

Small Water Systems Technical Committee

9:30-12:30, October 30, 2006

Seattle KC Public Health Eastgate

Facilitator: Tamie Kellogg, Kellogg Consulting

Meeting Summary Notes

1. Introductions – Housekeeping

- The Committee approved the October 9 meeting summary notes.
- Members who also serve on the Source Exchange Strategies and Tributary Streamflow technical committees gave updates on the work of these two committees. One member did not see any connection with this work and the work of the Small Water Systems (SWS) Committee. Some members would like to hear presentations from these committees at a future SWS Committee meeting. Bill Lasby suggested that he could focus on the critical areas identified by the Tributary Streamflow Committee in his Group B water quantity data collection efforts.
- PHSKC did not have the opportunity to learn more about the group composed mainly of local health agencies that was recently convened by Ecology to address exempt wells. KCDNRP believes that this group was set up to tackle exempt well issues that came up in the watershed planning effort—issues such as acceptable uses of these wells and whether to allow in them in specific basins.

Agenda Item for November meeting: PHSKC, KCDNRP, and DOH will research the purposes, membership, and other characteristics of this group and report their findings to the committee.

2. Update: Coordination Committee Presentation

- Larry Fay summarized the SWS Committee presentation that he gave at the October 24 meeting of the Coordinating Committee. The presentation included the challenges that the SWS Committee faces and the data collected so far. Larry and others who attended the meeting felt that the Coordinating Committee did not give clear direction on next steps or how long the SWS Committee should continue. One member asked if the fate of the SWS Committee would be decided at the next Executive Committee meeting. Kaleen Cottingham said the Executive Committee was slated to discuss the connectivity between technical committees at its November 6 meeting and that it would be up to the Coordinating Committee to make decisions about any direction for the SWS Committee.

Members thought that given the lack of clear direction, it's up to the SWS Committee to decide on how to proceed and that "a year-end" SWS Committee report would help the Coordinating Committee better understand SWS Committee efforts and issues.

3. Next Steps

- Some members of the subcommittee that met to refine the committee-generated list of small water system questions and issues (Q/I's) described their work to the full committee. The materials developed by the subcommittee consisted of a refined list of Q/I's and a matrix. The matrix was developed as a tool to help the committee to determine Q/I priorities.
- The committee agreed that the refined Q/I list, with some additions, could be used as a starting point for prioritizing Q/I's. The additions were as follows (also see Attachment A to this summary):
 - Add “other” to Q/I 1.1 (“other” disincentives).
 - Add “timely and reasonable” and “duty-to-serve” in parentheses after Q/I 1.5 (legal issues).
 - Add “effects on instream flows” in parentheses after Q/I 3.1 (hydrologic continuity/resources).
 - Add a new Q/I 4.3: “receivership.”

Action Item for November meeting: Cathie Scott will revised the refined Q/I list and distribute to members.
- Tamie read the purpose statement from the SWS Committee's charter/workplan so that when setting priorities, members could review each Q/I's relevance to the purpose.
- Before setting priorities, the committee discussed how they would tackle their prioritized list. Some members suggested that the committee pick a few Q/I's to discuss and document in 2007 and that in the meantime, they produce a summary report on work completed in 2006. Others felt that the Coordinating Committee needs to see some demonstrated progress on a few issues in 2006. The committee decided to set priorities with the intent that they would start to work on the top issues during the remaining two meetings in 2006 and to continue into the first three months in 2007. The SWS Committee decided to use voting as a way to determine priorities in lieu of a tool such as the matrix that the subcommittee presented.
- Members voted on Q/I's on the refined list (three votes per member). The outcome is shown in Attachment A. The Q/I's with the most votes were Q/I 1.5 (11 votes)—legal structure issues (“timely and reasonable” and “duty-to-serve”) in Group A service areas—and Q/I's 4, 4.1, and 4.2 (6 votes each)—how to better understand and address enforcement issues for small systems. Members agreed to address these Q/I's as follows:
 - A subcommittee will discuss and report on Q/I's 4.1 and 4.2, with a focus on Group B systems.
 - The full committee will discuss and report on “timely and reasonable” first and then “duty-to-serve” for large Group A systems. (The committee acknowledged that it may be difficult to separate the discussions because the two topics are so closely related.)
 - After Q/I's 4.1 and 4.2 have been addressed, the committee will address Q/I 4.3, receivership, for both Group B and small Group A systems.

Action Items for November meeting:

- *Dave Monthie, Bill Lasby, Sheri Miller, Larry Fay, and Craig Shuck will meet to discuss Q/I's 4.1 and 4.2 and will report on their discussion at the November meeting.*
- *Dave Monthie and Bill Lasby will prepare a presentation on King County's policy preferences and perspectives regarding "timely and reasonable."*
- *Don Wright and Ron Sheadel will prepare a presentation on large Group A systems' policy preferences and perspectives regarding "timely and reasonable."*
- *Dave Monthie will bring information on past UTRC "timely and reasonable" rulings.*
- *Sheri Miller will prepare a presentation on DOH's latest thinking on "timely and reasonable" rule-making.*

Agenda Items for November meeting:

- *Subcommittee presentation on Q/I 4.1 and 4.2 discussion.*
- *King County, DOH, and utility presentations on "timely and reasonable".*

4. Committee Year-End Report

- The committee agreed that it will produce a short progress report on work done in 2006. The report will include information collected as a part of the Ecology-funded projects and other products completed to date, such as the *Summary of Presentations and Handouts*. It will also include a "next steps" discussion.

Action Item for November meeting: Cathie Scott will prepare a writing/production schedule for the report.

5. Next Meetings

- The committee agreed to meet on November 27 and December 11, 2006.
Action Item for November meeting: Tamie will send members a list of proposed meeting dates through March 2007.

Agenda Item for November meeting: Discuss placeholder proposal to use remaining \$10,000 in Ecology funds for this committee.

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, MWL—Municipal Water Law, SPU—Seattle Public Utilities, UTRC—Utilities Technical Review Committee, WLRD—Water and Land Resources Division within King County DNRP.

Attachment A

Draft Summary Notes, October 30 Small Water Systems Committee Meeting

Small Water System Questions/Issues (refined)

Votes	Question/Issue
1	1. How to Cost-Effectively and Efficiently Serve Customers in Group A Service Areas
3	1.1 Other disincentives
0	1.2 Water rights
0	1.3 Financial obligation
1	1.4 Land use policies/design standards
11	1.5 Legal structure (timely and reasonable; duty to serve)
0	2. How to Cost-Effectively and Efficiently Manage Group B and Small Group A Systems
0	2.1 Management practices (volunteer; turnover rate)
2	2.2 Lack of water use data
1	2.3 Satellite management: standards/best practices
4	3. How to Better Understand and Address Increase in Exempt Wells and Their Impacts
1	3.1 Hydrologic continuity/resources (effects on instream flows)
0	3.2 ESA/other regulations (GMA, land use)
0	3.3 Perceived low cost
0	3.4 Interference with senior water rights
6	4. How to Better Understand and Address Enforcement Issues for Small Systems
6	4.1 Water quality and sampling violations
6	4.2 Enforcement
3	4.3 Receivership
1	5. How to Address Lack of Adequate Funding
0	5.1 Regulatory agencies
2	5.2 Group A absorption of small systems
??	5.3 Private systems
1	6. How Small Water System Issues Relate to the Overall Water Delivery System

Notes:

Highlighting indicates additions made by the committee at the October 30 meeting.

?? Item 5.3 was on the original subcommittee list, but was inadvertently omitted from the list on the flipchart that was used for voting at the meeting.