



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 21, 2011

Ordinance 17049

Proposed No. 2011-0033.1

Sponsors Phillips and McDermott

1 AN ORDINANCE approving the Vashon Sewer District
2 Comprehensive Sewer Plan Amendment, August 18, 2010.

3 **STATEMENT OF FACTS:**

4 1. K.C.C. chapter 13.24 requires approval of comprehensive plans and
5 amendments to plans for sewer utilities as a prerequisite to granting right-
6 of-way franchises and approval for right-of-way construction permits.

7 Approval of a plan amendment is also required under K.C.C. chapter
8 28.84 if the utility is a component agency of the regional system.

9 2. Washington state law, RCW 57.16.010(7), requires that any general
10 comprehensive plan of any sewer district be approved, conditionally
11 approved, or rejected by the legislative authority of every county within
12 whose boundaries all or a portion of the district lies. The county
13 legislative authority must make its determination based on: whether the
14 actions outlined in the plan comply with the development program
15 outlined in the county's comprehensive plan; whether the actions outlined
16 in the plan comply with any approved basin-wide water or sewerage plan;
17 and whether the actions outlined in the plan comply with the policies
18 expressed in any county plan for sewer facilities. The actions proposed in
19 the amendment are consistent with RCW 57.16.010(7).

20 3. Both Washington state Department of Ecology ("DOE") and King
21 County regulations require sewer plan amendments to be approved prior to
22 the construction of new facilities.

23 4. The Vashon sewer district ("the district") provides sewer service to a
24 population of approximately two thousand thirty-seven people in a service
25 area of approximately three hundred twenty acres in the central portion of
26 Vashon Island in King County. Its service area includes residential and
27 commercial properties. All of the district's wastewater is treated at King
28 County's Vashon treatment plant.

29 5. The district is proposing an amendment to change its service area and
30 extend service into the rural area to address a public health and safety
31 problem.

32 6. K.C.C. 13.24.134 allows the extension of sewer systems to the rural
33 area to address a public health and safety problem threatening the existing
34 uses of a structure provided the sewer service can be tightlined to prevent
35 future connections. A finding must also be made by the King County
36 utilities technical review committee ("UTRC") that no cost-effective
37 alternative technologies are feasible and that an on-site sewer disposal
38 system would not protect basic public health, safety and the environment
39 during the use of the structure.

40 7. The UTRC reviewed the district's amendment in August 2010, and
41 found that the plan to extend sewer service to address public health and
42 safety concerns with school facilities on parcel numbers 2023039020 and

43 2923039081 affirms that a specific health and safety problem is
44 threatening an existing structure, that the sewer line can be tightlined and
45 that no cost-effective alternative technologies are feasible.

46 8. The UTRC recommends that the King County council approve the
47 amendment with the conditions that engineering and design of the side
48 sewer connection be filed with the county consistent with K.C.C. chapter
49 28.84 and the district demonstrate approval of the amendment from DOE.

50 9. The district completed a state Environmental Policy Act checklist and
51 issued a determination of nonsignificance for the issuance of the plan
52 amendment on November 2, 2010, and there were no appeals.

53 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

54 SECTION 1. The Vashon Sewer District Comprehensive Sewer Plan
55 Amendment, August 18, 2010, Attachment A to this ordinance, is hereby conditionally
56 approved as a general sewer and facilities plan amendment. The conditions are that the
57 district provide the utilities technical review committee with a copy of the Washington
58 state Department of Ecology's approval of the amendment to its plan, submit engineering

59 design details consistent with K.C.C. chapter 28.84 to the utilities technical review
60 committee, and that the side sewer connection be tightlined to preclude future hook-ups.
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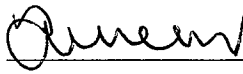
Ordinance 17049 was introduced on 1/31/2011 and passed by the Metropolitan King County Council on 3/21/2011, by the following vote:

Yes: 7 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Patterson,
Ms. Lambert, Mr. Dunn and Mr. McDermott
No: 0
Excused: 2 - Ms. Hague and Mr. Ferguson

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

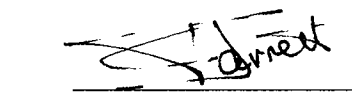

Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

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2011 MAR 25 PM 4:02
CLERK
KING COUNTY COUNCIL

APPROVED this 25 day of March, 2011.


