

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

**RESOLUTION NO. 2019-09**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE SNOQUALMIE PASS UTILITY DISTRICT OF  
KING COUNTY AND KITTITAS COUNTY,  
WASHINGTON, EXTENDING A MORATORIUM ON THE  
ISSUANCE OF CERTIFICATES OF WATER  
AVAILABILITY AND WATER SERVICE CONNECTIONS,  
AND DIRECTING DISTRICT STAFF TO IDENTIFY  
PRESENT AND PROJECTED WATER SUPPLY AND  
WATER DEMAND FOR DISTRICT CUSTOMERS AND  
WATER AVAILABILITY CERTIFICATES, AND 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 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 the recommendations of District staff and consultants, the District Board of Commissioners, by Resolution No. 2018-07 adopted on June 11, 2018, (1) established a temporary moratorium on the issuance of certificates of water availability and water service commitments by water service applications or otherwise, and (2) authorized and directed District management staff and District consultants 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; and

Whereas, as directed by the Board of Commissioner, following the adoption of Resolution No. 2018-07, District management staff and District consultants have undertaken several actions to analyze and determine the District's remaining water supply, to maximize the District's existing water supply, and to obtain additional and new water supply, including but not limited to, the following:

1. Pursued the availability and acquisition of additional water supply through one or more water banks in Kittitas County;
2. Engaged a consultant/contractor to locate water leaks within the District's water system to make more of the District's existing water supply available;
3. Repaired several water leaks identified within the District's water system, and will continue to identify and repair water leaks within the District's water system;
4. Purchased a fixed radio read system to monitor customer water usage on a real-time basis, and to alert customers sooner of leaks in their private water service lines and system so that such leaks may be identified and repaired more quickly, to conserve water;
5. Encouraged District customers to conserve water;
6. Planned to install an inter-tie valve and flow meter between the District's Alpentel and Summit water systems to better identify water flow and consumption within the Alpentel water system to better identify and repair leakage;
7. Directed water rights counsel to pursue the activation of pending water rights, and to temporarily move water rights from Wells 2 and 3 to Wells 4 and 5;
8. Directed water rights counsel and consultants to apply for additional water rights in the Kittitas Basin; and
9. Worked with consulting engineers to complete the District's water comprehensive plan update; and

Whereas, the District has not yet completed an analysis to determine the District's remaining water supply, to maximize the District's existing water supply, and to obtain additional and new water supply, and District management staff and District counsel recommended the District extend the temporary moratorium on the issuance of certificates of water availability and water service commitments by water service applications or otherwise; and

Whereas, based on the recommendation of District management staff and District counsel, the District Board of Commissioners determined to extend the temporary moratorium as established by Resolution No. 2018-07 on the issuance of certificates of water availability and

water service commitments by water service applications or otherwise until March 12, 2019, by the adoption of Resolution No. 2018-09 on the 10<sup>th</sup> day of September, 2018; and

Whereas, the District has not yet completed the analysis and application processes to maximize the District's existing water supply, and to obtain additional and new water supply, and District management staff have reported that the Washington State Department of Ecology (DOE) has not yet approved the activation of pending District water rights, and for the District to transfer water rights from Wells 2 and 3 to Wells 4 and 5 or to issue new water rights for an additional source of supply in the Kittitas basin; and District management staff and District counsel have recommended the District further extend the moratorium on the issuance of certificates of water availability and water service commitments by water service applications or otherwise; 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, the moratorium on the issuance of certificates of water availability and water service commitments by water service applications or otherwise is hereby extended 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; (d) retain consulting services to assist and perform this analysis if District management staff determine it necessary to do so; and (e) continue to pursue the actions referenced above to determine the District's remaining water

supply, to maximize the District's existing water supply, and to obtain additional and new water supply.

3. All District resolutions, policies and procedures, including District Resolution Nos. 2018-07 and 2018-09, 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, the moratorium shall terminate and expire at midnight PST on the 13<sup>th</sup> day of September, 2019.

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 March, 2019.



William Powers, Commissioner



Lloyd Holman, Commissioner



David Hafja, Commissioner