

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Orig. name &/or dept~		-	<b>RECEIVED</b>  <b>AUG 27 1992</b>  <b>WHATCOM COUNTY COUNCIL</b>	9/1/92	Intro
Division Head:				9/8/92	Water Resources/Council
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:	<i>ls</i>	8/25/92			

**SUBJECT:**

Public Utility District 1 Involvement in Domestic Water Supply Problems and Issues

**ATTACHMENTS:**

Resolution requesting the PUD to adopt policies and develop Memorandums of Understandings with the County regarding Satellite System Management, Receivership and water resource planning and coordination.

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #: For CONTRACTS or related expenditures ~	Should Clerk schedule a hearing? PLEASE fill in Y/N, date ~ NO / __ / YES / __ / Requested date:
Amount budgeted for this item/project: \$ ~	Is it (or will it be) within budget? ~ YES / / NO / / (Please explain below)
Budget line item number(s): First line item # ~ , Second line item # ~	

Ensuring safe, adequate supplies of drinking water for current and future residents of Whatcom County is becoming increasingly difficult due to a wide variety of factors which include both quantity and quality concerns. The county currently has about 310 public water systems many of which are already having difficulty remaining in compliance with local, state and federal regulations; it is likely these problems will become greater as regulatory requirements continue to increase. Inability to ensure safe supplies of water to an expanding population has many consequences of both an immediate and long-term nature. One such consequence is that the County will be named the Receiver of last resort for public water systems which the court determines are unable to comply with public health and safety standards. The County is not currently capable of adequately addressing the needs of systems placed in Receivership . The PUD may be capable of both helping public water systems to remain viable through Satellite System Management actions and to address more effectively public systems placed into receivership by acting as an agent for Whatcom County.

**ORIGINATOR'S RECOMMENDED ACTION:**

Adoption of the resolution by the Council on September 8, 1992.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

9/8/92: Council approved the resolution. 7-0

**Related File Numbers:**

**Ordinance or Resolution Number (this item only):** R92-062

SPONSORED BY: Consent

PROPOSED BY: Executive

INTRODUCTION DATE: Sept. 1, 1992

RESOLUTION NO. 92-062

A RESOLUTION REGARDING THE PROVISION OF WATER  
AND WATER SERVICES

WHEREAS, Federal and State regulations and standards pertaining to drinking water quality, water system operations, and water resources are imposing increased responsibilities, restrictions, obligations, and costs upon water system owners and operators; and

WHEREAS, the Growth Management Act requires the certification of adequate individual and community water systems and the preparation of appropriate utility capital facility plans; and

WHEREAS, water systems that do not comply with state and federal standards represent a potential threat to public health and safety; and

WHEREAS, Whatcom County has approximately 310 public water systems, many of which are having difficulty complying with existing regulations; and

WHEREAS, Chapter 43.70 RCW requires that counties become the receiver of last resort for water systems within their boundaries that, according to the Department of Health, have failed or are unable to comply with required health and safety standards and regulations; and

WHEREAS, pursuant to Chapter 43.70 RCW, Whatcom County is authorized to contract to provide services to water systems in receivership; and

WHEREAS, pursuant to Chapter 70.16 RCW, Whatcom County is directed to designate qualified public water utilities to act as Satellite System Management Agencies; and

WHEREAS, a satellite system management agency (SSMA) is an organization, individual or other entity that is qualified to provide services such as operation, maintenance, development, management or ownership of public water systems; and

WHEREAS, satellite management agencies can be used as a means to prevent the proliferation of potentially nonviable small new systems, and can provide a viable institutional means to assist existing systems with problems, including those that may be placed into receivership; and

WHEREAS, conflict regarding water rights and water availability is increasing in Whatcom County; and

WHEREAS the PUD, in order to be an effective provider of water and water services, must be significantly involved in regional water planning; and

WHEREAS, pursuant to Chapter 70.16 RCW, the purpose of the Public Utility District is to conserve the water resources of the county for the benefit of the people thereof, and to provide public utility service, including water for residential, commercial, and industrial uses; and

WHEREAS, pursuant to Chapter 54.16 RCW, the Public Utility District may make surveys, plans, investigations, or studies for the distribution or transmission of domestic, industrial or irrigation water supply, and for matters and purposes reasonably incidental thereto, within and without the district; and

WHEREAS, the Public Utility District may construct, purchase, condemn and purchase, acquire, add to, maintain, conduct and operate water systems, within or without its limits, for the purpose of furnishing the District, and the inhabitants thereof, and any other persons including public and private corporations within or without its limits, with an ample supply of water for all purposes, public and private, with full and exclusive authority to sell, regulate and control the use, distribution and price thereof; and

WHEREAS, the County is the governmental agency responsible for the regional planning and regulation of land use matters; and

WHEREAS, the County recognizes the Public Utility District as having the authority to offer county-wide technical, managerial, operational, planning, and support services needed to ensure the water resources of the county are effectively managed, developed and provided;

NOW, THEREFORE, BE IT RESOLVED that the County wishes to work cooperatively with the District to ensure the supply of safe, adequate drinking water and to plan for future water supply needs; and

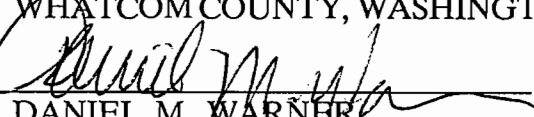
BE IT FURTHER RESOLVED that the Members of the Whatcom County Council request that the Public Utility District adopt policies and develop memorandums of understanding with Whatcom County in order to serve the citizens of Whatcom County in the following capacities:

1. As a Satellite System Management Agency for Whatcom County
2. As an agent for receivership of failed water systems in Whatcom County
3. As a participant in water resources planning and the coordination of water services in order to facilitate the PUD's role as a provider of water and water services.

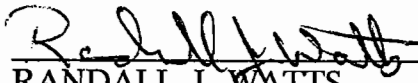
APPROVED THIS 8th day of September, 1992.

ATTEST:

  
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RAMONA REEVES  
CLERK OF THE COUNCIL

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON  
  
\_\_\_\_\_  
DANIEL M. WARNER  
CHAIRMAN

APPROVED AS TO FORM:

  
\_\_\_\_\_  
RANDALL J. WATTS  
CHIEF CIVIL DEPUTY PROSECUTING ATTORNEY