Meetings of the Board of Commissioners are now hybrid meetings. The public is welcome to attend in-person at the District Office or remotely through the Zoom meeting platform.

Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join. https://us02web.zoom.us/j/89073843526

Or join by phone:
Dial(for higher quality, dial a number based on your current location):
US: +1 253 205 0468 or +1 253 215 8782 or +1 669 900 6833 or +1 719 359 4580 or +1 346 248 7799 or +1 669 444 9171 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 931 3860 or +1 689 278 1000 or +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325
Webinar ID: 890 7384 3526
International numbers available: https://us02web.zoom.us/u/kbPTdGwQoo

<table>
<thead>
<tr>
<th>Estimated Time</th>
<th>Minutes Allocated</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>03:30 PM</td>
<td>1</td>
<td>CALL TO ORDER</td>
</tr>
<tr>
<td>03:31 PM</td>
<td>1</td>
<td>APPROVAL OF AGENDA</td>
</tr>
<tr>
<td>03:32 PM</td>
<td>3</td>
<td>PUBLIC COMMENTS</td>
</tr>
<tr>
<td>03:35 PM</td>
<td>5</td>
<td>CONSENT AGENDA</td>
</tr>
<tr>
<td>A</td>
<td></td>
<td>Resolution Authorizing Designated District Employees as Signators of the Bank of America Depository Account</td>
</tr>
<tr>
<td>B</td>
<td></td>
<td>Resolution Authorizing Designation of Certain District Staff to Execute Documents relating to the District Section 125 Flexible Benefits Plan</td>
</tr>
<tr>
<td>C</td>
<td></td>
<td>2021-2022 Asphalt Patch &amp; Casting Adjustment - Final Acceptance Resolution of Construction Contract with Lakeside Industries</td>
</tr>
<tr>
<td>D</td>
<td></td>
<td>Nevin 219th Ln SE Sewer Extension - DEA Termination Resolution - Parcel 0424069103</td>
</tr>
<tr>
<td>03:40 PM</td>
<td>45</td>
<td>ACTIVE AGENDA</td>
</tr>
<tr>
<td>A</td>
<td></td>
<td>Review of Rate Setting Initiatives - Capital Replacement Reserve Calculations</td>
</tr>
<tr>
<td>B</td>
<td></td>
<td>Review of On-Call Staffing and Vehicle Use Policy</td>
</tr>
<tr>
<td>C</td>
<td></td>
<td>Lead and Copper Rule Overview Presentation</td>
</tr>
<tr>
<td>D</td>
<td></td>
<td>Discussion of Cross Connection Control Program and Administration</td>
</tr>
<tr>
<td>E</td>
<td></td>
<td>Discussion of East King County Regional Water Association Water Rights Application</td>
</tr>
<tr>
<td>Estimated Time</td>
<td>Minutes Allocated</td>
<td>Reports</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>06:25 PM</td>
<td>5</td>
<td>Attorney</td>
</tr>
<tr>
<td>06:30 PM</td>
<td>5</td>
<td>General Manager</td>
</tr>
<tr>
<td>06:35 PM</td>
<td>10</td>
<td>Commissioner</td>
</tr>
</tbody>
</table>

06:45 PM  ADJOURN

Next Regular Meeting - Monday, May 1, 2023
Public Comments

Verbal Comments:
Limited to three minutes per person or five minutes per group.

For those attending remotely, Zoom instructions are available on the District’s website: https://spwater.org/371/Board-Meetings.

Written Public Comments:
Emailed to administration@spwater.org no later than 12:00 p.m. the date of the meeting. Note “Public Comment” and the meeting date in the Subject field of the email.
Consent Agenda
Consent Agenda

Item A
Subject: Resolution authorizing and approving designated District employees as signators of the Bank of America depository account.

Date: April 17, 2023

Staff Contact: Jay Krauss

Approved by:
Department Manager
Finance Manager
General Manager

INTRODUCTION:

The Bank of America requires that the District designate employees who are authorized to make withdrawals from District accounts and to provide the signatures of such employees. Authorization of the Board of Commissioners via resolution is necessary to designate the District’s signatories.

BACKGROUND:

The Bank of America, Pine Lake Branch, is the designated depository account for the District. Currently John C. Krauss, Jay Regenstreif, Arum Kwon, and Steve Paige serve as the District’s authorized signers and their signature card is on file with the Bank.

The District needs to update the authorized account signers to remove Steve Paige as an authorized signer. The proposed resolution maintains John C. Krauss, Jay Regenstreif, and Arum Kwon as authorized signers.

Following approval of the proposed resolution, District staff will contact the Bank of America and take the steps necessary to update the signature cards on file with the Bank.

OPTIONS:

1. Approve the resolution designating John C. Krauss, Jay Regenstreif, and Arum Kwon as District authorized signers of the Bank of America depository account.