Dow Constantine, County Executive

Attachments: A. Vashon Sewer District Amendment to Comprehensive Sewer Plan August 18, 2010

2011-033

Vashon Sewer District
Amendment to Comprehensive Sewer Plan
August 18, 2010

RECEIVED

AUG 26 2010

KING COUNTY
DNRP DIRECTOR'S OFFICE

The Vashon Parks Department, as a leasee of the Vashon School District parcel where the Harbor School and associated ball fields are located at 15920 Vashon Highway Southwest in unincorporated King County, is proposing a connection to the sewer. The subject property is located outside of the Vashon Sewer District in an area currently designated rural and zoned as RA-5 (1 dwelling unit per 5 acres). This amendment to the Comprehensive Sewer Plan is to allow sewer service to the existing school and ball fields by the Vashon Sewer District through a tightline permitted by King County to address "health and safety problems threatening the existing uses of structures" pursuant to K.C.C. 13.24.134.

I. Amendment to the Vashon Sewer District Comprehensive Sewer Plan

The Vashon Sewer District (the "District") Comprehensive Sewer Plan, prepared by PEI/Barrett Consulting Group dated June 1992 and approved by the District's Board of Commissioners on June 2, 1992 and was subsequently approved on February 8, 1993, by King County Ordinance Number 10729 (Exhibit A).

This amendment evaluates the adjustment to the District's sewer service area boundary to serve the existing structure (school) and bathroom for the ball fields (King County Tax Parcels 2023039020 and 2923039081) located in the rural area.

The Vashon Sewer District Comprehensive Sewer Plan is hereby amended as described in this amendment.

II. Tightline to a Sewer for the Harbor School and Associated Ball Fields

A. Tightline Ordinance

The Harbor School and associated ball fields are located on the east side of Vashon Highway Southwest, approximately 0.1 mile north of the intersection of Southwest 161st Street and Vashon Highway Southwest (see attached figure). The District's sewer service area boundary is 0.6 miles to the south of the boundary of the school and ball fields. The District sewer service area boundary also forms the boundary of the urban and rural area as designated by the King County Comprehensive Plan. The Harbor School and associated ball fields are located in the rural area.

The King County Comprehensive Plan and King County Code (K.C.C.) 13.24.134 permits the use of tightlines to address "[s]pecific health and safety problems threatening the existing uses of structures."

Specifically, F-249 of Chapter 8, Services, Facilities and Utilities states in part:

Public sewer expansions shall not occur in the Rural Area and on Natural Resource Lands except where needed to address specific health and safety problems threatening the existing uses of structures or the needs of public schools or public school facilities, consistent with the paramount duty of the State to make ample provision for the education of all children residing within its borders. Public sewers may be extended, pursuant to this policy, only if they are tightlined and only after a finding is made by King County that no reasonable alternative technologies are technologically or economically feasible and that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility.

K.C.C. 13.24.134, regarding the expansion of sewer service in rural and natural resource areas, states:

- A. Sewer service shall be expanded to serve uses in the rural and natural resource areas only if the facilities are:
1. Needed to address:
 - a. Specific health and safety problems threatening the existing uses of structures; or
 - b. The needs of public school systems with design daily average flows of more than three thousand five hundred gallons per day; and
 2. Tightlined; and
 3. A finding is made by the utilities technical review committee that no cost-effective alternative technologies are feasible and that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility.
- B. Decisions on sewer service expansions in rural or resource areas shall be made by King County in the form of approval of a sewer comprehensive plan or approval of an amendment to a sewer comprehensive plan.

“Tightline to a sewer” means a conveyance piping system designed and intended specifically to serve only a particular facility or place, and whose pipe diameter should be sized appropriately to ensure service only to that facility or place but not intended to accommodate other areas or growth.

B. Tightline for the Harbor School and Associated Ball Fields

The Vashon School District owns the subject real property that was the site of the original Vashon Elementary School built in 1952. After the elementary school was razed in the mid 1990s, the School District leased a portion of the property for the establishment of the Harbor School, a private school serving grades 4 through 8. The Harbor School has a combined student, faculty and staff of approximately 60 people. In addition to the school facility, the subject property includes two ball fields. Existing bathroom facilities for the ball fields and play area consist of two portable toilets. The

Vashon Park District has proposed to develop a series of ball fields on the subject property. However, the Park District's proposal does not include any additional bathroom facilities beyond replacing the existing two portable toilets with a permanent facility consisting of two stalls with a connection to the sewer. The wastewater flow from the existing school is less than 1,000 gallons per day.

