

August 11, 2011

Paul Jewell, Chairman
Kittitas County Board of Commissioners
205 W. 5th Ave., Suite 108
Ellensburg, WA 98926

RE: Water Utility Coordinating Committee – Report of Proceedings and Recommendation

Dear Honorable Chairman Jewell:

Enclosed please find the Water Utility Coordinating Committee's Report of Proceedings and Recommendation related to the proposed revisions to the Critical Water Supply Service Area boundary. We respectfully request that you schedule an open record public hearing to consider the recommendation and take action as you determine appropriate.

Thank you in advance for your assistance and please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

Matt Morton
City Administrator

RECEIVED

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KITTITAS COUNTY BOARD OF COMMISSIONERS

REPORT OF PROCEEDINGS AND RECOMMENDATION
by
UPPER KITTITAS COUNTY
WATER UTILITY COORDINATING COMMITTEE

TO: Kittitas County Board of Commissioners
DATE: August 10, 2011

Honorable Commissioners:

Please accept the following as the Report of Proceedings and Recommendations by the Upper Kittitas County Water Utility Coordinating Committee (“WUCC”) related to its Critical Water Supply Service Area (“CWSSA”) boundary.

Background Information

The Coordinated Water System Plan (“CWSP”) was developed in the early 1990’s by the Upper County municipalities under the authority of Chapter 70.116 RCW (Public Water System Coordination Act of 1977) in anticipation of constructing a single water treatment facility to serve each of the municipalities. Although such a treatment facility has never been constructed, the CWSP remains in effect and Chapter 70.116 RCW provides no provision for opting out of the plan.

The Kittitas County Board of Commissioners (“BOCC”) first approved the CWSP in 1994, which also included the initial CWSSA external boundary and the respective internal service areas of each municipality. A municipality may provide potable water inside its service area, which must lie within the larger, external boundary of the CWSSA. However, it may not supply potable water beyond the external CWSSA boundary and the CWSSA boundary may only be modified by resolution of the BOCC based upon the recommendations of the WUCC. The WUCC was last reconvened in 2002 and in 2004 the BOCC amended the CWSSA boundary by Resolution No. 2004-112.

By Resolution No. 2010-39, the BOCC reconvened the WUCC to review and propose revisions to the boundaries of the CWSSA. Said resolution was adopted by the BOCC at the joint request of the Mayors of Cle Elum, South Cle Elum and Roslyn by letter dated February 16, 2010, which states, “. . . because the current CWSSA boundaries are no longer consistent with corporate boundaries, urban growth boundaries and potential future water service areas.” Members of the reconvened WUCC include one representative each from the City of Cle Elum, Roslyn, South Cle Elum, Kittitas County Water District No. 2, Kittitas County Community Development Services (Division of Environmental Health) and Kittitas County legislative body (BOCC). The resolution instructed the WUCC to prepare a map and narrative description of the recommended boundary and also prepare a report to the BOCC documenting the need for boundary alterations and the criteria used and relative importance of each in establishing the boundary.

By letter dated January 7, 2011, the City of Cle Elum notified all WUCC members and other interested parties of the WUCC process and set the first organizational meeting date for February 8, 2011. Subsequent meetings were conducted March 14th, April 11th, May 18th, June 22nd and August 10th and

all were open to the public. WUCC members attending included Matt Morton (City of Cle Elum), Cordy Cooke (Roslyn), Jim DeVere (South Cle Elum), James Boyle (KCWD #2), Holly Duncan (CDS Environmental Health) and Alan Crankovich (BOCC), as well as various members of the public, stakeholders and other interested parties.

A map depicting the proposed CWSSA boundary revisions was distributed at the initial meeting and each representative was provided the opportunity to review the proposed boundary revisions with their respective councils. Based upon comments received from the representatives, subsequent revisions were made and are reflected on the map dated 03-07-11 and attached hereto as Exhibit A.

SEPA applies to CWSSA boundary changes and an Environmental Determination of Non-Significance (“DNS”) was issued by the City of Cle Elum on April 5, 2011 and an amended DNS was issued on May 5, 2011 based upon objections raised by Roslyn related to process. The SEPA comment period expired May 19, 2011 and no comments, adverse or otherwise, were received.

