

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2008 - 327

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:		9/9/2008		9/9/2008	Introduction
Division Head:				9/23/2008	Hearing
Dept. Head:	<i>[Signature]</i>	9.9.08			
Prosecutor:					
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:

Resolution approving Pt. Roberts Water District #4 Comp Water System Plan Update

ATTACHMENTS:

SEPA review required? () Yes () NO Should Clerk schedule a hearing? (X) Yes () NO
 SEPA review completed? () Yes () NO Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Resolution approving Point Roberts Water District #4 Comprehensive Water System Plan Update

COMMITTEE ACTION:

COUNCIL ACTION:

9/09/2008: Introduced
 9/23/2008: Approved 5-0 Nelson, Crawford absent

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Resolution Number 2008-064

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Consent
SPONSORED BY: Consent
INTRODUCED: September 9, 2008

RESOLUTION NO. 2008-064

**APPROVING THE POINT ROBERTS WATER DISTRICT #4
COMPREHENSIVE WATER SYSTEM PLAN UPDATE**

WHEREAS, on August 11, 2008, the Whatcom County Council received the Point Roberts Water District #4 Comprehensive Water System Plan Update (Water System Plan Update); and

WHEREAS, RCW 57.16.010(6) requires that the County Council approve, conditionally approve, or reject comprehensive water system plans; and

WHEREAS, pursuant to RCW 57.16.010(6), the Water System Plan Update was forwarded to Whatcom County Engineering and the Whatcom County Health Department for review and approval; and

WHEREAS, Whatcom County Engineering has approved the Water System Plan Update; and

WHEREAS, the Whatcom County Health Department defers approval of Group A water systems to the State Department of Health; and

WHEREAS, the State Department of Health has approved the Water System Plan Update; and

WHEREAS, a determination of non-significance was issued pursuant to the State Environmental Policy Act; and

WHEREAS, the Whatcom County Council finds that the Water System Plan Update meets all the requirements set forth in RCW 57.02.040 and RCW 57.16.010(6).

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the Point Roberts Water District #4 Comprehensive Water System Plan Update is hereby approved as presented.

23rd day of September 2008

APPROVED
COUNTY CLERK
COUNTY
STATE OF
Dana Brown, Clerk of the Council

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**


Carl Weimer, Council Chair

APPROVED AS TO FORM:


Civil Deputy Prosecutor



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

20435 72nd Ave. S., Suite 200, K17-12 • Kent, Washington 98032 -2358

July 28, 2008

BOARD OF COMMISSIONERS
POINT ROBERTS WATER DISTRICT NO. 4
79 TYEE DRIVE – SUITE A
POINT ROBERTS WA 98281

RE: Point Roberts Water District No. 4 (ID# 95750)
Whatcom County
2008 Water System Plan - APPROVAL
Submittal #07-0316

Dear Commissioners:

Except for the remaining work noted below, the revised water system plan (WSP) for Point Roberts Water District No. 4 (the District), which was received in this office on April 2, 2008, with subsequent submittals on April 23, 2008, has been reviewed and in accordance with the provisions of WAC 246-290-100, is hereby APPROVED.

Remaining Work:

1. A revised **bilateral compliance agreement (BCA)** that outlines background information and the District's ongoing responsibilities relative to compliance with the Surface Water Treatment Rule must be executed by DOH and the District. A revised BCA will be sent to you under separate cover. The District must review and execute this agreement forthwith.
2. The sections regarding ongoing monitoring requirements in Chapter 6 must be revised to eliminate duplication and errors.

This WSP includes capacity information that demonstrates the physical ability of this water system to provide water with any source or water right limitations that might occur during the 6-year period for which the approval of this WSP is valid. Based upon information you have supplied, your system is approved for 2953 ERUs. If the Point Roberts Water System exceeds the approved number of connection limits, compliance actions may be taken by the Department of Health or the Department of Ecology and the relationship between the WSP approval and the water right options stated in RCW 90.03.260 (4) and (5) may become invalid.

Submittal of your water system plan included a local government consistency determination from Whatcom County government. This WSP meets local government consistency requirements for WSP approval (RCW 90.03.386, RCW 43.20).



Passage of the Municipal Water Law in 2003 created a new significance to your service area through two avenues: connection of the service area to your system's water rights and a duty to serve responsibility. Per RCW 90.03.386 (2), the service area identified in your WSP now represents your water right "place of use." Future changes to your service area should be made through a WSP amendment.

Per RCW 43.20.260, your system now has a duty to serve retail connections within its retail service area. This WSP has incorporated information that identifies the procedures and processes you have put into place to ensure that your system can provide timely and reasonable service within your retail service area.