The existing on-site septic system is a 1950's era system with clay tiles in the drainfield located near the ball fields. The existing drainfield trenches are between 30 and 40 inches below the ground surface while there is evidence of the water table at 18 inches below the ground surface resulting in a low infiltrative capacity during winter and early spring. When the drainfield trenches are flooded or saturated, the effluent from the existing on-site system mixes with the ground water leading to a sewage odor. Section 13.08.152 of K.C.C. defines a failing septic system as "[f]ailure means an on-site sewage system or side sewer that threatens the public health by inadequately treating sewage or by or creating a potential for direct or indirect human contact between sewage and the public". The inadequately treated effluent and the surface exposure of the effluent on the subject property in winter and early spring meets the definition of a system failure.

The Harbor School is located in unincorporated King County. The closest public sewer is owned and operated by the Vashon Sewer District. The District has no current or long-term plans to extend sewer service to the Harbor School and ball fields. However, the District does operate the Bunker Trail force main that parallels Vashon Highway Southwest that is the western boundary of the School District's property. This force main has a series of pump stations north of the intersection of Southwest 161st Street and Vashon Highway Southwest. This flow continues to be pumped in a southerly direction past the school site to the Vashon Treatment Plant. The King County Wastewater Treatment Division has determined there is capacity at the Vashon Treatment Plant to serve the school and ball fields. By this amendment, the Vashon Sewer District will be providing sewer service to the Harbor school and ball fields from the existing sewer facilities.

The sewer line extension for the Harbor School will include approximately 440 feet of the minimum on-site force main size required, estimated at 1-1/4" to 1-1/2", to convey waste from a small on-site pump station to the District's force main. This pressurized force main will be located entirely on the School District's property except for the estimated 20-30 feet required to connect to the Sewer District's force main in Vashon Highway Southwest. Construction within the right-of-way to connect the school and ball fields shall comply with any applicable King County codes.

III. Process for the Adoption of the Amendment to the Comprehensive Sewer Plan

The King County Utilities Technical Review Committee ("UTRC") has reviewed the proposal to connect the Harbor School to sewer, including this plan amendment in draft form. Specifically, the UTRC reviewed the following documents:

- On-site Wastewater Treatment and Dispersal Feasibility (ADC Wastewater Engineering, Nov. 12, 2009);
- On-site Wastewater Treatment and Dispersal Feasibility: Addendum Report (ADC Wastewater Engineering, June 3, 2010);
- Vashon Sewer District Resolution Number 450 (June 17, 2010);
- Letter from ADC Wastewater Engineering (July 6, 2010);
- Memorandum from John Frech, BHC Consultants (July 13, 2010 and revised July 28, 2010);
- Letter from Vashon Sewer District General Manager (July 28, 2010); and
- Draft Amendment to the District's Sewer Comprehensive Plan (Aug. 18, 2010).
- Revised Service Area Boundary figure (Aug. 17, 2010)

Following the UTRC's review and recommendation to approve the plan amendment, the Vashon Sewer District shall adopt the amendment to its Comprehensive Sewer Plan. The King County Executive will then transmit legislation to the King County Council, where the Council will be requested to adopt an ordinance authorizing the amendment to the Vashon Sewer District's Comprehensive Sewer Plan.

Vashon Sewer District

Resolution Number No. 453

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE VASHON SEWER DISTRICT, KING COUNTY, WASHINGTON, ADOPTING THE AMENDMENT TO THE COMPREHENSIVE SEWER PLAN (AUGUST 18, 2010).

