

ORDINANCE NO. 5879

AN ORDINANCE approving the City of Seattle's Comprehensive Regional Water Plan (COMPLAN), under the provisions of Chapter 13.24 KCC; stating County policies on Regional Water Management; and specifying conditions of approval.

PREAMBLE:

A. The City of Seattle has prepared a Water Comprehensive Plan (COMPLAN) in order to plan future capital facilities, establish water supply policies, integrate results of all water related studies into one plan, meet state health requirements, and to meet King County requirements for franchises and permits.

B. The City of Seattle compiled eleven volumes of material as the COMPLAN and its supporting documents, as follows:

Volume I: Comprehensive Regional Water Plan and DEIS, May, 1979.

Volume II: Support Volumes of the COMPLAN Plan.

Volume III: Cedar-Tolt Watershed Management Plan, DEIS January, 1979, and FEIS August, 1979.

Volume IV: Corrosion Control Plan, FEIS November, 1978.

Volume V: Reservoir Protection Plan, FEIS June, 1976.

Volume VI: Seattle Metropolitan Water Supply Study (SEAMWSS), December, 1977.

Volume VII: Midway Water Supply Study (MIDWSS), April, 1976.

Volume VIII: 1980 SWD Capital Improvement Program (CIP), May, 1979.

Volume IX: Seattle Comprehensive Regional Water Plan (COMPLAN) FEIS, September, 1979.

Volume X: Seattle Comprehensive Regional Water Plan (COMPLAN) March, 1980.

Volume XI: Seattle Comprehensive Regional Water Plan (COMPLAN) Summary, March, 1980.

C. COMPLAN was adopted by the City of Seattle by Ordinance No. 108773.

1 D. The City of Seattle submitted COMPLAN to King County on
2 May 2, 1980.

3 E. In addition to serving incorporated Seattle, the Seattle
4 Water Department has extended direct service outside the city,
5 has absorbed and now operates some former water districts in
6 unincorporated areas, is the wholesale supplier to other cities,
7 water districts, and private water purveyors, and has established
8 relationships with the City of Tacoma. As such, the Seattle
9 Water Department serves as the regional water supplier for most
10 of King County.

11 F. King County review and approval is required by Chapter
12 13.24 KCC, and RCW 90.54.090. King County review is guided by
13 the criteria established by KCC 13.24:050, RCW 57.02.040,
14 Chapter 248-54 WAC, and Chapter 90.54 RCW and Chapter 43.21C RCW.

15 The Utilities Technical Review Committee reviewed COMPLAN
16 and on January 28, 1981, recommended its approval, subject to
17 adoption of the policies and conditions contained in the proposed
18 ordinance dated February 26, 1981.

19 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

20 SECTION 1. GOAL. It is the goal of King County, as the
21 overall local general purpose government reviewing the Seattle
22 Water Comprehensive Plan (COMPLAN), to assure that the funda-
23 mentals for the utilization and management of the waters of King
24 County, as declared in the Water Resources Act of 1971 (Chapter
25 90.54.RCW), are achieved in the approval and implementation of
26 the Seattle COMPLAN.

27 SECTION 2. REVIEW AND APPROVAL CONSIDERATIONS. The review
28 and approval of the Seattle Water Comprehensive Plan is guided by
29 King County policies and principles which relate to land use and
30 growth management objectives, recommendations contained in special
31 studies such as the Water Resource Management Study of RIBCO, and
32 the County's authority and responsibility to assure that
33

1 coordinated public facilities and services are provided on an
2 area-wide basis, in an efficient manner, and avoiding duplication
3 whenever possible. These policies and principles are summarized
4 in the following statements:

5 1. Water resource development should, to the maximum
6 extent practicable, be planned and implemented to achieve multiple
7 purpose objectives. These objectives, which can include but are
8 not limited to domestic water supply, power generation, flood
9 control, resource conservation, preservation of the natural
10 environment and protection of life and property, should be
11 balanced.

