



Staff Report

TO: Kittitas County Board of County Commissioners

FROM: Erin Moore, Kittitas County Environmental Health Specialist

DATE: November 4, 2014

Action Requested: Request to review and approve the proposed changes to Kittitas County Code (KCC)

SUBJECT: Kittitas County Public Health Proposed Code Changes to KCC Chapter 13, KCC Chapter 17A and KCC Chapter 16

In preparation for the 2014 Docket process, Kittitas County Public Health (KCPHD) reviewed all relevant Kittitas County Code. KCPHD proposes to amend the following sections:

- **Chapter 13.20.040 Well Location and Access-** Amendment to KCC 13.20.040 proposes to move language that currently exists in KCC 17A.08.020 & 17A.08.025 into KCC 13.20.040 with regards to wellhead protection areas & setbacks.(Exhibit A)
- **Chapter 17A.08.020 & 17A.08.025-** Proposal to amend KCC chapter 17A.08.020 & 17A.08.025 and remove existing language and replace with references to KCC chapter 13. If code needs to be modified in the future, changes will only need to be made in one chapter vs multiple. (Exhibit A)
- **Chapter 13.35.050 Individual Water System-** Amendment to Ordinance 14-0005 that was intended to read “two gallons per minute (2GPM)” rather than “five gallons per minute (5 GPM)” (Exhibit B)
- **Chapter 16.24.120-** Amendment to KCC 16.24.120 proposes to modify language to reflect new water regulations. Mitigation for water use is required per Kittitas County Code Chapter 13 (Exhibit C)
- **Chapter 16.24.210-** Proposal to amend KCC chapter 16.24.210 to create a more general statement about plat certification from the Health Officer. I hereby certify that the plat has been examined and conforms with current Kittitas County Code Chapter 13. (Exhibit C)

Exhibit A – Board of County Commissioners Staff Report

D-No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
14-03	KCC Title 13.20.040 Well Location and Access	Amendment to KCC 13.20.040 proposes to move language that currently exists in KCC 17A.08.020 & 17A.08.025 with regards to wellhead protection areas & setbacks.	Staff	Health	Approve
14-03	KCC chapter 17A.08.020 & 17A.08.025	Proposal to amend KCC chapter 17A.08.020 & 17A.08.025 and remove existing language and replace with references to KCC chapter 13.	Staff	Health	Approve

Kittitas County Public Health Department (KCPHD) is proposing a change to KCC chapter 13.20.040, Well Location and Access. KCPHD proposes to move existing language from KCC chapter 17A.08.020 and 17A.08.025 into KCC chapter 13 as outlined below.

KCPHD proposes to have a reference to KCC chapter 13.04 “Location Section” for the language existing in 17A.08.020 and a reference to KCC chapter 13.20.040 (5) for 17A.08.025. KCC chapter 17A.08.020 & 17A.08.025.

17A.08.020 On-site sewage disposal regulations.

~~On-site sewage disposal regulations. The Kittitas County on-site sewage disposal regulations (December 1978) are hereby adopted by reference as the development regulations for all uses defined in this chapter. (Ord. 94-22 (part), 1994). Please refer to KCC chapter 13.04 “Location Section”~~

17A.08.025 Wellhead protection areas.

~~Wellhead protection areas. All noncommunity wells must be placed a minimum of fifty feet from property lines. (Ord. 9422 (part), 1994).—Refer to KCC chapter 13.20.040 (5)~~

13.20.040 Well Location and Access.

1. All wells shall be located in accordance with the following rules:
 - a. Minimum Standards for Construction and Maintenance of Wells ([Chapter 173-160 WAC](#));
 - b. Developments, Subdivisions and Minimum Land Area Requirement rules for Positioning of On-Site Sewage Systems ([Chapter 246-272A WAC](#));
 - c. The Joint Plan of Responsibility;
 - d. The site's unique physical features and structures so that the well is protected from contamination; and
 - e. Any other applicable federal, state or local law.

2. A well for a Group A Water System shall also be located:
 - a. In accordance with Source Water Protection rules for Group A Water Systems ([Section 246-290-135 WAC](#));
3. A well for a Shared or Group B Water System shall also be located:
 - a. In accordance with Ground Water Source Approval and Protection Rules for Group B Water Systems ([Chapter 246-291 WAC](#)), including but not limited to a minimum one hundred foot sanitary control area and a duly recorded restrictive covenant;
 - b. So that all properties within the well's sanitary control area are being served by the well; and
 - c. So that no road is within the sanitary control area. The meaning of road for this Chapter shall include but is not limited to, any county, state or federal right of ways and any private road. Driveways are not considered roads under this Chapter.
4. A well for a Shared or Group B Water System shall have a recorded easement granting access to the well, pump house and pipeline to the future owners of the water system.
5. A well for an individual water system shall also be located:
 - a. ~~In accordance with Well Head Protection regulation (Section 17A.08.025 KCC); All noncommunity wells must be placed a minimum of fifty feet from all roads and property lines.~~ and The meaning of road for this Chapter shall include but is not limited to, any county, state or federal right of ways and any private road. Driveways are not considered roads under this Chapter. (Ord. 2011-006, 2011)
 - b. ~~So that no road is within fifty (50) feet of the well.~~ Setbacks not meeting Kittitas County Code may be allowed at the discretion of the health officer.