2. Reject the proposed resolution or modify the designated District staff.

STAFF RECOMMENDATIONS:

Approve the resolution designating John C. Krauss, Jay Regenstreif, and Arum Kwon as District authorized signers of the Bank of America depository account.

ATTACHMENTS:

- Proposed Resolution
SAMMAMISH PLATEAU WATER & SEWER DISTRICT
KING COUNTY, WASHINGTON

RESOLUTION NO. ________________

RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, AUTHORIZING AND APPROVING DESIGNATED DISTRICT EMPLOYEES AS SIGNATORS OF THE BANK OF AMERICA DEPOSITORY ACCOUNT.

WHEREAS, the Sammamish Plateau Water & Sewer District ("District") receives funds that need to be secured before distribution as provided by law; and

WHEREAS, the Bank of America, Pine Lake Branch ("Bank"), is qualified and conveniently located to the District to act as a depository for current funds; and

WHEREAS, the Bank requires that the District designate District personnel who are authorized to make withdrawals from District accounts with the Bank and to provide the signatures of such personnel to be placed in the Bank’s files for reference; and

WHEREAS, the Bank’s non-interest bearing accounts allow for the transfer of funds daily to the King County Treasurer’s office; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. Bank of America, Pine Lake Branch, is hereby designated as the depository for funds of the Sammamish Plateau Water & Sewer District.

2. District employees John C. Krauss, General Manager, Joyce Regenstreif, Planning Engineer and Arum Kwon, Assistant Finance Manager, are authorized to and shall deposit or cause to be deposited all funds received by the District into the Bank for further distribution according to District resolutions and the laws of the State of Washington.

3. District employees John C. Krauss, General Manager, Joyce Regenstreif, Planning Engineer and Arum Kwon, Assistant Finance Manager, are designated and authorized as signators on the District’s depository account(s) and shall provide and establish signature cards as required by the Bank.

4. This resolution shall supersede and replace any prior resolutions dealing with a District depository and all such prior resolutions are hereby repealed.
ADOPTED by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 17th day of April, 2023.

**Individual Commissioner’s Vote on this Resolution:**

<table>
<thead>
<tr>
<th>Approved:</th>
<th>Opposed:</th>
<th>Abstained:</th>
<th>Absent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Lloyd Warren, President and Commissioner

<table>
<thead>
<tr>
<th>Approved:</th>
<th>Opposed:</th>
<th>Abstained:</th>
<th>Absent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ryika Hooshangi, Vice President and Commissioner

<table>
<thead>
<tr>
<th>Approved:</th>
<th>Opposed:</th>
<th>Abstained:</th>
<th>Absent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mary Shustov, Secretary and Commissioner

<table>
<thead>
<tr>
<th>Approved:</th>
<th>Opposed:</th>
<th>Abstained:</th>
<th>Absent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Tom Harman, Commissioner

<table>
<thead>
<tr>
<th>Approved:</th>
<th>Opposed:</th>
<th>Abstained:</th>
<th>Absent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Nav Otal, Commissioner
INTRODUCTION:

The Section 125 Flexible Benefit Plan (Plan) requires the District to identify staff which are authorized to execute plan documents and amendments. Authorization of the Board of Commissioners via resolution is necessary to update the designated District signatories.

BACKGROUND:

The District previously elected to participate in the Section 125 Flexible Benefit Plan for the benefit of employees by adoption of Resolution No. 1547 on March 15, 1993.

Resolution No. 5176, adopted by the Board of Commissioners on February 27, 2023, designated John C. Krauss, General Manager; Steve Paige, Finance Manager; and Jay Regenstreif, Planning Engineer; as the current set of authorized signers on behalf of the District.

The proposed resolution removes Steve Paige and maintains John C. Krauss and Jay Regenstreif as authorized signers.

OPTIONS:

1. Approve the resolution designating John C. Krauss, and Jay Regenstreif as District authorized signers to the Plan.

2. Reject the proposed resolution or modify the designated District staff.

STAFF RECOMMENDATIONS:

Approve the resolution designating John C. Krauss and Jay Regenstreif as District authorized signers to the Plan.

ATTACHMENTS:

- Proposed Resolution
WHEREAS, Sammamish Plateau Water & Sewer District (“District”) in its capacity as employer (“Employer”) previously elected to participate in a Section 125 Flexible Benefit Plan (“Plan”) for the benefit of District employees by the adoption of Resolution No. 1547 on March 15, 1993; and

WHEREAS, the District Board of Commissioners in Resolution No. 5176 designated and authorized District employees John C. Krauss, Jay Regenstreif, and Steve Paige to execute documents relating to the plan and any amendments thereto as representatives of the Employer; and

WHEREAS, the District Board of Commissioners now desires to designate and authorize certain District employees to execute documents relating to the Plan and any amendments thereto as representatives of the Employer; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. Effective the date set forth below, John C. Krauss, District General Manager, and Jay Regenstreif, District Planning Engineer, are hereby designated and authorized to execute documents relating to the Plan and any amendments thereto as representatives of the Employer.

