

MOTION NO. 1478

A MOTION relating to surface water, watershed management and protection, and the creation of a county-wide Surface Water Utility; and establishing a board to determine and recommend the necessary steps for the creation of this Utility.

WHEREAS the Washington State Water Pollution Control Commission Planning Guide, published March 31, 1970, sets forth State objectives for comprehensive water resource planning, with a specific category including such items as soil erosion, storm drainage or runoff; and

WHEREAS, pursuant to the requirements of such State Planning Guide, King County, the Municipality of Metropolitan Seattle, all cities, sewer districts, and water districts are developing a comprehensive regional water resource plan under the River Basin Coordinating Committee; and

WHEREAS said plan among its many elements addresses the problem of urban runoff and storm drainage; and

WHEREAS it is the intent of all jurisdictions participating in this study to institute action based on the recommendations of this study; and

WHEREAS the King County Environmental Development Commission, upon request of King County Executive order dated January 20, 1971, completed the "Storm Water and Water Courses" report. Said report concludes "that there is lack of available policy and effective legislation" and "there is a proliferation, fragmentation, and overlap of political subdivisions dealing with parts of the whole system, none of which is now dealing with whole system;" and

1 WHEREAS the King County Environmental Development Com-
2 mission has, in addition, released the "Open Space-Section II
3 Wetlands Element" report with the stated goal: "Wetland areas
4 that have value for water retention, wildlife habitat, and
5 general open space shall be retained in a natural condition;"
6 and

7 WHEREAS there presently exists in county government no
8 specific utility or funding source to carry out the intent of
9 the urban runoff and storm drainage obligation of the compre-
10 hensive water resources plan; and

11 WHEREAS under the provisions of RCW 36.94, the "County
12 Services Act", the County may engage in the construction,
13 operation, and maintenance of a system of storm drainage; and

14 WHEREAS under the provisions of RCW 39.34, the "Inter-
15 local Cooperation Act", local governmental units are enabled to
16 cooperate on the basis of mutual advantage;

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

18 SECTION 1. NEW SECTION. The necessary steps shall be
19 taken to determine the feasibility of and establish a Surface
20 Water Utility in the unincorporated areas of King County in
21 accordance with the intentions expressed in this motion. Said
22 Utility shall include all municipalities within King County
23 requesting inclusion.

24 SECTION 2. NEW SECTION. King County will administer this
25 proposed Surface Water Utility. King County will exercise all
26 legal powers necessary and appropriate to the construction, con-
27 demnation and purchase, acquisition, addition to, maintenance,
28 conduct and operation, management, regulation and control of all
29 surface waters within the jurisdiction of this Utility, including,
30 without limitation, all the lawful powers to fix, regulate, and
31 control the rates, charges and conditions, for the use thereof.
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1 SECTION 3. NEW SECTION. The Division Engineer, Hydraulics
2 Division, Department of Public Works shall be ex officio admini-
3 strator of the proposed County Surface Water Utility.

4 SECTION 4. NEW SECTION. All natural and man-made surface
5 water and storm water systems within the boundaries of the pro-
6 posed Utility shall be considered for inclusion as a part of the
7 Utility.

8 SECTION 5. NEW SECTION. A Surface Water Utility Board is
9 hereby created to determine the feasibility of and recommend the
10 necessary steps in establishing a Surface Water Utility in King
11 County. The Board shall:

- 12 - determine the practicality of achieving the
- 13 unified management of storm and surface water
- 14 through the mechanism of a Surface Water Utility;
- 15 - delineate procedures which the County must follow
- 16 in establishing a Surface Water Utility; and
- 17 - prepare an Ordinance for Council consideration
- 18 which properly provides for the creation of a
- 19 Surface Water Utility.

20 The Board's report shall be presented to the Council no later
21 than 6 months subsequent to the passage of this motion. The
22 Board shall have, as a minimum, a representative from each of
23 the following:

- 24 King County Department of Public Works and Transportation;
- 25 Seattle-King County Health Department (Sanitation);
- 26 King County Department of Community & Environmental
- 27 Development;
- 28 King County Department of Budget & Program Planning;
- 29 King County Council Administrator's Office
- 30 King County Prosecuting Attorney's Office (Civil Division).
- 31 King County Environmental Development Commission's Public
- 32 Utilities Committee Chairman, or his designee.

1 SECTION 6. NEW SECTION. The Environmental Development
2 Commission shall review proposals of the Surface Water Utility
3 Committee in matters pertaining to recommended policy formation.

4 SECTION 7. NEW SECTION. It is the intent of this motion
5 that a Surface Water Utility in King County shall be operational
6 as soon as practicable, subsequent to the passage of this motion.

7 PASSED this 11th day of March, 1974.

8
9 KING COUNTY COUNCIL
10 KING COUNTY, WASHINGTON

11 
12 _____
13 Chairman

14 ATTEST:

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17 _____
18 Clerk of the Council