12 2. Alternative solutions to water resource management
13 problems and needs which minimize environmental damage and
14 degradation should be considered equally with other least cost
15 solutions, recognizing that mitigation of adverse impacts is
16 essential, particularly where losses to the natural environment
17 are unavoidable and watershed access for public use and enjoyment
18 is restricted or reduced.

19 3. Area-wide management is preferred over fragmented
20 management in order to share decision-making between those with
21 direct consumptive interests in water resource development and
22 those with broader nonconsumptive interests.

23 4. King County's water resources are limited, renewable
24 resources and should be developed only when accompanied by
25 programs encouraging water saving and conservation.

26 SECTION 3. POLICIES. Attached to this ordinance is a
27 background summary providing additional supporting information
28 for the policies and conditions of approval.

29 A. It is King County's current policy that the existing
30 magnitude or frequency of flooding in the Cedar and Tolt Rivers
31 shall not be increased as a result of improvements that may be
32 necessary for the Tolt Dam and are necessary for the Cedar Dam
33

1 to ensure structural safety during maximum flooding conditions.
2 It is the City of Seattle's position that water users throughout
3 King County should not pay for the costs of controlling the
4 magnitude or frequency of flooding on the Cedar or Tolt Rivers
5 in excess to that control that would be provided incidental to
6 any water supply and/or power project or improvements.

7 B. King County supports the formation of a water purveyor
8 committee to play a substantial role in the development of
9 policies related to purveyor contract provisions wholesale
10 rates, peaking or demand charges, storage requirements, regional
11 facility ownership, and financing of future system expansions.

12 C. King County recognizes that, in the future, the County,
13 the purveyors and other jurisdictions may find it desirable to
14 form a new institutional structure responsible for the delivery
15 of regional water supplies to King County residents.

16 SECTION 4. APPROVAL. The Seattle Comprehensive Regional
17 Water Plan (COMPLAN), as documented in Volume X, is hereby
18 approved for the purpose of implementing the provisions of
19 Chapter 13.24 KCC and is subject to the conditions of Section 5
20 of this Ordinance.

21 SECTION 5. CONDITIONS. Attached to this ordinance is a
22 background summary providing additional supporting information
23 for the policies and conditions of approval.

24 A. Final selection of the next source of water supply by
25 the City of Seattle shall require submission of a plan amendment
26 for approval by King County, consistent with KCC 13.24 as now or
27 hereafter amended.

28 B. The City of Seattle shall prepare and submit plans and
29 programs to King County which specify how facilities and
30 operations on the Cedar and Tolt River systems will be improved
31 to alleviate risks to life and property downstream. Such plans
32 and programs should include the nature and schedule for structural
33 measures, improvements to early warning systems, emergency

1 notification and evacuation plans in the event of dam failures,
2 implications of these actions on the level of flood control and
3 the potential liabilities resulting from an alteration in the
4 magnitude and frequency of floods. The King County Council will
5 review such plans, programs, and environmental review information
6 and will provide additional policy guidance for the County's
7 administrative review and approval of required permits.

8 C. If for any reason, Seattle and Tacoma are unable to
9 formalize their agreement or the Tacoma Water Division should be
10 unable, as determined by the King County Council, to provide
11 water service sufficient to fulfill that portion of South King
12 County demand presently anticipated to be supplied by Tacoma as
13 set forth in the Tacoma water comprehensive plan, the Seattle
14 Water Department shall participate in a study to determine
15 alternative methods of providing water service.

16 D. The City of Seattle shall provide for King County
17 representation in major planning activities related to the
18 regional water supply system and to direct service customers in
19 unincorporated King County.

20 E. Approval of this plan and any other future regional water
21 plans for water supply in service areas located within King
22 County does not constitute endorsement of Seattle or any other
23 agency as the final ultimate regional water authority for the
24 residents of King County.

25 F. Distribution system improvements to Seattle Water
26 Department direct service areas shall be designed in accordance
27 with standards detailed in the COMPLAN, Chapter 17.08 KCC, and
28 DSHS regulations, and shall not require further amendments or
29 additions and betterments to the COMPLAN.

