



Whatcom County

COUNTY COURTHOUSE
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Agenda Bill Master Report

File Number: AB2021-528

File ID:	AB2021-528	Version:	1	Status:	Approved
File Created:	09/08/2021	Entered by:	DBrown@co.whatcom.wa.us		
Department:	Council Office	File Type:	Resolution		
Assigned to:	Council Committee of the Whole	Final Action:	09/28/2021		
Agenda Date:	09/28/2021	Enactment #:	RES 2021-042		

Primary Contact Email: DBrown@co.whatcom.wa.us

TITLE FOR AGENDA ITEM:

Resolution approving the Water District 13 Small Water System Management Plan

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Resolution approving Water District 13's Small Water System Management Plan

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
09/28/2021	Council Committee of the Whole	RECOMMENDED FOR APPROVAL	
		Aye: 7	Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner
		Nay: 0	
		Absent: 0	
09/28/2021	Council	APPROVED	
		Aye: 7	Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner
		Nay: 0	
		Absent: 0	

Attachments: Proposed Resolution, Plan without Appendices, Link to Plan with Appendices, Local Government Consistency Form, Health Dept. Approval August 2021, Health Dept. Approval December 2020, Public Works Dept. Approval December 2020, Public Works Dept. Approval August 2021, Determination of Non-Significance

RESOLUTION NO. 2021-042

**APPROVING THE WHATCOM COUNTY WATER DISTRICT 13 SMALL WATER SYSTEM
MANAGEMENT PLAN**

WHEREAS, the Whatcom County Water District 13 (WCWD13) Small Water System Management Plan (the Plan) was prepared at the request of the District Board of Commissioners and was revised in July 2021; and

WHEREAS, per WAC 197-11-340(2), a SEPA Determination of Nonsignificance was issued on December 23, 2020; and

WHEREAS, per RCW 57.16.010, Whatcom County Public Works approved the Plan on December 8, 2020, with the following notations:

- All work performed in a county right-of-way requires a Revocable Encroachment Permit as a prerequisite. See Whatcom County Code (WCC) 12.16 for additional information.
- Depending on the scope of work of any given WCWD13 planned water system facilities project, the County might require: Other permits (e.g., building, conditional use, land disturbance, shoreline) as a prerequisite to project execution and; stormwater management documentation, with possible required engineered stormwater management system design.
- To accommodate our desire to minimize disturbance to County roadway surfaces, we encourage the WCWD13 to locate, where feasible, new or reworked water system facilities outside the existing pavement of any improved County roadway.
- We encourage the WCWD13 to accomplish, to the maximum extent feasible, its planned water system projects that involve work in County rights-of-way in advance of our planned road projects to minimize roadway patching that would otherwise occur if not coordinated.

WHEREAS, per RCW 57.16.010, the Whatcom County Health Department approved the revised Plan on August 9, 2021; and

WHEREAS, Planning and Development Services has reviewed the Plan and issued a Local Government Consistency Determination; and

WHEREAS, RCW 57.16.010(7) requires the County Council approve, conditionally approve, or reject comprehensive water system plans; and

WHEREAS, Whatcom County Water District 13 has submitted a final version of the Plan (revised to address agency comments) to the County Council for review and approval; and

WHEREAS, under the provisions of state law, the Whatcom County Comprehensive Plan, and County-Wide Planning Policies, water service in rural areas must be at rural levels and should not be used as a basis for rezoning property; and

WHEREAS, the County Council has reviewed the Whatcom County Water District 13 Small Water System Management Plan for compliance with the approval criteria set forth in RCW 57.16.010(7)) and RCW 57.02.040 and finds that the Plan satisfies these criteria, subject to certain conditions.

1 **NOW, THEREFORE, BE IT RESOLVED** that the County Council hereby approves the
2 Whatcom County Water District 13 Small Water System Management Plan, subject to the following
3 conditions:

- 4
5 1. New water lines shall be consistent with WCC20.82.030(3).
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7 2. Provision of water to land outside the Urban Growth Area shall not serve as the basis for
8 rezoning properties.

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11 **APPROVED** this 28th day of September 2021.

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15 **ATTEST**

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19 _____
20 Dana Brown-Davis, Clerk of the Council

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22 **WHATCOM COUNTY COUNCIL**
23 **WHATCOM COUNTY, WASHINGTON**

24 _____
25 Barry Buchanan, Council Chair

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27 **APPROVED AS TO FORM:**

28 /s/ Karen Frakes (via e-mail)/JL

29 **Civil Deputy Prosecutor**