

## Small Water Systems Technical Committee

April 24, 2006, 9:30-12:30

Seattle–KC Public Health Eastgate

Facilitator: Tamie Kellogg, Kellogg Consulting

### Meeting Summary

#### 1. Introductions—Housekeeping

- See the attached list of attendees.
- The state has appropriated \$250,000 as a grant for “watershed planning” in King County, per the request of the Coordinating Committee to the Legislature for state funds for the King County Regional Water Supply Planning process. These funds are included in Ecology’s capital budget. They are expected to be available by July 1, 2006. The Executive Committee has asked each Technical Committee to identify to the Coordinating Committee any needs, particularly for technical studies, for use of some of the money to help complete their work. Ecology will provide guidelines regarding use of the funds, and the Coordinating Committee will discuss procedures and proposals at its May 3 meeting. The Small Water Systems Committee will put this item on a future agenda.
- New groundrules were suggested:
  - Cell phones should be turned off (or put on vibrate) during the meetings.
  - Each member should make a hard copy of materials that are sent via email and bring the hard copies to the meetings (or bring laptops to access the materials).
  - Scheduled presenters should provide the facilitator with an estimate of the time needed for presentations at meetings so that she can include it in the agenda.
- Issues regarding procedures and agenda were raised and resolved:
  - Question: What is the vehicle for bringing up questions/issues that arise from previous discussions?  
**Action Item for all meetings: Allow time in the agenda at each meeting, following introductions and housekeeping, for members to raise outstanding questions and issues for consideration while building the next agenda at the end of the meeting.**
  - Question: Where does the August deadline for a product come from?  
**Action Item for May 16 meeting: Add discussion of the deadline to the agenda; seek clarification from Coordinating Committee at its May 3 meeting.**
  - Suggestions for revising today’s agenda: Change wording in Item 5 to reflect that the committee is “gathering information” on the status of small water systems; move discussion of the Workplan/Charter (Item 6) earlier on the agenda to ensure that the item does not get postponed again until the next meeting.  
Resolution: The facilitator clarified the purpose of Item 5 (a continuation of the effort begun at the first meeting to gather information on small system issues and potential problems) and committed to reserve an hour at the end of the meeting for discussion of the Workplan/Charter.

## 2. Approve Summary Notes

- The Committee discussed suggested changes to the draft notes from the April 3 meeting.

*Action Item: The draft notes will be revised to incorporate the agreed-on changes and redistributed to the Committee.*

## 3. Small Water Systems Legal Framework Handout

- DOH, PHSKC, Ecology, and DNRP prepared a written summary of their respective regulatory authorities for small water systems; DNRP and PHSKC staff had combined the summaries into a single document and distributed the document to committee members via email on April 18.

## 4. Continue Scoping Small Water Systems Problems/Issues

- PHSKC distributed and discussed charts that showed the number of Group B systems created in King County in 1986–2005 and the number of Group B systems that posed significant public health concerns in late 2004 and early 2005 (based on PHSKC Group B inspections). Main points of the discussion:
    - The number of new systems seems to be decreasing over the years; there were only 13 new Group B systems added to the PHSKC database in 2005. It is difficult to know whether these are new systems or existing systems that were discovered and added to the database.
    - Coliform exceedances are detected in the initial tests for about 1 of every 20 systems that perform monitoring. However, about 80 percent of the nearly 1,700 Group B systems do not complete their required routine bacteria and nitrate monitoring, and it may be assumed that an estimated 1 out of 20 of these systems also would have coliform exceedances.
    - How can utilities and others address these problems? PHSKC provides Web-based education and technical assistance to Group B owners, but there is constant turnover of owners/operators and PHSKC does not have staff or other resources to stay on top of all Group B systems and keep their information and monitoring current.
    - PHSKC does not believe that these substandard Group B systems would go into a receivership because most do not want any government intervention and just the threat of it would likely make them correct their problems. PHSKC does have the authority and uses this authority to withhold building permits for improvements on properties that do not conduct the monitoring. PHSKC can take enforcement actions for other violations, although it rarely does.
- Action Item for May 16 meeting: Tamie will add a column to the matrix for listing currently available tools for addressing Group B system problems.*
- DOH distributed a handout and presented information on the number of small water systems and service connections in King County and a couple of other Puget Sound counties. The handout also included the current operating permit status and number of current water quality violations of Group A systems (500 connections and less) in King, Pierce, and Snohomish Counties; the DOH compliance strategy decision

matrix for public health violations and its procedure for handling receivership petitions; summary of receivership actions in the state (1988–1997); and a list of approved satellite management agencies in the Puget Sound region. Discussion points:

