

Kittitas County Prosecutor

February 16, 2010

VIA FIRST CLASS MAIL

MAR 15 2010

Civil Division

Mark McClain
Chairman, Kittitas County Board of Commissioners
205 W 5th AVE Suite 108
Ellensburg WA 98926

Re: Request by Upper Kittitas County municipalities to reconvene the Water Utility Coordinating Committee

Dear Chairman McClain:

The Mayors of Cle Elum, Roslyn, and South Cle Elum (the "Upper County municipalities"), write to formally request that the Kittitas County Board of Commissioners (the "Board") pass a resolution reconvening the Water Utility Coordinating Committee for the purpose of proposing revisions to the external boundaries of the existing Roslyn/Cle Elum/South Cle Elum Area Critical Water Supply Service Area.

By way of background, the Upper County municipalities developed a Coordinated Water System Plan in the early 1990's under the authority of Ch. 70.116 RCW in anticipation of constructing a single water treatment facility to serve the municipalities. The Board approved that plan in 1994 by passing Resolution No. 94-101. That plan, in turn, includes a Critical Water Service Area ("CWSA"). Within the external boundary of the CWSA, each municipality has its own designated service area. A municipality may provide potable water inside its service area within the external boundary of the CWSA, but it may not provide potable water outside that external boundary, even if those areas are within the urban growth area. This boundary can only be changed by resolution of the Board on the recommendations of the WUCC for changes to the CWSA.¹

The Board has previously reconvened the WUCC and altered the CWSA external boundary in response to changed circumstances. In 2002, at the request of the Upper County municipalities, the Board passed Resolution No. 2002-98, effectively reconvening the WUCC. The WUCC met, discussed its current and future land and water service area projections and based thereon, reported to the Board its recommended changes to the CWSA external boundary. The City of Cle Elum acted as the SEPA lead agency for that process. The Board then adopted those recommendations in 2004 by passing Resolution No. 2004-112.

¹ The single water treatment facility contemplated by the plan was never constructed, and instead each of the Upper County municipalities elected to develop their own independent water treatment facilities. Nevertheless, the Coordinated Water System Plan and its associated CWSA boundary remain in effect, and indeed RCW 70.116 provides no provision for opting out of this process.


The Mayors of the Upper County municipalities are again asking the Board to reconvene the WUCC because the current CWSA boundaries are no longer consistent with corporate boundaries, urban growth boundaries, and potential future water service areas. The WUCC will, again, study the need for appropriate changes to the CWSA and prepare a written report and recommendations to the Board. The City of Cle Elum is again willing to serve as SEPA lead agency.

Thank you for your prompt attention to this matter. For your convenience, a proposed resolution reconvening the WUCC is attached to this letter.

Sincerely,

Charles Glondo
Mayor of Cle Elum

James DeVere
Mayor of South Cle Elum



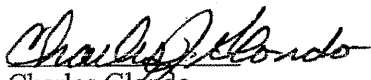
Jen Francisco-Porter
Mayor of Roslyn

cc: Brent Bottoms, Kittitas County Prosecutor's Office

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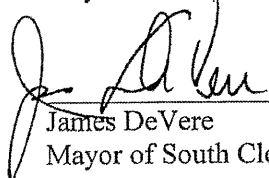
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