Upon conclusion of the SEPA process, the WUCC unanimously agreed to move forward with presenting a report and recommendation to the BOCC regarding the CWSSA boundary revision related to the Cle Elum UGA and also including proposed revisions related to Suncadia and KCWD #2. Because Roslyn is still examining and assessing their future needs as related to water supply, the WUCC will remain convened and will likely present the BOCC a second report and recommendation directly related to Roslyn at a future date.

Proposed CWSSA Boundary Revisions

- 1) The City of Cle Elum is requesting the revise the CWSSA boundary to include all portions of their existing Urban Growth Area (“UGA”). Because a municipality is prohibited from providing water service to property outside of the CWSSA boundary, it is necessary to revise the CWSSA boundary to match the UGA for consistency with the Growth Management Act (Chapter 36.70A RCW). No objections to the proposed revisions were received from WUCC representatives, members of the public or any other interested parties. Further, by Resolution No. 2011-03, the Cle Elum City Council approved recommendation of the proposed revisions to the WUCC at an open record public hearing conducted August 9, 2011.
- 2) Suncadia has its own utility company and is the purveyor for service within the resort boundary. Because the utility’s service area boundary is also the resort boundary, no portion of the resort boundary should lie within the CWSSA boundary. The CWSSA boundary was previously revised in 2004 to reflect the resort boundary, but as the resort boundary has added additional properties over time, the CWSSA needs be revised again to reflect these changes. No objections to the proposed revisions were received from WUCC representatives, members of the public or any other interested parties.
- 3) KCWD #2 has requested to remove approximately 80 acres from the CWSSA boundary adjacent to the southern portion of the district’s service area boundary. The district does not have the physical capacity to serve the subject property, nor do they have the legal authority per the district’s existing agreement with Roslyn. No objections to the proposed revisions were received from WUCC representatives, members of the public or any other interested parties.

In summary, the proposed revisions will provide for consistent boundaries between the CWSSA boundary and the existing City of Cle Elum UGA boundary, the Suncadia resort boundary and KCWD #2 service area boundary.

Recommendation

The proposed revisions to the CWSSA boundary map is attached hereto as Exhibit B and is being submitted with this report following completion of the foregoing procedures and findings. The changes to the CWSSA emanate from recent changes to the respective municipal boundaries and from anticipated future needs and growth in Upper Kittitas County.

