

Lindsey Ozbolt

From: James Rivard
Sent: Thursday, December 20, 2012 4:45 PM
To: Lindsey Ozbolt
Subject: RE: Sasse Ridge LP-11-00002 PH mdns conditions
Attachments: Resolution 2010-082 and Addendum.pdf; Water Requirements for Plat Approval - Resolution 2012-027.pdf

Hi Lindsey,

What you will find it that comments from public health have been all over the place with time, due to politics.

However, what we have been told by legal is that the comment we made during the comment period are the conditions that apply to that application. So in terms of this application, BOCC resolution 2010-082 outlined the potable water requirements for preliminary and final approval. Perhaps the easiest thing for you to do in the MDNS is state that the applicant must comply with the potable water requirements outlined in BOCC resolution 2010-082 to satisfy the health departments requirements for proof of an adequate water supply for either a community public water system, individual or shared wells. I'd suggest attaching a copy of resolution 2010-082 for the record and completeness.

For septic you can look at our comment letter and include as is. However, on 10/13/2011 soil logs were conducted and were satisfactory.

Like I said public health's comments have changed with time and now today BOCC resolution 2012-027 outlines the requirements for proof of an adequate water supply at the time of subdivision approval.

Hope that helps. Please feel free to call me on my work cell tomorrow if you need additional help 509-201-6331

James Rivard
Environmental Health Supervisor
Kittitas County Public Health Department
509-962-7515

From: Lindsey Ozbolt
Sent: Tuesday, December 18, 2012 4:59 PM
To: James Rivard
Subject: Sasse Ridge LP-11-00002 PH mdns conditions

James,

Below are some sample conditions I found that Dan used to use on MDNS. They also appear to match some language within your comment letter dated Sept. 2, 2011. Please review the attached comment letters and the below draft language. Let me know if this language is appropriate or if you have other changes.

Water and Sewer

The final plat notes shall include the following statements:

1. *The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land*

provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.

2. *Metering will be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.*

Final approval will be conditioned upon the developer/owner of the plat providing proof of potable water. Proof of water can be provided through several different ways depending on the source of water proposed as described and outlined in the Board of County Commissioners Resolution 2010-082.

Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recoded shared well user's agreement is required for each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydrogeological report with documentation/evidence to support a claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydrogeologist.

Please get back to me by Wednesday (tomorrow) afternoon if at all possible.

Thanks,

Lindsey Ozbolt
Planner I

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

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BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

RESOLUTION
NO. 2012- 027

RATIFYING THE REVISED KITTITAS COUNTY PUBLIC HEALTH DEPARTMENT ADMINISTRATIVE POLICY
RELATED TO POTABLE WATER SUPPLY FOR SUBDIVISIONS

WHEREAS, Chapter 58.17 RCW requires the County make a determination if an applicant seeking to divide land has made appropriate provisions for, among other things, potable water supply; and

WHEREAS, Chapter 58.17 RCW requires that the finding that provisions are made for potable water supplies including whether there is adequate quantity, quality and a legal right to the water; and

WHEREAS, during a public hearing the Board of County Commissioners considered a revision to the Administrative Policy Related to Potable Water for Subdivision (Resolution 2010-082) presented by Kittitas County Public Health Department; and

WHEREAS, the revision to Resolution 2010-082 presented by Kittitas County Public Health Department addressed updates to current county policy and practices; and

WHEREAS, due notice of the public hearing had been given as required by law, and the necessary inquiry has been made into the public interest and purpose to be served by such publication; and

WHEREAS, it is the desire of the Board of County Commissioners to rescind Resolution 2010-082 and ratify the Kittitas County Public Health Department revisions to the Administrative Policy Related to Potable Water for Subdivision as presented.

NOW, THEREFORE BE IT RESOLVED the Board of County Commissioners, after due deliberation and in the best interest of the public, does hereby approve and ratify the Kittitas County Public Health Department administrative policy related to potable water supply for subdivisions and the same is attached hereto.