- Group B systems represent 1.2 percent of total public water system service connections and less than 1 percent of the residential population served by public water systems in King County.
- The number of Group B systems in King County has decreased over the past 5 years while the number in Pierce County has increased.
- Currently, PHSKC does not charge an operating permit fee for Group B systems. It discontinued charging a fee about ten years ago because of complaints that all systems were charged the same fee regardless of number of connections. Not charging an operating permit fee can be viewed as a disincentive for Group B systems to join Group A systems. Some of Ecology’s policies also seem to serve as disincentives.

***Action Items for May 16 meeting: DOH will bring the small water systems report published around 1980 and a summary and case study of the Rimrock receivership. (DOH will bring a Group B report in a few months.)[Carryover action item from previous meeting: DOH to provide a summary of the number of systems that were satellite-managed in King County.]***

- One Group A system in King County is in the red operating permit category. DOH is working to rectify the problem and expects it to be out of the red category soon. Twenty-one systems have high or medium compliance violations. DOH does not believe that any small systems in King County currently have the potential for receivership. Systems going through the GWI determination process are an unknown as if determined GWI, the system is faced with a high capital cost. There are 70 small Group A systems with blue operating permits meaning that the system has not been formally approved, although DOH most likely has quite a bit of information on these systems and they stay current with water quality sampling requirements.
- Outdated water system plans will prompt DOH to put systems in the yellow operating permit status only if the systems have an unspecified number of connections. Group A small systems (less than 500 connections) typically do not need to submit a water system plan. Small Group A systems, when approved, are given an approved number of connections.
- PHSKC is starting discussions with DSHS to create a new category for systems serving home daycares, bed and breakfasts, and the like. The Snohomish Health District has been engaged in a program of inspecting, evaluating, and educating Child Care Home Operators about water supply standards, taking an education rather than regulatory approach. There may be some lessons that can be learned from them about these very small Group B systems and effective strategies.

***Action Item for May 16 meeting. PHSKC will update the committee on the status of the discussions.***

- There are 16 systems that have shown up on the DOH compliance list more than two years in a row during years 2002 to 2005. One-third of those systems have blue operating permits.
- South King County, East King County (with handout distributed at April 3 meeting), Covington, Cedar River, and Washington Water Service reported on their satellite management and utility referral procedures. In general, systems have policies in place so that growth pays for growth. Summaries of presentations and issues raised during the presentations are as follows:
  - South King County. The whole area is covered by Group A systems, so new small systems are not an issue. However, developers are being encouraged to circumvent the utilities by drilling exempt wells, or reduce their service areas. None of the utilities has ever expressed a problem with exempt wells going into their service areas.
  - East King County. Each contract between Group A and B systems is unique in terms of services provided to Group A systems. Utilities within the EKC CWSP area are trying to develop policies, but elected officials in Group A systems are reluctant to use funds to “bail out” Group Bs, or to take on potential liability for them. In its 1993 update to its plan, EKC proposed the creation of a state pool to fund Group A management of Group B systems. So far, this and other proposed legislation for allocation of such funds has failed. The water system consolidation provision in the Municipal Water Law is a useful tool.  
**Addition to the Issues List:** *Group A systems need “carrots” (funding) to help them manage/incorporate Group B systems.*
  - Covington has a policy that it will serve customers through connections to their system unless there is an “economic hardship” (which is not well-defined at this point) or if the distance to a connection is at least 100 feet times the number of lots. Covington will serve outside its service area if certain criteria are met and existing customers do not subsidize this service. Two types of satellite management: Covington owns and operates the system or Covington provides agreed-upon services.  
**Action Item:** *Covington will send Tamie via email a written version of the policy discussed today. Tamie will distribute it to the group.*
  - Cedar River Water and Sewer. The District considers water to be available throughout its service area. It intends to provide 12-inch mains every square mile and 8-inch lines every half mile for new developments, which means that connections to the mains should be no longer than 1,300 lineal feet. If a proposed development is a greater distance from a District line, it will provide satellite management to smaller systems. The District could possibly serve as a “bank” and lend money to smaller systems in its area.  
**Addition to the Issues List:** *Depreciation (gets overlooked by funders) and land uses that allow development where provision of water is difficult.*
  - Washington Water Service. WWS owns or manages six small systems in King County (see map). They purchase Group A systems and manage Group B systems until service is extended to the Group B systems and then WWS will purchase the systems. All management contracts require WWS to do the

monitoring and testing; other services are as agreed to in the contract.