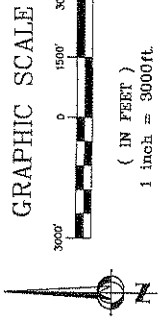
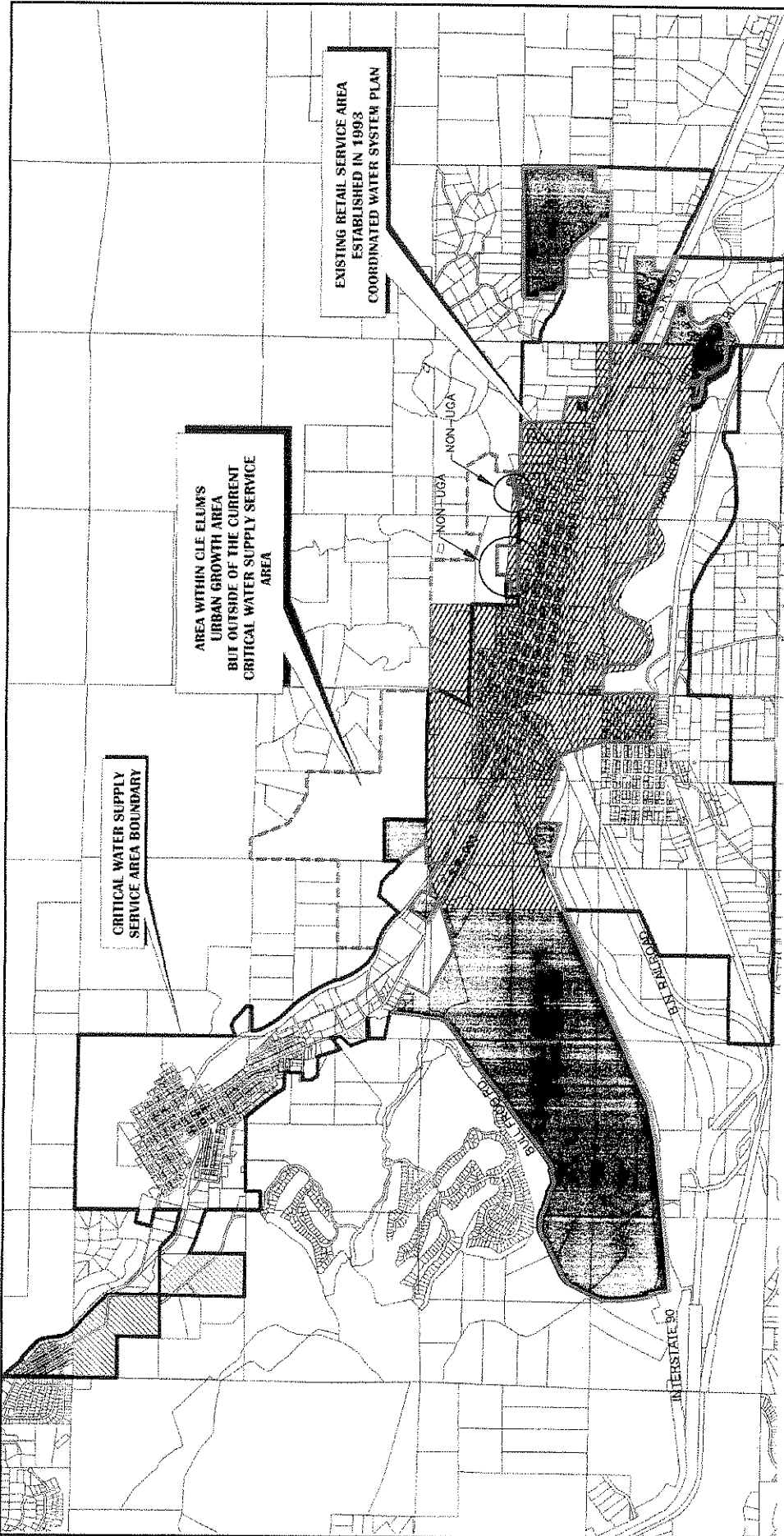
Therefore, the WUCC respectfully submits that this report and map satisfy the criteria set forth in Kittitas County Resolution No. 2010-39, specifically that the WUCC document its recommendations by a written report prepared in compliance with the procedures and criteria identified in WAC 246-293-170, WAC 246-293-180 and all other applicable law. Based upon this submission, the WUCC requests that the BOCC conduct the required public hearings on the attached proposed boundary and ratify it based on findings made as said hearings.

PASSED BY THE WATER UTILITY COORDINATING COMMITTEE, this 10th day of August, 2011.

APPROVED:



HOLLY DUNCAN, CHAIRPERSON

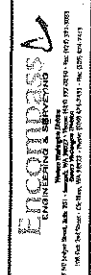


- LEGEND**
- EXISTING CWSSA
 - CLE ELUM UGA
 - ▨ PROPOSED CWSSA
 - ▨ KCWD #2 - POTENTIAL BOUNDARY REVISION
 - ▨ SUNCADIA RESORT BOUNDARY - TO BE REMOVED FROM CWSSA

