



## Legislation Text

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**File #:** 2003-0327, **Version:** 1

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Clerk 07/09/2003

A MOTION relating to growth management, supporting efforts by the city of North Bend to comply with the state Growth Management Act, the Countywide Planning Policies and the King County Comprehensive Plan by accommodating growth within the city's adopted Urban Growth Area and providing that growth with appropriate water service.

WHEREAS, in anticipation of the need for additional water sources to accommodate future growth, the city of North Bend submitted a water rights application (G1-26617) in 1992, based on the service boundaries of the Coordinated Water System Plan, that was then in effect, and

WHEREAS, subsequent to the submittal of the water rights application, the state passed the Growth Management Act in 1994, and

WHEREAS, one of the guiding tenets of the state Growth Management Act is to foster growth within the newly identified Urban Growth Areas delineated by local counties and cities in their respective county planning policies and comprehensive plans, and

WHEREAS, that growth is to occur in an orderly manner, wherein jurisdictions work cooperatively to efficiently provide urban services, such as public water systems, and

WHEREAS, public water systems should where possible share resources and coordinate planning efforts to reduce redundant infrastructure improvements and avoid gaps in urban-level services, and

WHEREAS, the general goal of several key policies of the Countywide Planning Policies and King County Comprehensive Plan, shown on Attachment A to this motion, is to:

1. Ensure that cities are the primary service providers for development within the Urban Growth Areas;
2. Prevent the proliferation of small public (Group B) water systems and private exempt wells within the Urban Growth Area, due to reliance on shallower aquifers and impacts to groundwater providing flows to streams, often used by salmonids; and
3. Promote efficient use and sharing of resources between service providers within the Urban Growth Area, and

WHEREAS, the Countywide Planning Policies, the King County Comprehensive Plan and the city of North Bend comprehensive plan are consistent in their delineation of the Urban Growth Area for the city of North Bend, that includes a significant area to the east of the current city boundaries, and

WHEREAS, lacking the additional water resources that would be available through the approval of the water rights application, the City of North Bend enacted an ordinance in 1999 establishing a moratorium on all new building and development, and

WHEREAS, the city moratorium has resulted in the shifting of growth pressures to the portion of the North Bend Urban Growth Area located outside of the current city boundary, in which water service is provided by the Sallal Water Association, and

WHEREAS, the Sallal Water Association anticipates that their current available water resources can accommodate only several more years of additional development before having to deny service to new customers, and

WHEREAS, denial of service by the Sallal Water Association will cause a proliferation of smaller Class B water systems or exempt private wells within the North Bend Urban Growth Area served by the Sallal Water Association, and

WHEREAS, this proliferation of smaller Class B water systems or exempt private wells within the Urban Growth Area is not consistent with the Countywide Planning Policies and the King County Comprehensive Plan, and may impact stream flows without mitigation, and

WHEREAS, an application for a water right by the Sallal Water Association, in order to avoid the proliferation of smaller water system and private wells and meet the demands for growth within the Urban Growth Area would not be approved for many years due to the limited resources of the state to process water rights applications, and

WHEREAS, the state legislature recently passed House Bill 1338, which would allow future updates or amendments to the North Bend Water System Plan to identify a larger service area within the North Bend Urban Growth Area, effectively changing the place of use of any North Bend municipal water rights to include such portions of the North Bend Urban Growth Area, and

WHEREAS, the designation the entire North Bend Urban Growth Area as the place of use of North Bend's water right application would facilitate the ability of the Sallal Water Association to provide water to that portion of the North Bend Urban Growth Area which they currently serve, without resorting to a new water rights application, and would allow for an efficient sharing of water resources between service providers, consistent with the Countywide Planning Policies and the King County Comprehensive Plan, and

WHEREAS, limiting the place of use of the North Bend application to its current water service area boundary would not recognize the boundaries of the Urban Growth Area for the city of North Bend and would be inconsistent with a basic tenet of the state Growth Management Act, was well as the Countywide Planning Policies, King County Comprehensive Plan and North Bend comprehensive plan, and

WHEREAS, King County has a responsibility to ensure that all land use related decisions made at the local, as well as, state level are consistent with the law and is obligated to act when there is a potential for actions inconsistent with the law;

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

A. The council supports the city of North Bend in its goal of accommodating growth within the adopted Urban Growth Area delineated in the Countywide Planning Policies, King County Comprehensive Plan and city of North Bend comprehensive plan; and

B. The council calls upon the state Department of Ecology to expedite approval of the city's current water rights application, and

C. The council calls upon the state Department of Ecology to designate the city of North Bend Urban Growth Area as the place of use for water right application G1-26617 and to grant approval of the application to permit water service for all areas within the current North Bend Urban Growth Area.

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