**Addition to the Issues List:** *Water rights (may lose water rights when Group B systems are absorbed) and costs for abandoning wells.*

- PHSKC requires new Group B systems to go under satellite management when such management is available, as required under state law.

- KC DDES does not track new single-family wells when issuing permits.

**Action Item for May 16 meeting:** *PHSKC will look at the Envision database and approximate the number of new single-family wells in King County. Or the number of wells could be constructed using the onsite septic system database. Onsite permits include a data field that identifies the water source type—Group A, Group B, or individual wells. Using this database, PHSKC should be able to produce a report that shows parcel specific water source for new development over the last 5 years or so.*

- Ecology does not track exempt irrigation wells. There are about 10 new start cards for exempt wells in King County each month, but Ecology does not have ready access to the breakdown of these wells.

**Action Item for May 16 meeting:** *Ecology will check another source to determine the breakdown of number, location, and type of exempt wells in King County.*

## **5. Gleaning Solutions from Earlier Efforts (that addressed same questions)**

- Members suggested documentation from past efforts that could be reviewed as possible resources for this committee's efforts:
  - Documentation from a DOH Small Water Systems Committee that met in the late 1980s and early 1990s.
  - Groundwater management studies.

**Action Items for May 16 meeting:**

- *PHSKC will provide copies of the documentation from a DOH Small Water Systems Committee.*
- *DNRP will provide documentation of the groundwater management studies.*
- *All members will send emails to the group if they think of other resources.*

**Agenda Item for May 16 meeting:** *Discussion of available resources.*

- It was also suggested that people on the committee can serve as resources for information on undocumented tools, policies, and procedures.

## **6. Incorporate Issues List into Workplan and Charter**

- Members were given a sample Workplan/Charter. A couple committee members thought that combining the Workplan and Charter was a good idea but that they need time to review and comment on the handout.

**Action Items:** *By May 1, members will review the sample Workplan/Charter and send their comments via email (using Track Changes) to all other members. By May 8, members will be sent a revised draft of the Workplan/Charter (Track Changes) for review before the May 16 meeting.*

**Agenda Item for May 16 meeting:** *Discuss revised draft of the Workplan/Charter.*

- Members briefly discussed the purpose and objectives of this committee. It was suggested that the Workplan/Charter state how the committee’s purpose and objectives relate to those of the regional water supply planning effort. Another member suggested that the purpose of the committee is to evaluate current policies and practices in regard to small water systems and to compare them for compatibility and viability with approved regulations. It was also suggested that the committee needs to determine whether there are real questions and issues and then set priorities.
- A question was raised regarding the Committee’s operating definition of small systems. Members referred to the first Committee meeting, in which it was decided to define small systems as Group As with less than 100 connections and all Group Bs and individual wells.

## 7. Next Steps

- Members brought up other questions and items for discussion at the **next meeting on May 16:**
  - Is the list of issues complete? What are the priorities?
  - Is the committee identifying problems that members can solve? Should other stakeholders be at the table? Should the committee expand or should it restrict its scope to issues that current members can address? One suggestion is to hold a mid-course public meeting to connect with other stakeholders.  
*Action Item: Members can include ways to connect with other stakeholders in their comments on the draft Workplan/Charter.*
  - A member suggested that the driver of the whole process is the ability of systems to provide safe and reliable water.
  - Should exempt wells be in the committee’s scope?
  - The committee needs to coordinate with other technical committees, such as small tributaries and source exchange.  
*Action Item: Members can include ways to coordinate with other committees in their comments on the draft Workplan/Charter.*

**Abbreviations:** DOH—Washington State Department of Health, DNRP—King County Department of Natural Resources and Parks, Ecology—Washington State Department of Ecology, PHSKC—Public Health–Seattle and King County, CWSP—Coordinated Water System Plan, SPU—Seattle Public Utilities.