EXHIBIT A

PROPOSED CRITICAL WATER SUPPLY SERVICE AREA BOUNDARY PREPARED FOR WUCC

JOB NO.	10103
DATE	03-07-11
SCALE	1" = 3000'
SHEET	1



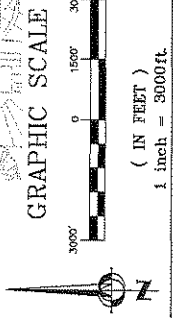
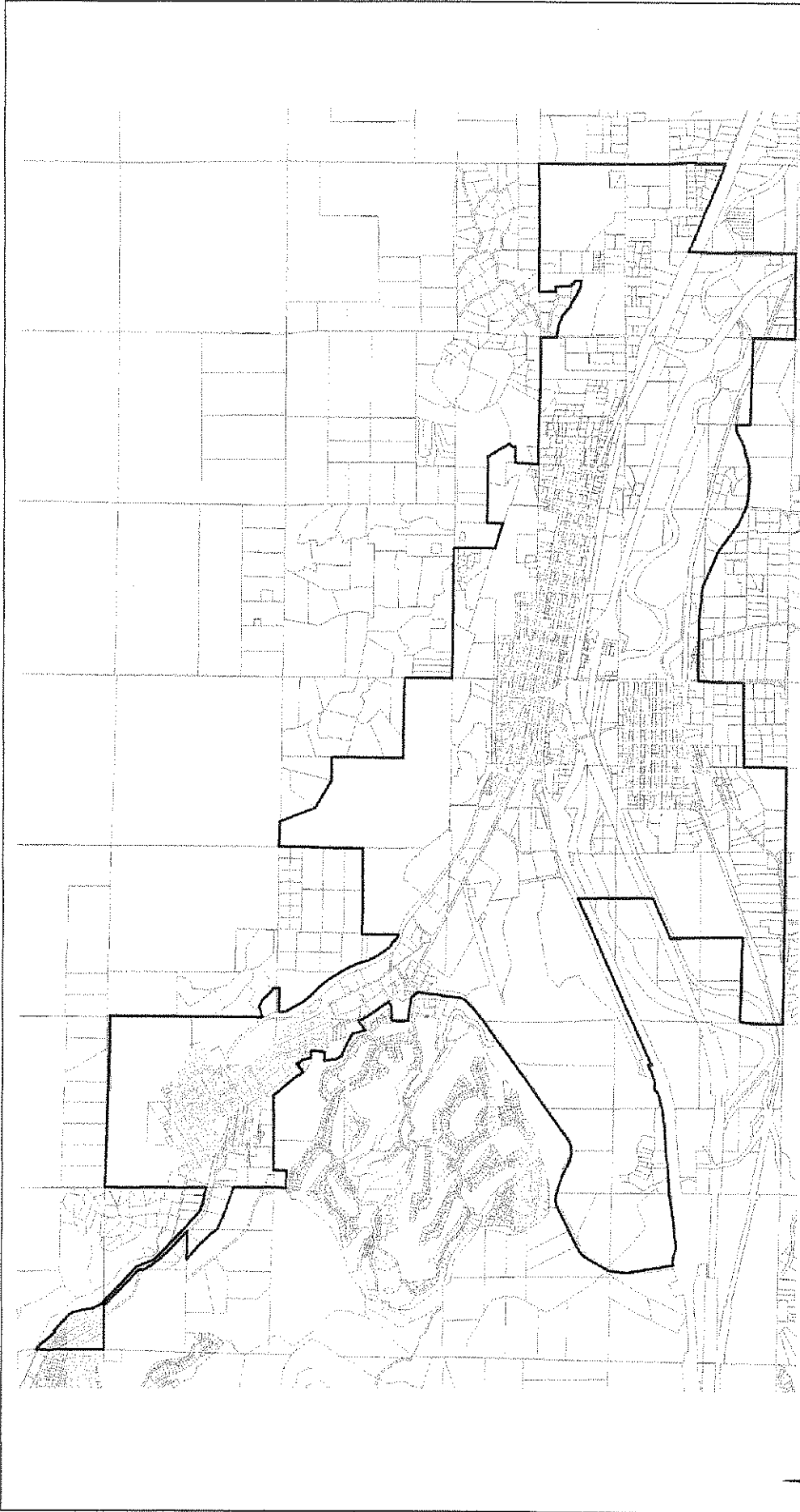


EXHIBIT B

LEGEND
 — REVISED BOUNDARY

**REVISED CRITICAL WATER SUPPLY
 SERVICE AREA BOUNDARY**

**PREPARED FOR
 WUCC**

Encompass
LAND INFORMATION SYSTEMS
 141 McEwen Road, Suite 201 • Lincoln, NE 68502 • Phone: (402) 426-8224 • Fax: (402) 426-8227
 141 McEwen Road, Suite 201 • Lincoln, NE 68502 • Phone: (402) 426-8224 • Fax: (402) 426-8227

JOB NO. 10103
DATE 07/2011
SCALE 1" = 3000'
1
SHEET