

# Coordination of Water Resources with Public Water Systems

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Doug Rushton, Department of Ecology

Deana Taylor, Department of Health

# Mission

Department of Ecology:  
Support sustainable water resources management to meet the present and future water needs of people and the natural environment, in partnership with Washington communities.



Department of Health:  
Protect the public health of the people of Washington state by assuring safe and reliable drinking water



# Coordination between Health & Ecology

- Water rights review in DOH documents
- Water rights place of use expansion in DOH documents
- Expediting water rights review for public health & safety concerns
- Water use efficiency in water right documents

# Water Rights Review in Planning & Engineering Documents

Ecology will review:

- Water system plans
- Small water system management programs
- Engineering documents for:
  - Source approvals
  - Increase in number of approved connections
  - New water system approvals

# Process for Water Rights Review

- DOH sends document to Ecology
- Ecology reviews & comments to DOH & water system
- Water system responds to Ecology comments

# Process for Water Rights Review (cont'd)

- DOH approves document
- DOH bases capacity analysis on water system's physical and water right analysis

# Water Rights Compliance

If water system & Ecology disagree:

- DOH will note concern in approval letter
- Ecology will provide technical assistance
- If still disagreement, Ecology may issue enforcement
- DOH will support Ecology's enforcement

# Expanding Place of Use through DOH Approved Document

Applicable DOH approved documents:

- Water system plan
- Small water system management program
- Coordinated water system plan
- Engineering document

# Expanding Place of Use through DOH Approved Document (cont'd)

Factors which must be met:

- Must be “not inconsistent” with local plans & development regulations
- Must be “not inconsistent” with approved or adopted watershed plans
- Must be in compliance with the terms of the water system plan or small water system management program

# “Not Inconsistent” with Local Plans & Regulations

- DOH will make determination
- Applies to comprehensive plans, land use plans, and development regulations
- DOH developing rules, finalize by end of 2007

# “Not Inconsistent” with Local Plans & Regulations (cont’d)

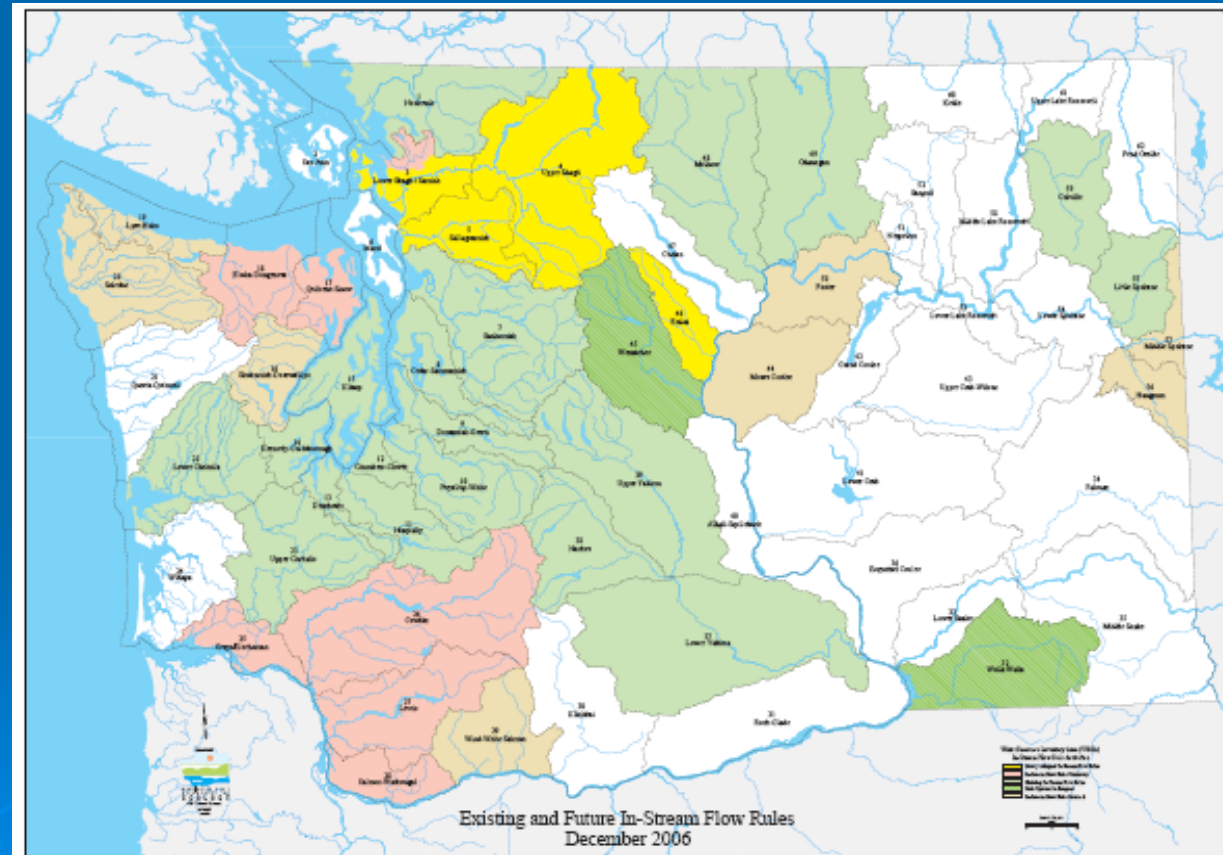
- Water system requests local government to determine consistency within 60 days
- DOH will request water system & local government work out any disputes