WHEREAS, the Vashon Parks Department, as leasee of the Vashon School District parcel(s), has requested sewer service for two parcels (King County Tax Parcels 2023039020 and 2923039081) that are located outside the UGA (Urban Growth Area) boundaries for sewer service and;

WHEREAS Vashon Sewer District is prohibited from extending sewer service beyond the Vashon Town Plan (UGA Boundary) without a King County variance to allow such an extension and;

WHEREAS, King County Code ("KCC") 13.24.134 includes the provisions for the limited expansion of sewer service in the rural area;

WHEREAS, Said provisions include extending sewer service to rural areas provided it meets some or all of the following conditions:

1. Needs to address:
 - a. Specific health and safety problems threatening the existing uses of structures; or
 - b. The needs of public school(s) systems with design daily average flows of more than 3,500 gallons per day.
2. Tightlined; and
3. A finding is made by the Utilities Technical Review Committee (UTRC) that no cost-effective alternative technologies are feasible and that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility.

WHEREAS, the UTRC requires an Amendment to the District's 1992 Comprehensive Sewer Plan and an analysis of how this proposal meets the criteria presented above and;

WHEREAS, the allowability of extending sewer service outside the limits of the UGA has received approval from the King County UTRC conditioned upon the District's adoption of this amendment.

NOW THEREFOR BE IT RESOLVED by the Board of Commissioners of the Vashon Sewer District that the District approves the adoption of the Amendment to the Comprehensive Sewer Plan (August 18, 2010) allowing for a sewer connection of the identified parcels.

ADOPTED this 19th day of August 2010 by the Board of Commissioners, Vashon Sewer District, King County, Washington, at a regular meeting thereof.

17049

COMMISSIONERS:

Ed. Puy

Commissioner - Position No. 1

8/19/2010

Date

Monty Medel

Commissioner - Position No. 2

8/19/2010

Date

[Signature]

Commissioner - Position No. 3

8/19/2010

Date

Vashon Sewer District
Resolution Number No. 450

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE VASHON SEWER DISTRICT, KING COUNTY, WASHINGTON, SUPPORTING THE VASHON PARKS DEPARTMENT'S REQUEST FOR SEWER SERVICE AND AUTHORIZING BHC CONSULTANTS TO PREPARE A COMPREHENSIVE PLAN AMENDMENT.

WHEREAS, the Vashon Parks Department, as leasee of the Vashon School District parcel, has requested sewer service for a parcel that is outside the UGA (Urban Growth Area) boundaries for sewer service and;

WHEREAS Vashon Sewer District is prohibited from extending sewer service beyond the Vashon Town Plan (UGA Boundary) without a King County variance to allow such an extension and;

WHEREAS, King County Code ("KCC") 13.24.134 includes the provisions for the limited expansion of sewer service in the rural area;

WHEREAS, Said provisions include extending sewer service to rural areas provided it meets some or all of the following conditions:

1. Needs to address:
 - a. Specific health and safety problems threatening the existing uses of structures; or
 - b. The needs of public school(s) systems with design daily average flows of more than 3,500 gallons per day.
2. Tightlined; and
3. A finding is made by the Utilities Technical Review Committee (UTRC) that no cost-effective alternative technologies are feasible and that an on-site sewer disposal system for the public school or public school facility would not protect basic public health, safety, and the environment during the use of this site for a school or school facility.

WHEREAS, the allowability of extending sewer service outside the limits of the UGA requires approval from the King County UTRC and;

WHEREAS, the UTRC requires an Amendment to the District's 1992 Comprehensive Sewer Plan and an analysis of how this proposal meets the criteria presented above and;

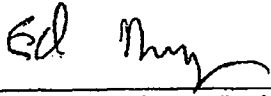
WHEREAS, the Vashon Parks Department will be obligated to pay for the expense of creating this Comprehensive Plan Amendment and proposal to the King County UTRC and;

WHEREAS, the Vashon Parks Department has acknowledged their acceptance of this obligation and has executed a letter of authorization for BHC Consultants to prepare this Amendment;

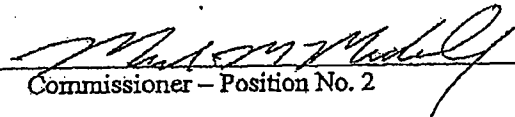
NOW THEREFOR BE IT RESOLVED by the Board of Commissioners of the Vashon Sewer District that the District approves and supports this proposal to petition the King County UTRC to allow a sewer connection of the Vashon Parks Department parcel. Furthermore, the Board of Commissioners supports BHC Consultants to aid the Vashon Parks Department in the preparation of the Comprehensive Sewer Plan Amendment.

ADOPTED this 17th day of June 2010 by the Board of Commissioners, Vashon Sewer District, King County, Washington, at a regular meeting thereof.

