, and

22 WHEREAS, Tacoma's proposed Pipeline 5 could provide  
23 greater instream flows to enhance fisheries operations and  
24 recreation on the Green River while providing a critical  
25 source of water supply for many utilities throughout south  
26 King County, but delays in permit approvals may require an  
27 extension of its water right from DOE, which the county would  
28 urge DOE to be prepared to grant, and

29 WHEREAS, every creative strategy needs to be actively  
30 pursued by DOE in partnership with the utilities to keep

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1 water service from becoming the factor that prohibits state  
2 and county governments from achieving their growth management  
3 goals;

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

6 A. King County asks that the Washington Department of  
7 Ecology give priority to water rights applications from water  
8 utilities that are necessary to meet state and county growth  
9 management goals, consistent with appropriate environmental  
10 protection.

11 B. King County urges DOE to be prepared to grant an  
12 extension of Tacoma's water right for Pipeline 5, should that  
13 be necessary for completion of the project's permit  
14 approvals, since the pipeline could provide greater instream  
15 flows to enhance fisheries operations and recreation on the  
16 Green River while providing a critical source of water supply  
17 for many utilities throughout south King County.

18 C. King County believes that conditions on residential  
19 and commercial use of groundwater can and should be set only  
20 when necessary to protect senior rights for instream and  
21 offstream permitted use, which includes fish habitat and  
22 other purposes set forth in RCW 90.54. These conditions  
23 should be implemented flexibly, however, so that if further  
24 study shows that they are unnecessarily onerous or  
25 insufficiently strict relative to the needs of other water  
26 uses, they can be modified accordingly. If such conditional  
27 approval can be offered prior to the conclusion of DOE  
28 assessments of closed basins to help meet state and county  
29 growth management goals, King County urges the state to offer  
30 it at the earliest possible time.

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D. The Clerk of the Council is directed to distribute copies of this motion to: Washington Governor Mike Lowry; Washington State Senators Kathleen Drew, Steve Johnson, Dan McDonald, Irv Newhouse, Marilyn Rasmussen, Nita Rinehart, Pam Roach and Dean Sutherland; Washington State Representatives Jack Cairnes, Gary Chandler, Suzette Cooke, Philip Dyer, Dave Mastin, Eric Robertson, Nancy Rust, Jean Silver, Brian Thomas and Les Thomas; Mary Riveland, Secretary of the Washington Department of Ecology; and other appropriate state elected officials and DOE personnel.

PASSED by a vote of 11 to 0 this 3rd day of April, 1995.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Kent Pullen  
Chair

ATTEST:

Gerald A. Peterson  
Clerk of the Council

Attachments:

None