

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
1511 Third Ave., Suite 719 • Seattle, Washington 98101-1632

**Draft Guidelines for Developer/Purveyor Agreement
Allowing New Water System Within Existing Service Area**

This guideline identifies items that should be considered when developers propose new water systems within a purveyor's existing service area. Such water systems may be allowed when the purveyor cannot provide service in a timely and reasonable manner as provided for under WAC 246-293-190 of the Coordinated Water System Act or the Coordinated Water System Plan (CWSP) that applies to the critical water supply service area. The resolution of the following and any other applicable items must be set forth in a formal agreement between the developer and purveyor:

1. The agreement should specify that the purveyor is not relinquishing portions of its service area.
2. The new water system should meet the purveyor's as well as DOH minimum design standards.
3. The temporary system should be designed for direct connection to the purveyor's distribution system when it is able to provide service. The purveyor's engineer should review the hydraulic design of the temporary system to ensure it will function properly when it is eventually connected.
4. The agreement should specify which system is responsible for providing fire protection while the temporary system is in operation.
5. The agreement should specify who is responsible for operating and maintaining the temporary water system.
6. The effected property owners should sign or be subject to a no protest agreement to receive service from the purveyor's water system when it is able to serve.
7. The agreement should specify how any connection fees to the purveyor's system either have or will be handled. For instance, connection fees could be paid in full ahead of time, paid into a designated trust account for the benefit of the property owners, or paid later when the temporary system is connected to the purveyor's water system.



8. The agreement should specify who is responsible for demolishing unnecessary facilities or abandoning wells in accordance with WDOE regulations when the temporary system is eventually connected to the purveyors water system.
9. The terms of the final agreement should be recorded as encumbrances to the deeds of the properties served by the temporary water system.

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