

SENATE BILL REPORT

SB 6241

As of January 23, 1998

Title: An act relating to critical water supply service areas.

Brief Description: Concerning the delivery of water to critical water supply service areas.

Sponsors: Senators Stevens, Rasmussen and Morton.

Brief History:

Committee Activity: Agriculture & Environment: 1/28/98.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Staff: Paul Mabrey (786-7412)

Background: A critical water supply service area is a geographical area characterized by numerous, inadequate water systems or by water supply problems which threaten present or future water quality or reliability of service. People who live in these critical water supply service areas need to be assured that water service will be available to them when they are within a city's exclusive service area and when there is no reasonably feasible alternative way to get water in a timely fashion. Cities and towns are not required, however, to provide water service beyond their boundaries. The problem is exacerbated when the critical water supply service area is within one or more urban growth areas and the inclination of the city is to annex these critical water supply service areas before agreeing to supply water.

Summary of Bill: Water system plans for critical water supply service areas (CWSSA) must include a schedule indicating when service is available to land outside the corporate boundaries of a city or town that is required or chooses to plan under the Growth Management Act (GMA) and such land is within an urban growth area.

As part of a water or sewer system general plan, a city is also required to file a schedule with the county indicating when service is available to land outside its corporate boundaries. A city or town is required to make the filing only when the land is within a CWSSA, within an urban growth area, within the city's exclusive service area or future service area, and has not already developed such a schedule under a comprehensive plan.

A procedure is established whereby a citizen group may petition the Boundary Review Board (BRB) if a CWSSA, within an urban growth area, is not receiving service or a commitment for service in a timely and reasonable fashion. The BRB is required to invoke its review authority and hold hearings in order to establish the facts regarding the complaint and report its findings to the Secretary of Health.

The secretary is required to examine the findings of the BRB and make a determination of whether the complaint has merit as to the commitment to timely provision of water service.

If the secretary finds that service is not timely, another purveyor may provide service or recommendations are made to ensure that service will be provided.

Finally, new sections are added that require cities or towns to provide water and sewer service outside its corporate boundaries without the requirement of pre-annexation agreements if the area is within an urban growth area and is designated a CWSSA. Conditions for meeting this requirement are: (1) property owners are allowed to connect to existing water and sewer lines located near the owner's property, and (2) the city or town has filed a schedule providing a time frame when water and sewer service will be available to areas with or without existing water and sewer lines.

Appropriation: None.

Fiscal Note: Requested on January 23, 1998.

Effective Date: Ninety days after adjournment of session in which bill is passed.