# “Not Inconsistent” with Local Plans & Regulations (cont’d)

- If local government does not respond, water system may sign off on consistency
- DOH will make final consistency determination

# “Not Inconsistent” with Watershed Plans

- Ecology will make determination
- Applies to approved or adopted watershed plans



# In Compliance with Terms of Planning Document

Applies to following elements:

- Plan approval date
- Water use efficiency
- Service area identification
- Local government consistency
- Evaluation of reclamation (> 1,000 connections)
- Water rights

# In Compliance with Terms of Planning Document (cont'd)

Compliance will be determined when:

- DOH approves plan/engineering document
- DOH approves engineering document approval affecting an applicable element
- DOH or Ecology receives a verifiable reasonable concern

# In Compliance with Terms of Planning Document (cont'd)

If compliance/inconsistency concern with specified element is raised:

- Agency will notify water system
- Water system must respond to concern

# In Compliance with Terms of Planning Document (cont'd)

- If compliance or inconsistency is unresolved, agencies will use existing enforcement authorities
- Agencies will begin with technical assistance and use increasing enforcement as needed.

# Expediting Water Rights Review

- May expedite if public health & safety concern
- Upon request, DOH will determine if public health & safety concern exists
  - System is failing or in danger of meeting DOH standards for quantity or quality
  - Do not consider growth a health and safety concern

# Expediting Water Rights Review (cont'd)

- If public health and safety concern, DOH will notify Ecology in writing
- Ecology will determine if can expedite
- Ecology will consult with DOH in making determination
- Ecology will expedite review

# Water Use Efficiency and Water Rights

- Water systems must follow DOH's water use efficiency requirements
- In rare situations, Ecology may include more stringent water use efficiency requirements as water right conditions
- Will consult with DOH in those situations

# Next Steps

- Finalize Memorandum of Understanding (May 2007) **(hoping to remove)**
- Train staff (May – June 2007)
- Develop additional guidance (June – July 2007)
- Designate agency liaisons to resolve other water resource concerns

# Ecology

## Interpretive and Policy Statement

### Important Concepts

- Describes what we think the law means and how we intend to implement
- Defining what qualifies as “municipal”
- “Once a muni, always a muni?” - No

# Web sites

Water Resources Program  
Municipal Water Law information:

<http://www.ecy.wa.gov/programs/wr/wrhome.html>

Includes:

1. The Municipal Water Law
2. Interpretive and Policy Statement
3. Law suit information
4. MOUs
5. And more

# Questions?

# For More Information

Doug Rushton, Department of Ecology  
360-407-6513 or [drus461@ecy.wa.gov](mailto:drus461@ecy.wa.gov)

Deana Taylor, Department of Health  
360-236-3186 or [deana.taylor@doh.wa.gov](mailto:deana.taylor@doh.wa.gov)