

## Legislation Details (With Text)

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**File created:** 4/5/2010      **In control:** Environment and Transportation Committee

**On agenda:**      **Final action:** 5/24/2010

**Enactment date:** 6/3/2010      **Enactment #:** 16841

**Title:** AN ORDINANCE approving the Lakehaven Utility District Comprehensive Wastewater System Plan, 2009.

**Sponsors:** Larry Phillips

**Indexes:** Water Districts

**Code sections:**

**Attachments:** 1. 16841.pdf, 2. 2010-0219 Fiscal Note.xls, 3. 2010-0219 Lakehaven Sewer Matrix.doc, 4. 2010-0219 Regulatory Note.doc, 5. 2010-0219 TransmittalLetter.doc, 6. A. Lakehaven Utility District Comprehensive Wastewater Plan, 2009, 7. 2010-0219 Staff Report - lakehaven, 8. 2010-0219 Attach 2 - amendment, 9. 2010-0219 attach to amendment, 10. A. Lakehaven Utility District Comprehensive Wastewater Plan, 2009 (Revised 5/11/10)

Date	Ver.	Action By	Action	Result
5/24/2010	2	Metropolitan King County Council	Passed	Pass
5/11/2010	1	Environment and Transportation Committee	Recommended Do Pass Substitute Consent	Pass
4/5/2010	1	Metropolitan King County Council	Introduced and Referred	

Clerk 05/13/2010

AN ORDINANCE approving the Lakehaven Utility District Comprehensive Wastewater System Plan, 2009.

### STATEMENT OF FACTS:

1. K.C.C. chapter 13.24 requires approval of comprehensive plans for sewer utilities as a prerequisite to granting right-of-way franchises and approval for right-of-way construction permits. Such plans or their updates must be submitted to the county at least once every six years, and more frequently if circumstances call for an earlier submittal.
2. K.C.C. 13.24.060 requires that such plans be consistent with the requirements of any comprehensive plans or development regulations adopted under chapter 36.70A RCW or any other applicable comprehensive plan, land use plan or development regulation adopted by a city,

town, or county for the service area. The King County Comprehensive Plan, which includes wastewater policies in its provisions for facilities and services (policies F-245 through F-254), also calls for consistency with other adopted plans, pursuit of reclaimed water and water conservation, and protection of water resources.

3. Washington state law, RCW 57.16.010(6), requires that any general comprehensive plan of any water-sewer district be approved, conditionally approved, or rejected by the legislative authority of every county within whose boundaries all or a portion of the district lies. The county legislative authority must make its determination based on: whether the actions outlined in the plan comply with the development program outlined in the county's Comprehensive Plan; whether the actions outlined in the plan comply with any approved basin-wide water or sewerage plan; and whether the actions outlined in the plan comply with the policies expressed in any county plan for water or sewage facilities, or both. The actions proposed in the plan are consistent with RCW 57.16.010(6).

4. Both Washington state Department of Ecology and King County regulations require sewer plans to be approved prior to the construction of new facilities.

5. The Lakehaven utility district ("the district") provides sewer service to a population of over one hundred fourteen thousand and an employment base of twenty-nine thousand eight hundred in a service area of thirty-four square miles in the southwest portion of King County. Its service area is a mixture of residential and commercial properties, with no major industrial customers, and includes a small portion of park and open spaces. The district's facilities discharge to two treatment plants operated by the district, as well as to facilities operated by the Midway sewer district and the regional wastewater system operated by King County.

6. The district's service area is largely built out. Its anticipated growth through 2030 will be largely mixed-use development and redevelopment construction. In addition, the district expects

to accommodate additional flows by providing sewers to a portion of its service area that does not currently have service. By 2030 it expects to be serving a residential population of approximately one hundred forty thousand people as a result of growth.

7. The principal operational issues include extending service to unsewered pockets of existing development within the district's service area, inflow and infiltration into the district's facilities during rain events, and capacity issues related to growth. Extending service to unsewered existing development is dependent on requests from property owners. The district has a reasonable plan to address inflow and infiltration when cost effective. Capacity issues related to growth will be addressed when development proposals are approved through developer extension agreements.

8. The county's most recent approval of the district's sewer plan occurred in March 2002.

9. The King County utilities technical review committee ("UTRC") reviewed the district's plan in November 2009 and recommends approval. K.C.C. chapter 13.24 requires review of wastewater plans by the UTRC, and a recommendation to the King County executive and council on the plan, its meeting the requirements under K.C.C. chapter 13.24, and its consistency with the King County Comprehensive Plan. The planning data and proposed operations were reviewed by the UTRC. The UTRC found:

- a. The infrastructure system for the existing service area and for the area anticipated to be served in the future is based on the adopted land use map of the Comprehensive Plan. The population and employment forecasts developed for the service area are appropriately used;
- b. The plan has information sufficient to demonstrate the ability to provide service consistent with the requirements of all applicable statutes, codes, rules and regulations;
- c. The state Department of Ecology has determined the plan is consistent with WAC 173-240-050 and approved the plan;

- d. The existing and planned flows, both average and peak, for the sub-basins discharging into King County's sewage conveyance and treatment system are reasonable;
- e. The amounts of inflow and infiltration to the system were determined in cooperation with King County's regional assessment of inflow and infiltration and in some cases those amounts exceed with King County's one thousand one hundred gallons per-acre-per-day standard. For those basins, appropriate steps are planned to reduce the inflow and infiltration;
- f. There are no areas of concern with respect to corrosion and odor control;
- g. The district evaluated opportunities for reclaimed water;
- h. The district works with the cities and other special purpose districts to ensure the elimination or prevention of duplicate facilities;
- i. The district provides service at a reasonable cost and maximizes the use of the existing public facilities;
- j. The plan is consistent with the King County Comprehensive Plan and other pertinent county adopted plans and policies;
- k. The district meets applicable state water quality and waste management standards; and
- l. The UTRC recommends that the King County council approve the plan.

10. The district completed a state Environmental Policy Act checklist and issued a determination of nonsignificance for the issuance of the plan on July 22, 2009. There was no appeal of the determination.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The Lakehaven Utility District Comprehensive Wastewater System

Plan, 2009, Attachment A to this ordinance, is hereby approved as a general sewer and facilities plan.