Standard Construction Specifications for distribution main extensions have been approved as part of this water system plan. With this approval and consistent with WAC 246-290-125(2) the District may elect to proceed with the installation of distribution main extensions provided that the District maintains on file completed construction completion reports (a copy of which is attached) in accordance with WAC 246-290-125 (2) and WAC 246-290-120 (5) and makes it available for review upon request by the department.

Approval of the update of this water system plan is required on or before July 31, 2014 unless the Department of Health (DOH) requests an update or plan amendment pursuant to WAC 246-290-100(9). Approval of this plan is valid as it relates to current standards outlined in Chapter 246-290 WAC, revised July 2004, Chapter 246-293 WAC, revised September 1997, Chapter 70.116 RCW, the Whatcom County CWSP, and the requirements of the Municipal Water Law (SESSHB 1338), effective September 9, 2003, and is subject to the qualifications herein. Future revisions in the rules and statutes may be more stringent and require facility modification or corrective action.

We will update the approval status of this water system from 2212 to 2953 equivalent residential units (ERUs), which allows 741 additional residential service connections. An updated *Water Facility Inventory* (WFI) report form will be sent to you at that time. We ask that you review the updated form, note any additional corrections, and return it to this office within thirty days. We suggest that you review the number of outstanding commitments for water service in addition to the number of active connections at this time.

The following standard comment applies to all water system plan approvals: This approval does not provide any guarantee and should not be considered to provide any guarantee concerning legal use of water or subsequent water rights decisions by the Department of Ecology. This Department of Health approval of your WSP does not affect any uncertainties or deficiencies regarding your water rights or the resolution of those uncertainties or deficiencies. Depending on Ecology's future actions on your water rights, additional planning or other submittals may be required by the Department of Health. Questions concerning water rights should be directed to the Department of Ecology.

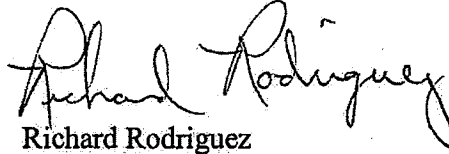
Point Roberts Water District No. 4
July 28, 2008
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Thank you for your cooperation. If you have any questions or wish to check our records, you may contact either of us at the numbers listed below.

Sincerely,



John Thielemann, PE
Regional Engineer
(253) 395-6757



Richard Rodriguez
Regional Planner
(253) 395-6769

Enclosure: Construction Completion Report

cc: Laurette Rasmussen, Whatcom County Health Department
Erin Osborn, Whatcom County Planning and Development
Paul Fabiniak, Department of Ecology – NWRO
Ingrid Salmon, Compliance Manager, Northwest Drinking Water Operations
Aniela Sidorska, Northwest Drinking Water Operations
Dan Bourks, Manager, Point Roberts Water District No. 4
William Reynolds, PE, Hammond Collier Wade Livingstone



September 12, 2008

Board of Commissioners
Point Roberts Water District #4
79 Tyee Drive, Suite A
Point Roberts, WA 98281

RE: 2008 Water System Plan

Dear Commissioners:

The Whatcom County Health Department (WCHD) has verified that the water system plan has been approved by the Washington State Department of Health.

If you have any questions, please contact me at (360) 676-6724.

Sincerely,

Kyle Dodd
Environmental Health Supervisor

cc: Tyler Schroeder, PDS

POINT ROBERTS WATER DISTRICT NO. 4 WATER SYSTEM PLAN

Prepared For:
POINT ROBERTS WATER DISTRICT No. 4

April 1, 2008

Approved

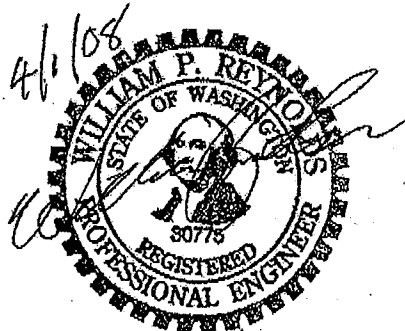
Department of Health
Office of Drinking Water

Alan C. [Signature]
Engineer

July 28, 2008
Date

*Note: Revised BCA
Sent 8/4/08*

Prepared By:



EXPIRES *8/30/2008*

William Reynolds, P.E.



HAMMOND COLLIER

WADE LIVINGSTONE

4010 Stone Way North, Suite 300
Seattle, WA 98103

07-0316
RECEIVED

APR 2 2008

**A COMPLETE COPY OF THE PLAN IS
AVAILABLE IN THE COUNCIL OFFICE FOR
REVIEW**