DATED this 6th day of March 2012, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS
KIT TITAS COUNTY, WASHINGTON**



Mandy Robinson

ATTEST:
CLERK OF THE BOARD—*Deputy*

Alan Crankovich

Commissioner Alan Crankovich, Chairman

Obie O'Brien

Commissioner Obie O'Brien, Vice Chairman

Paul Jewell

Commissioner Paul Jewell

**Kittitas County Public Health Department
Administrative Policy**

Potable Water for Subdivisions

Applications for subdivisions (short plats and long plats) in Kittitas County shall include the type of water system proposed in order to acquire preliminary approval. Prior to receiving final approval for subdivisions in Kittitas County, applicants shall be required to make appropriate provision for potable water supplies per RCW 58.17.110 which includes, but is not limited to, the following minimum requirements:

1. **GROUP A PUBLIC WATER SYSTEM:** Applicants shall submit a signed letter of agreement between the public water system purveyor or official and the land developer/owner granting delivery of potable water for the entire development. If the public water system is being developed specifically for the subdivision/plat, the water system must be approved by Washington State Department of Health (DOH), including issuance of a public water system ID number, prior to recommendation by KCPHD for final plat approval. Section 16.24.210 KCC is not considered to be applicable for Group A public water systems as a Group A water system is held to a higher standard under Washington Administrative Code.
2. **GROUP B PUBLIC WATER SYSTEM:** Applicants shall have a well site inspection performed by KCPHD staff; complete and submit a Group B Public Water System Workbook to either KCPHD for water systems with 3-9 connections or Washington State Department of Health (DOH) for water systems with 10-14 connections or as amended by DOH; have the well(s) drilled; and submit a copy of an agreement with an approved Satellite Management Agency. In addition to these requirements all infrastructure for the Group B Water System including, but not limited to the well/pump house and storage tanks must be completed and water budget neutrality determination(s) from Washington State Department of Ecology (DOE) referencing the relevant subdivision and proposed parcels within the subdivision (if required by Chapter 173-539A WAC) must be provided to KCPHD prior to final approval. Final approval of the Group B Public Water System including issuance of the public water system ID number from DOH and wellhead protection areas shall be required on final mylars prior to recommendation by KCPHD for final plat approval. Section 16.24.210 KCC is not considered to be applicable for Group B public water systems as a Group B water system is held to a higher standard under Washington Administrative Code.
3. **INDIVIDUAL OR SHARED WATER SYSTEM:** Section 16.24.210 KCC applies to individual and shared water systems. Applicants shall submit a well log(s) and four hour draw down test from each proposed parcel within a subdivision, water budget neutrality determination(s) from DOE referencing the relevant subdivision and proposed parcels within the subdivision (if required by Chapter 173-539A WAC), and passing bacteriological and nitrate water quality test from each well. If the proposed subdivision does not have an existing well within the boundaries of each lot, a well must be drilled and the above information shall be provided to KCPHD prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, in addition to

the above requirements a copy of a shared well user's agreement shall be recorded at the Kittitas County Auditor's Office for each proposed parcel that proposes to utilize a 2-party shared water system.

This policy is meant as a guideline for applicants, however Kittitas County reserves the ability to require additional proof that adequate provisions for potable water have been made by the applicant depending on any health, safety and environmental concerns specific to the project. Compliance with all current state and local rules and regulations is required and if this policy is found to be in conflict with any applicable rule, regulation or ordinance, then the rule, regulation or ordinance shall control. All applicants are required to certify that they are in compliance with WAC 173-539A or that WAC 173-539A does not apply to the applicant.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

RESOLUTION
NO. 2010- 082

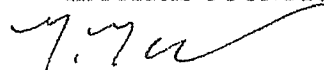
RATIFYING THE KITTITAS COUNTY PUBLIC HEALTH DEPARTMENT ADMINISTRATIVE POLICY RELATED TO POTABLE WATER SUPPLY FOR SUBDIVISIONS