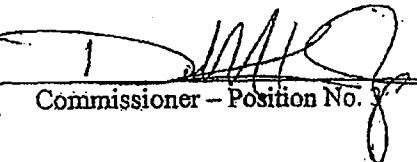
COMMISSIONERS:



Commissioner - Position No. 1 6/17/2010
Date



Commissioner - Position No. 2 6/17/2010
Date



Commissioner - Position No. 3 6/17/10
Date

Exhibit A

February 4, 1993
kwm309

INTRODUCED BY Greg Nickels

PROPOSED NO. 92-876

ORDINANCE NO. **10729**

AN ORDINANCE approving the Vashon Sewer District Comprehensive Sewer Plan.

PREAMBLE:

K.C.C. 13.24 requires approval of comprehensive plans for sewer districts as a prerequisite to the granting of right-of-way franchises and approval of right-of-way construction permits.

On October 28, 1992 the King County Utilities Technical Review Committee met to consider the plan and finding it consistent with K.C.C. 13.24 recommended approval.

The Vashon Sewer District Comprehensive Sewer Plan was approved by vote of the board of commissioners of the Vashon Sewer District on June 2, 1992.

The Vashon Sewer District issued a determination of nonsignificance in accordance with the State Environmental Policy Act on April 29, 1992.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The Vashon Sewer District Comprehensive Sewer Plan, attached as Exhibit A, is hereby approved with the amendment as specified in Section 2.

SECTION 2. Section 5.1.5 of the Vashon Sewer District Comprehensive Sewer Plan is amended to read as follows:

The Vashon School District is planning improvements to their facilities and may find on-site wastewater treatment and disposal to be impractical and disallowed by the King County Health Department. ~~((An-extension-of-the-LSA-and sewage-facilities-to-Vashon-Center-would-then-warrant-consideration.))~~ The King County Council adopted Ordinance No. 10525 on August 24, 1992, which enables a tight-line sewer to connect the School District campus at Vashon Center with the existing Vashon sewer system without being located within the LSA. ~~((Approval-of-the-LSA-adjustment-would-be-a-two-step-process--(1) approval-of-an-amendment-to-the-LSA-by-the-King-County-Council;-(2)-approval-of this-Comprehensive-Plan-by-the-King-County-Council.))~~

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February 4, 1993

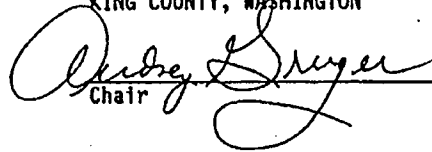
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SECTION 3. The Vashon Sewer District is requested to present a report to the King County council which identifies all district requirements for serving the currently-identified Health Hazard Areas on Vashon Island in accordance with the recommendations of the Sewage Facilities Plan within six months of the adoption of the Facilities Plan by the State Department of Ecology.

INTRODUCED AND READ for the first time this 14th day of December, 1992

PASSED this 8th day of February, 1993

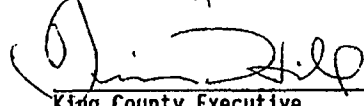
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair

ATTEST:


Clerk of the Council

APPROVED this 19th day of February, 1993


King County Executive

Attachment:

