



Legislation Text

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Clerk 05/14/2004

A MOTION regarding concurrence with the recommendations contained in the  
South King County Ground Water Management Plan.

WHEREAS, the Washington State Growth Management Act requires, under RCW 36.70A.070(1), that protection of the quality and quantity of groundwater used as public water supplies be addressed as part of a mandatory element within the county Comprehensive Plan; and that the county Comprehensive Plan, under RCW 36.70A.060, designate and protect critical areas, including areas with a critical recharging effect on aquifers used for potable water, RCW 36.70A.050; and that the county Comprehensive Plan, under RCW 36.70A.070(5), protect surface and ground water resources in rural areas, and

WHEREAS, policy CA-5 of the countywide planning policies states that all jurisdictions that are included in ground water management plans shall support the development, adoption and implementation of the plans, and additionally pursue a set of specified groundwater protection activities that include development of best management practices, creation and maintenance of relevant groundwater maps, and implementation of wellhead protection programs, and

WHEREAS, policy CA-6 of the countywide planning policies states that land use actions should take into account potential impacts on aquifers serving as potable supplies, and avoid or mitigate for depletion or degradation of the aquifers, or include planning and developing feasible replacement sources for the aquifers, and

WHEREAS, policy LU-17 of the countywide planning policies states that rural areas shall be recognized as significant for the recharge and storage of groundwater and as areas necessary for the

maintenance of base flows in rivers and natural levels of lakes and wetlands, and that measures, including those for the control of surface water runoff, should be adopted and implemented, and

WHEREAS, policy FW-12(c) of the countywide planning policies states that ensuring sufficient water supply is essential to accommodate growth and conserve fish habitat, and requires ongoing long-term water supply planning efforts, and

WHEREAS, policy FW-31 of the countywide planning policies states that county residents in both urban and rural areas shall have reasonable access to a high-quality drinking water source meeting all federal and state drinking water requirements, and

WHEREAS, policies CO-2, CO-3, CO-5 and CO-6 of the countywide planning policies state that King County jurisdictions and other service providers shall provide services and manage natural resources efficiently through regional coordination and interjurisdictional planning, shall coordinate service provision to ensure the protection and preservation of resources in rural and developing areas, shall regionally coordinate water supply to deliver reliable economic sources of water, and shall implement aggressive conservation measures to address the need for an adequate supply of water resources and protection of natural resources, and

WHEREAS, policies E-101, E-107, E-116 and E-117 of the King County Comprehensive Plan state that King County should take a regional role in environmental stewardship, and shall take actions to manage and protect surface and ground waters, including critical aquifer recharge areas and base flows in streams, and support continued ecological and hydrological functioning of water resources to avoid adverse impacts on water quantity and quality, and

WHEREAS, policy E-148 of the King County Comprehensive Plan states that King County should protect the quality and quantity of the ground water countywide by implementing adopted ground water management plans, and by taking such other actions as reviewing and implementing wellhead protection plans, developing best management practices to promote aquifer recharge, and refining regulations to protect critical aquifer recharge areas and wellhead protection areas, and

WHEREAS, the Washington state Department of Ecology ("Ecology") designated King County as the lead agency responsible for coordinating and undertaking the activities necessary for development of ground water management programs to protect groundwater quality and quantity in five separate areas of the county under RCW 90.44.400 and WAC 173-100-080, including the South King County groundwater management area, and

WHEREAS, in accordance with a December 17, 1986, interlocal agreement between King County and the Regional Water Association of South King County ("RWA"), and subsequent amendments, King County delegated to the RWA, as co-lead agency, the responsibility for preparing a draft ground water management program and plan for the south King County area that complies with state law and Ecology requirements, and

WHEREAS, in accordance with the interlocal agreement, the RWA has had the responsibility to manage a grant contract from Ecology for the development of the draft program, and to manage technical and multiinterest stakeholder advisory work for development of the program, and

WHEREAS, a ground water advisory committee was established for the south King County ground water management area, which contained representatives of local governments, special purpose districts, water associations, agricultural interests, well-drilling firms, industry and environmental organizations and other parties interested in groundwater issues in the area, and

