

Docket Item No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
20.10	KCC 13.40	Transfer Authority for Water Mitigation and Metering from Public Health to Public Works	BOCC and Public Works Staff	Public Works	Staff recommends approval of the amendment as proposed.

The proposed amendment to KCC 13.40 would transfer the authority for Water Mitigation and Metering from Public Health to Public Works.

BOCC DRAFT – November 2020

**Chapter 13.40
MITIGATION AND METERING PROGRAM**

Sections

- 13.40.010 Eligibility.
- 13.40.020 Water Usage Packages.
- 13.40.030 Metering Requirements.
- 13.40.040 Well Requirements.
- 13.40.050 Septic Requirements.
- 13.40.060 Monitoring and Enforcement.

13.40.010 Eligibility

Applicants for residential building permits requiring mitigation may use the publicly-operated Kittitas County Water Bank if certain qualifications are met. To be eligible to mitigate through the Kittitas County Water Bank, an applicant must meet the following requirements:

- a. Be located within an area in which the Kittitas County Water Bank can provide adequate water mitigation, and
- b. Submit an application for a residential building permit within two (2) years of issuance of the mitigation certificate. Commercial uses are not eligible.

Applicants must submit a mitigation application, all applicable documentation, and all applicable fees (~~according to the Kittitas County Public Health Department fee schedule~~) to the Kittitas County Public Health Department (KCPHD) [Works](#) prior to submitting an Adequate Water Supply Determination application. Applicants will also be required to legally record the mitigation certificate and any applicable agreements on the title record associated with the property parcel. (Ord. 2018-009, 2018; Ord. 2017-007, 2017; Ord. 2015-007, 2015)

13.40.020 Water Usage Packages

Applicants with access to outdoor irrigation (as determined by a signed affidavit) will be required to purchase mitigation Package A, which consists of an annual average of 275 gallons per day of indoor domestic use only. The daily maximum withdrawal allowed on any given day is 825 gallons per day, as long as the annual average is not exceeded.

Applicants without access to outdoor irrigation (as determined by a signed affidavit) will be required to purchase mitigation Package B which consists of an annual average of 275 gallons per day or indoor domestic use only and up to an annual average of 25 gallons per day for outdoor irrigation of up to 500 square feet. The daily maximum withdrawal allowed on any given day is 900 gallons per day, as long as the annual average is not exceeded.

Applicants using a cistern water system as the potable water source will be allowed to purchase mitigation Package C, which consists of an annual average of 150 gallons per day of indoor domestic use only. Cistern users may purchase other water use packages as per design specifications as submitted and signed by a licensed engineer. (Ord. 2017-007, 2017 Ord. 2015-007, 2015)

13.40.030 Metering Requirements

All new uses of groundwater for domestic purposes in Kittitas County (within the Yakima River Basin) using wells as their potable water source will be required to meter their mitigated water usage and pay an annual fee (~~according to the Kittitas County Public Health Department fee schedule~~) associated with the administration of a metering and monitoring program.

Participants will be responsible for the installation of meters and metering equipment and any associated costs as determined by the County's specifications. Meter installation must meet the following specifications and will be subject to inspection and applicable inspection fees:

- a. The meter must be installed on the mainline prior to any residential lateral connections, ~~or spigots, or pressure tanks in a well house.~~ [or](#)
- b. Meters must be accessible.
- c. The meter must be installed according to manufacturer specifications despite varying pipe-fitting, pipe size, well locations and landscape conditions
- d. Meter installation must have an even velocity profile. Installer must insure proper design and installation.
- e. Meter must be installed in an accessible, weather resistant, meter structure, such as a meter box or equivalent, and be appropriate for location and geographic area.

Proper installation of metering equipment and functional water flow must be complete prior to the inspection and issuance of the Certificate of Occupancy.

If metering equipment requires maintenance, repair, and/or replacement, the property owner is responsible for ensuring proper equipment functionality. If the property owner does not comply with any needed maintenance, repair, and/or replacement of the metering equipment at the cost of the property owner through either an invoice for costs or a lien on the property.

Participants in the Kittitas County Water Bank using a cistern water system will submit records of all potable water deliveries to Kittitas County Public Health Department as referenced in KCC 13.25.090. (Ord. 2018-009, 2018; Ord. 2017-007, 2017 Ord. 2015-007, 2015)

13.40.040 Well Requirements

Wells being mitigated through the Kittitas County Water Bank that are drilled after 12/2/15 must meet the following conditions:

For wells 600 feet or closer to Type 1 and Type 2 stream and rivers, and natural wetlands, creeks, lakes, and ponds. Wells must be set back 100 feet or more from the surface water body when feasible and adhere to the following:

- c. Well must be cased a minimum depth of 5 feet into the first consolidated layer or formation, or until the casing is refused by the formation (casing refusal); and
- d. Wells must be drilled past the first consolidated layer or formation and into a water-bearing zone; and
- e. Wells shall have a minimum bentonite or other equivalent seal of 18 feet, or be constructed in an equivalent manner consistent with Chapter 173-160 WAC.

In instances where the 100 foot minimum set back requirement cannot be met, in addition to (1) and (2), the well shall have a bentonite or other equivalent seal down to the first consolidated layer. ([Ord. 2015-007](#), 2015)

13.40.050 Septic Requirements

Kittitas County Water Bank applicants must record with the Kittitas County Auditor's Office a property covenant that restricts or prohibits trees or shrubs over a septic drain field on the parcel. ([Ord. 2015-007](#), 2015)

13.40.060 Monitoring and Enforcement

Water usage will be monitored for annual average daily use, maximum daily use, outdoor usage, and intentional violations such as meter tampering, falsifying documents, etc. Violations of water usage restrictions may result in enforcement actions such as Orders to Correct Violations, Notices of Violation and Abatement, and/or Notices of Infraction per [KCC Chapter 18](#). ([Ord. 2015-007](#), 2015)