A. Vashon Sewer District Comprehensive Sewer Plan dated June 1992

17049

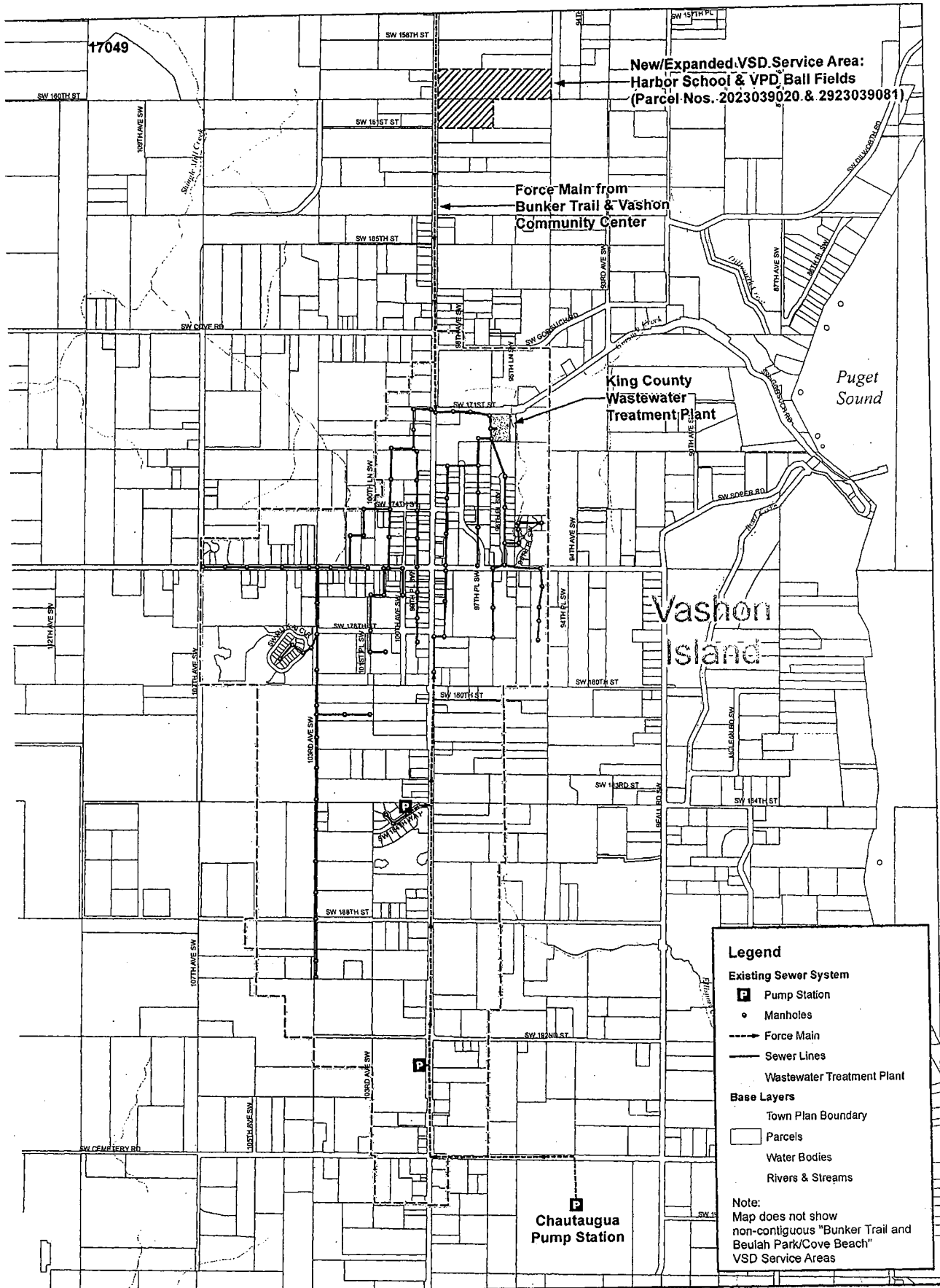
ORDINANCE 10729

EXHIBIT A

COMPREHENSIV E SEWER PLAN JUNE 1992
VASHON SEWER DISTRICT VASHON WA

PEI/BARRETTCONSULTING GROUP

ATTACHMENT(S) AVAILABLE IN ARCHIVES



Legend

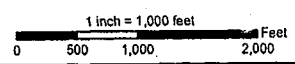
- Existing Sewer System
 - Pump Station
 - Manholes
 - Force Main
 - Sewer Lines
- Wastewater Treatment Plant
- Base Layers
 - ▭ Town Plan Boundary
 - ▭ Parcels
 - ▭ Water Bodies
 - ▭ Rivers & Streams

Note:
Map does not show non-contiguous "Bunker Trail and Beulah Park/Cove Beach" VSD Service Areas

This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map. GIS data obtained from King County GIS, Jan 2009.

MAP DATE: AUGUST 17 2010

BHC CONSULTANTS
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 Fax: (206) 305-3400
 www.bhcconsultants.com



RECEIVED
 AUG 18 2010
 KING COUNTY
 CHIEF DIRECTOR'S OFFICE

Vashon Sewer District
 Amendment to
 Comprehensive Sewer Plan
**REVISED SERVICE
 AREA BOUNDARY**