- WHEREAS, Chapter 58.17 RCW requires the local health department make a recommendation for each preliminary plat as to whether the applicant has made appropriate provisions for water supply; and
- WHEREAS, Chapter 58.17 RCW requires the County make a determination if an applicant seeking to divide land has made appropriate provisions for, among other things, potable water supply; and
- WHEREAS, March 16, 2004, an administrative policy (Resolution 2004-36) related to potable water for subdivisions was presented, discussed and ratified through a public hearing process by the Board of County Commissioners ; and
- WHEREAS, in 2009, Resolution 2004-36 was reviewed to address citizen concerns and applicability to new County policies and regulations; and
- WHEREAS, during a June 9, 2010 public hearing, the Board of County Commissioners determined that Resolution 2004-36 was still applicable to current regulations; and
- WHEREAS, during a July 20, 2010 public hearing the Board of County Commissioners considered a revision to Resolution 2004-36 presented by Kittitas County Public Health Department; and
- WHEREAS, the revision to Resolution 2004-36 presented by Kittitas County Public Health Department addressed updates to current County policy and practices; and
- WHEREAS, due notice of the public hearing had been given as required by law, and the necessary inquiry has been made into the public interest and purpose to be served by such publication; and
- WHEREAS, it is the desire of the Board of County Commissioners to ratify the Kittitas County Public Health Department's revision to Resolution 2004-36 to reflect the current administrative policy related to potable water supply for subdivisions.

NOW, THEREFORE BE IT RESOLVED the Board of County Commissioners, after due deliberation and in the best interest of the public, does hereby approve and ratify the Kittitas County Public Health Department administrative policy related to potable water supply for subdivisions and the same is attached hereto.

DATED this 17th day of August 2010, at Ellensburg, Washington.

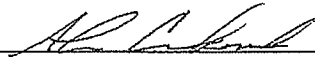
**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



Commissioner Mark McClain, Chairman



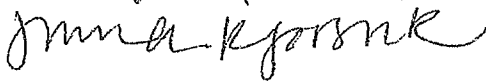
Commissioner Paul Jewell, Vice Chairman



Commissioner Alan Crankovich



ATTYEST
CLERK OF THE BOARD



APPROVED AS TO FORM:

Suzanne M. Becker, WSBA #40546

**Kittitas County Public Health Department
Administrative Policy
Potable Water for Subdivisions**

Applications for subdivisions (short plats and long plats) in Kittitas County shall include the type of water system proposed in order to acquire preliminary approval. Prior to receiving final approval for subdivisions in Kittitas County, applicants shall be required to make appropriate provision for potable water supplies which includes:

1. **GROUP A PUBLIC WATER SYSTEM:** Applicants shall submit a signed letter of agreement between the public water system purveyor or official and the land developer/owner granting delivery of potable water for the entire development. If the public water system is being developed specifically for the subdivision/plat, the water system must be approved by Washington State Department of Health (DOH), including issuance of a public water system ID number, prior to recommendation by KCPHD for final plat approval.
2. **GROUP B PUBLIC WATER SYSTEM:** Applicants shall have a well site inspection performed by KCPHD staff; complete and submit a Group B Public Water System Workbook to either KCPHD for water systems with 3-9 connections or Washington State Department of Health (DOH) for water systems with 10-14 connections or as amended by DOH; have the well(s) drilled; and submit a copy of an agreement with an approved Kittitas County Satellite Management Agency. All infrastructure for the Group B Water System including the well/pump house and storage tanks must be completed or the developer/owner can bond for completion. Final approval of the Group B Public Water System including issuance of the public water system ID number from DOH is required prior to recommendation by KCPHD for final plat approval. If a bond is in place, final approval will still be recommended but all infrastructure must be completed before issuance of the first building permit within the subdivision.
3. **INDIVIDUAL OR SHARED WATER SYSTEM:** Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recorded shared well user's agreement is required for each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydrogeologist.

All applications for subdivision (short plats and long plats) using the ground water exemption as defined in RCW 90.44.050 shall have the following note placed on the face of the final mylars:

"The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law."

Compliance with all current state and local rules and regulations is required. Applicants are required to certify that they are in compliance with WAC 173-539A or that WAC 173-539A does not apply to the Applicant.