

**SNOQUALMIE PASS UTILITY DISTRICT
KING AND KITTITAS COUNTY, WASHINGTON**

RESOLUTION NO. 2018-07

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SNOQUALMIE PASS UTILITY DISTRICT OF KING COUNTY AND KITTITAS COUNTY, WASHINGTON, ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF CERTIFICATES OF WATER AVAILABILITY AND WATER SERVICE CONNECTIONS, AND DIRECTING DISTRICT STAFF TO IDENTIFY PRESENT AND PROJECTED DEMAND FOR DISTRICT WATER SUPPLY AND WATER AVAILABILITY CERTIFICATES, AND WATER SUPPLY AVAILABLE TO MEET THE PRESENT AND PROJECTED DEMAND FOR DISTRICT WATER SUPPLY AND WATER AVAILABILITY CERTIFICATES TO PROMOTE THE PUBLIC HEALTH, WELFARE AND SAFETY.

Whereas, the Snoqualmie Pass Utility District (District), as a special purpose water-sewer district, is authorized to provide water supply within its municipal corporate and service area boundaries pursuant to Title 57 RCW; and

Whereas, when acting under Title 57 RCW the District exercises the police power of the State of Washington which has been delegated to it to provide for the public health, safety and welfare by providing potable water to its customers; and

Whereas, the District must obtain water rights from the Washington State Department of Ecology (DOE) to withdraw and appropriate groundwater to supply its residents with potable water, and the District has obtained certain water rights (Water Rights) subject to limitations established by DOE; and

Whereas, the Washington State Department of Health, a public agency vested with approval authority of the District's Water System Plan (Plan), approved the District's May 2013 Plan and determined, based on the maximum water supply from District Water Rights, the total number of connections to the District's water system may not exceed 1053 single family or equivalent residential units (ERUs), an ERU being defined in the Plan as average unit consumption of 65 gallons of water per day ("gpd"); and

Whereas, Kittitas County and King County, as a condition of approval of certain land use development approvals and permits, require evidence that adequate water supply is available to serve such new development; and

Whereas, the District, as a provider of water supply, is requested by property owners and developers seeking to connect their property and development to the District water system to provide Kittitas County or King County with evidence of an adequate water supply to serve their property and developments; and

Whereas, the District has experienced significant growth and increased water usage during the last several years, including an increase in the average unit consumption to 110 gallons of water per day and an increase in permanent residents; and, because its ability to provide water supply from its aquifers is limited by its Water Rights, the District is concerned that its commitments and allocations to provide water supply not exceed the maximum amount of its Water Rights to do so; and

Whereas, the District has allocated water supply to its existing customers and to certain properties identified by the District through service applications, previously approved/issued certificates of water availability, developer extension agreements, court order, and other service agreements; and

Whereas, District staff have reported to the District Board of Commissioners that the demand on the District's water supply from its existing customers and allocations and commitments to provide future water service may be close to the maximum amount of water supply it can provide pursuant to its Water Rights; and

Whereas, to determine and confirm such demand, District staff have recommended that the District retain consultants to evaluate the impact of present water demand, pending certificates of water availability, pending projects for which certificates of availability have not yet been requested and water service commitments upon the District's available water supply; and

Whereas, District staff and consultants have recommended the District Board of Commissioners now declare a temporary moratorium on the issuance of certificates of water availability, commitments to provide water service, and developer extension agreements which would require new certificates of water availability until the demand on and allocation of the District's water supply is further studied and identified; and

Whereas, pursuant to RCW 57.08.005 (3), the District possesses full authority to regulate the use and operation of the District's water supplies and water system; and

Whereas, the District in furtherance of its delegated authority to provide for the public health, safety and welfare needs to determine whether adequate water supply exists to provide for present and future water demand; now, therefore,

BE IT RESOLVED by the Board of Commissioners of the Snoqualmie Pass Utility District as follows:

1. The recitals set forth above are fully incorporated herein by this reference.


2. To promote the public health, welfare and safety of the District and to ensure the existence and provision of adequate water supply for District customers and holders of valid and existing certificates of water availability previously issued by the District, a temporary moratorium on the issuance of certificates of water availability and water service commitments by water service applications or otherwise is hereby established effective upon the date of the adoption of this resolution.
3. District management staff and the District's consultants are hereby authorized and directed to (a) analyze and determine the District's remaining water supply, if any, available for future water demand based on the District's existing customer demand and projected demand from valid and existing District certificates of water availability and other water service allocations and commitments; (b) analyze pending projects for which requests for certificates of water availability have not yet been received by the District to identify the nature of such projects and the projected water supply needs of such projects, including public projects; (c) determine from other public agencies serving within the District their plans for developing public services, either by reviewing their planning documents or by personal contact; and (d) retain consulting services to assist and perform this analysis if District management staff determine it necessary to do so.

3. All District resolutions, policies and procedures are hereby amended, modified and superceded to be in accordance with the provisions of this resolution.

4. This resolution and the policies and procedures set forth herein shall be effective the date set forth below and, unless otherwise terminated, modified or extended by the District Board of Commissioners, this temporary moratorium shall terminate and expire at midnight PST on the 14th day of September, 2018.

Adopted at a regular open public meeting of the Board of Commissioners, Snoqualmie Pass Utility District, Kittitas and King County, Washington, held on the 11th day of June, 2018.

William Powers, President & Commissioner



Lloyd Holman, Secretary & Commissioner



David Harja, Commissioner