WHEREAS, the south King County ground water advisory committee has met periodically to oversee and participate in the development of the South King County Ground Water Management Plan, and

WHEREAS, the Regional Water Association of South King County has completed and published a draft "South King County Ground Water Management Plan," on which the Department of Ecology conducted a public hearing on November 18, 2003, and

WHEREAS, under WAC 173-100-120, local governments affected by the provisions of a draft ground water management plan are to develop findings that evaluate the proposed plan's technical soundness, economic feasibility and consistency with chapter 173-100 WAC and other federal, state and local laws,

provide a statement as to whether the government concurs or does not concur with the provisions in the plan that affect the government or its responsibilities, and provide such statements to the groundwater advisory committee for possible revisions to the plan before submittal to Ecology, and

WHEREAS, under WAC 173-100-120, once a plan is approved and certified by Ecology, affected local governments shall adopt or amend any combination of regulations, ordinances and programs for implementing those provisions of the plan within their jurisdictional authorities, and shall be guided by the adopted program when reviewing and considering approval of all studies, plans and facilities that may utilize or impact the implementation of the plan, and

WHEREAS, the metropolitan King County council reviewed the plans submitted for the other four groundwater management areas within King County, and in 1998 authorized the King County executive to communicate the county's findings and to concur with the draft plans only after certain substantive and procedural changes to the plans were made, and

WHEREAS, in 2000, Ecology certified the four completed plans, after changes were made that addressed King County's concerns and those expressed by other affected local governments, and

WHEREAS, in October, 2001, the metropolitan King County council adopted Ordinance 14214, codified in K.C.C. chapter 9.14. that established a countywide groundwater protection program, and created separate groundwater protection committees responsible for implementation of their respective certified groundwater management plans, and

WHEREAS, since that date the King County executive has appointed, and the metropolitan King County council has confirmed, members for each of these groundwater protection committees, and each committee has been meeting to address implementation of the groundwater management plans and other groundwater issues within their areas, and

WHEREAS, in accordance with K.C.C. chapter 9.14, each of those groundwater protection committees will go out of existence on December 31, 2004, and each is preparing recommendations that will be provided to

the King County executive and the metropolitan King County council before then on their preferences for a structure, approach, and funding for continuing to address groundwater quantity and quality issues within their respective areas after December 31, and

WHEREAS, as part of the budget adopted for 2004, the metropolitan King County council required the department of natural resources and parks to prepare and present to the council by June 15, 2004, a report on the status and future of the countywide groundwater protection program, and

WHEREAS the King County executive has prepared and transmitted to the metropolitan King County council proposed revisions to the King County Comprehensive Plan, which must be adopted by December 31, 2004, and which include substantial and comprehensive revisions to elements regarding protection of natural resources generally and to specific elements regarding protection of critical groundwater aquifers used for potable supplies in particular, and

WHEREAS, King County and other affected local governments must submit findings and statements of concurrence or nonconcurrence with the draft South King County Ground Water Management Plan, and

WHEREAS, following the Department of Ecology's certification of the South King County Ground Water Management Plan, the metropolitan King County council will be responsible for implementing those portions of the plan that are within the council's jurisdictional authority to implement through ordinances, policies, or regulations;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The King County executive is hereby requested to transmit to the south King County ground water advisory committee a letter, substantially in the form of Attachment A to this motion, identifying the county's findings and indicating areas of county concurrence and nonconcurrence with recommendations contained in the South King County Ground Water Management Plan. This letter should contain the following:

A. A statement of agreement with the goals and objectives of the ground water program outlined in the draft plan;

B. Findings with regard to technical soundness, economic feasibility, and consistency with intent of chapter 90.44 RCW, Regulation of Public Ground Waters, and chapter 173-100 WAC, Ground Water Management Areas and Programs, and other federal and state laws and the King County Code;

C. A clear statement of concurrence or nonconcurrence; and

D. Specific revisions necessary for county concurrence and certification of the plan.

none