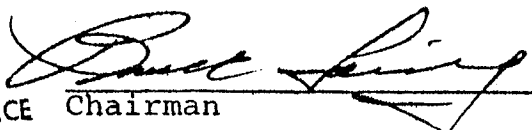
30 G. For unincorporated areas of King County agreements to
31 provide additional meter taps for existing purveyors or to provide
32 wholesale water to water purveyors not now receiving Seattle
33 water shall be subject to King County approval of the retail water

1 purveyor's Water Comprehensive Plan. The Building and Land
2 Development Division shall advise the Seattle Water Department
3 when such water systems have approved plans.

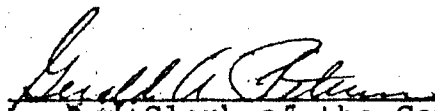
4 INTRODUCED AND READ for the first time this 6th day
5 of April 1981.

6 PASSED this 16th day of February 1982.

9 KING COUNTY COUNCIL
10 KING COUNTY, WASHINGTON

11 
12 VICE Chairman

15 ATTEST:

16 
17 Deputy Clerk of the Council ACTING

18 APPROVED this 25th day of February 1982.

21 
22 King County Executive

BACKGROUND SUMMARY

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The following background summaries are referenced to the applicable sections of Proposed Ordinance 81-139.

1. Flood Protection and Dam Safety: Section 3, Policy "A" and Section 5, Condition "B".

The City of Seattle owns and operates major dams on the Tolt and Cedar Rivers in King County which are integral to the water supply systems. Dam safety inspection reports have been prepared by the District Army Corps of Engineers that indicate improvements are necessary for the Cedar and may be necessary for the Tolt to ensure structural safety during maximum flooding conditions.

2. Purveyor Role: Section 3, Policy "B".

The City of Seattle's service to 33 municipalities and districts is a large and complex delivery of public services in the County. Such a federation of water purveyor and water subscribers requires a broad member representation in planning and decision making that does not exist. Issues that have been of interest to the purveyors relate to purveyor contract provisions, wholesale rates, peaking or demand charges, storage requirements, regional facility ownership and financing of future system expansions.

3. Regional Water Authority: Section 3, Policy "C" and Section 5, Condition "E".

The City of Seattle is currently the water supplier to much of the region. The City has assumed this role because of its early development of major water supplies needed for City residents. In the development of this water supply the City has also supplied water to suburban water purveyors as well as direct service customers in unincorporated King County. The Ribco study also recommended the City as lead agency for water supply. The City has decided to continue its present role as the regional supplier provided contracts can be signed with its purveyor customers. It is also recognized that Bellevue may become another regional water supplier for the Eastside.

King County, as well as the purveyors, are interested in pursuing the development of a regional water authority. The major reason is to provide for a more broad and direct representation in regional water decisions as they relate to rates, reliability, major facility decisions, etc.

4. Next Source Selection: Section 5, Condition "A".

King County has accepted the Snohomish Mediated Agreement as the preferred direction for water resource development in the Snohomish/Snoqualmie River Basin. The Mediated Agreement was developed to provide a framework in which to balance the benefits of resource preservation and structural development. King County continues to encourage the City of Seattle to work within the framework of the Mediated Agreement and its established decision making process toward the achievement of the multiple purpose water resource objectives established therein.

The Mediated Agreement identifies the North Fork Snoqualmie River as a potential water supply source. The City of Bellevue is interested in developing this source and is studying this possibility. However, the City of Seattle has identified the North Fork Tolt River as a tentative water supply source, but states a final decision has not been made. An amendment to the Complan and Subsequent approvals will be required to develop any new water supply source that is finally decided upon.

5. South King County Service: Section 5, Condition "C".

The City of Seattle currently supplies water to more than one million persons living in nearly all areas of urban King County, except South King County. The water departments of Seattle and Tacoma have an informal agreement identifying their separate planning and service areas and establishing that South King County will be served by the City of Tacoma. The Comprehensive Water Plans prepared by both cities anticipates a more formal agreement.

6. County Role: Section 5, Condition "D".

King County is the general purpose local government with land use planning responsibility for major portions of the Seattle water service area. Delivery of water service in an equitable and timely fashion is important to the implementation of those land use policies.