Exhibit B – Board of County Commissioners Staff Report

D-No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
14-03	KCC Title 13.35.050 (3) Individual Water System	Amendment to Ordinance 14-0005 that was intended to read “two gallons per minute (2GPM)” rather than “five gallons per minute (5 GPM)”	Staff	Health	Approve

2014 Docket proposes a change to KCC 13.35.050 (3), Individual Water System. This document represents the change from “two gallons per minute (2GPM)” rather than “five gallons per minute (5 GPM).” This wording is an amendment to KC Ordinance 14-0005 that was changed earlier in 2014. This wording was amended in other sections of 13.35, but was not corrected in this area.

13.35.050 Individual Water System.

Applicants for an Adequate Water Supply Determination with an individual water system shall meet the following requirements:

1. Application. Submit a completed application with any applicable fees to KCPHD.
2. Groundwater Well as Water Source. The water quality and quantity of the groundwater well shall be evaluated for an Adequate Water Supply Determination by KCPHD.
 - a. Water Quality. The water produced by the water source shall either:
 - i. Pass a water quality test with results submitted to KCPHD; or
 - ii. If the water fails the water quality test, then applicant shall
 1. Add a treatment system to raise the water quality to potable standards. The treatment system shall comply with all applicable federal , state and local regulations and shall protect the health and safety of the users of the system; and
 2. File a notice with the County Auditor describing the treatment system.
 - b. Water Quantity.
 - i. All wells to be used in an individual water system shall be constructed prior to the issuance of an Adequate Water Supply Determination.
 - ii. A well log recorded within the last ten (10) years demonstrating a minimum flow of two (2) gallons per minute (GPM) for at least a two (2) hour period shall be submitted to KCPHD.
 1. If a well log is not available or the well log indicates a flow of less than two (2) GPM for a two (2) hour period, then a four-hour draw down test shall be submitted to KCPHD.
 2. A well log that was recorded more than ten (10) years ago may be accepted at the discretion of the Health Officer.
 - iii. The minimum acceptable production level where the water source is a well is three hundred fifty (350) gallons per day for an individual water system.
3. Water Distribution System. When the water source is a well and produces less than ~~five gallons per minute (5 GPM)~~ two gallons per minute (2 GPM) according to the well log or four-hour draw down test, adequate flow equalization is required for periods of higher use within the dwelling unit. The water distribution system design shall meet the following requirements:

- a. Flow equalization tank requirements shall be determined by the following: $(150)(2-X \text{ gpm})$ = gallons of tank capacity needed (where X = gallons per minute produced as determined by the four-hour draw down test). The required tank capacity could be as much as 263 gallons depending on the flow of the well.
 - b. A booster pump and pressure tank shall be included in the water distribution system.
4. Cistern as Water Source. When the proposed water source is a cistern, the applicant for a Water Supply Determination shall comply with [Chapter 13.25 KCC](#). (Ord. 2014-005, 2014; Ord. 2011-006, 2011)

Exhibit C – Board of County Commissioners Staff Report

D-No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
14-03	KCC chapter 16.24.120	Amendment to KCC 16.24.120 proposes to modify language to reflect new water regulations	Staff	Health	Approve
14-03	KCC chapter 16.24.210	Proposal to amend KCC chapter 16.24.210 to create a more general statement about plat certification from the Health Officer	Staff	Health	Approve

Kittitas County Public Health Department (KCPHD) is proposing changes to KCC chapter 16.24.120, Sewage disposal, Potable water supply, Drainage improvements, and 16.24.210, Certificate of county health officer. KCPHD proposes to modify the language in KCC chapter 16.24.120 to reflect new water regulations.

KCPHD proposes to amend KCC chapter 16.24.210 to create a more general certification statement for plats.

16.24.120 Sewage disposal, Potable water supply, Drainage improvements.

~~A statement is required describing regarding the contemplated sewage disposal system and, potable water supply, and drainage improvements for the proposed subdivision. Be aware that if more than 5,000 gallons per development is withdrawn, a water right must be obtained through the Department of Ecology. No discharges from drainage improvements to irrigation entity facilities can be authorized without a permit from the entity. (Ord. 2005-31, 2005) Mitigation for water use is required per Kittitas County Code Chapter 13.~~

16.24.210 Certificate of county health officer.

~~A statement as to the suitability of soils for proposed on-site sewage systems and public water supplies installed in the subdivision signed by the health officer.~~

~~(copy as follows)~~

~~Preliminary inspection indicated soil conditions may allow the use of on-site sewage systems as a temporary means of sewage disposal for some but not necessarily all building sites within this short plat. Prospective purchasers are urged to make inquiries at the County Health Department about issuance of on-site sewage disposal permits for lots. Well information consisting of a well log, satisfactory bacteriological test and a four hour draw down has been submitted and reviewed.~~

~~I hereby certify that the plat has been examined and conforms with current Kittitas County Code Chapter 13.~~

Dated this day of , A.D., 20 .
Kittitas County Health Officer

~~(Ord. 2005-31, 2005)~~