

**RESOLUTION NO. \_\_\_\_\_**

**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).  
6  
7       2.       Provision of water to land outside the Urban Growth Area shall not serve as the basis for  
8 rezoning properties.  
9

10  
11           **APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.**  
12  
13

14 **ATTEST**

**WHATCOM COUNTY COUNCIL**  
**WHATCOM COUNTY, WASHINGTON**

15 \_\_\_\_\_  
16 **Dana Brown-Davis, Clerk of the Council**  
17

\_\_\_\_\_  
**Barry Buchanan, Council Chair**  
18

19  
20  
21 **APPROVED AS TO FORM:**

22       */s/ Karen Frakes (approved via e-mail) / JL*  
23 \_\_\_\_\_

24 **Civil Deputy Prosecutor**  
25