2. All District resolutions, policies and procedures, including Resolution No. 5176, are hereby modified and/or suspended to be in accordance with the provisions of this resolution.
**ADOPTED** by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 17th day of April, 2023.

**Individual Commissioner's Vote on this Resolution:**

<table>
<thead>
<tr>
<th>Approved:</th>
<th></th>
<th>Lloyd Warren, President and Commissioner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abstained:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absent:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Approved:</th>
<th></th>
<th>Ryika Hooshangi, Vice President and Commissioner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abstained:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absent:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Approved:</th>
<th></th>
<th>Mary Shustov, Secretary and Commissioner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abstained:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absent:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Approved:</th>
<th></th>
<th>Tom Harman, Commissioner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abstained:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absent:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Approved:</th>
<th></th>
<th>Nav Otal, Commissioner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abstained:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absent:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Consent Agenda

Item C
INTRODUCTION:
District Staff is seeking a resolution granting Final Acceptance to the 2021-2022 Asphalt Patch & Casting Adjustment project with Lakeside Industries.

POLICY:
N/A

BACKGROUND:
On April 19, 2021 the District awarded the 2021-2022 Asphalt Patch & Casting Adjustment project to Lakeside Industries with resolution number 5022, for their bid of $130,651.00 excluding sales tax. As of December 7, 2023 the work has been completed and accepted by District Staff. At this time District Staff is seeking Final Acceptance of the construction project.

BUDGET STATUS:
Summary Request of Budget Modification
N/A

Project Budget Summary
The Work was included in the 2021 and 2022 Budget under the Operations Fund, in both Water Mains & Appurtenances, and Sewer Mains & Appurtenances, as Casting Adjustments & Overlays.

FISCAL IMPACT:
None

OPTIONS:
The Board of Commissioners’ grant by resolution Final Acceptance of the 2021-2022 Asphalt Patch & Casting Adjustments Project with Lakeside Industries.

STAFF RECOMMENDATIONS:
District staff recommends that the Board of Commissioners grant by resolution Final Acceptance of the construction contract known as the 2021-2022 Asphalt Patch & Casting Adjustments Project with Lakeside Industries.

ATTACHMENTS:
- Resolution of Award
RESOLUTION NO. ________________

RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, GRANTING FINAL ACCEPTANCE OF THE CONSTRUCTION CONTRACT TITLED THE 2021-2022 ASPHALT PATCH & CASTING ADJUSTMENT CONTRACT WITH LAKESIDE INDUSTRIES.

WHEREAS, the Board of Commissioners entered into a Capital Improvement Project titled the 2021-2022 Asphalt Patch & Casting Adjustment Project ("Contract") on April 19, 2021 by Resolution Number 5022; and

WHEREAS, District staff has recommended that the 2021-2022 Asphalt Patch & Casting Adjustment Project be granted Final Acceptance; now therefore,

BE IT RESOLVED, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. The 2021-2022 Asphalt Patch & Casting Adjustment Project is hereby granted Final Acceptance.

ADOPTED by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 17th day of April 2023.

Individual Commissioner's Vote on this Resolution:

Approved: ___________________________  Lloyd Warren, President and Commissioner
Opposed: ___________________________
Abstained: __________________________
Absent: ____________________________

Approved: ___________________________  Ryika Hooshangi, Vice President and Commissioner
Opposed: ___________________________
Abstained: __________________________
Absent: ____________________________

Approved: ___________________________  Mary Shustov, Secretary and Commissioner
Opposed: ___________________________
Abstained: __________________________
Absent: ____________________________

Approved: ___________________________  Tom Harman, Commissioner
Opposed: ___________________________
Abstained: __________________________
Absent: ____________________________

Approved: ___________________________  Nav Otal, Commissioner
Opposed: ___________________________
Abstained: __________________________
Absent: ____________________________
Consent Agenda

Item D
INTRODUCTION:
Ruth and Randy Nevin, the developers and owners of the Nevin 219th Ln SE Sewer Extension Developer Extension Agreement (DEA) have requested that the DEA be terminated and canceled. The developers have decided not to proceed with the sewer main extension due to not being able to obtain an easement from a neighboring property owner. The DEA consists of 0 ERUs for water and 1 ERU for sewer. The property has 1 existing ERU for water.

POLICY:
When a Developer Extension Agreement (DEA) is initiated, the District requires the payment of:
- Development Services Deposit (pay either with Water or Sewer Phase)
  - $5,000.00 for Single Family Short Plat (1-9 Lots)
  - $10,000.00 for all other Projects
- Partial General Facility Charges = $1,000.00 per Water ERU and $1,000.00 per Sewer ERU

Provisions for refunds within the DEA, due to DEA termination are repeated here, in part:

WS-55 DEVELOPER EXTENSION AGREEMENT TERMINATION
B. Initiated by the Developer
Should the Developer request that the Developer Extension Agreement be terminated before its completion, the District will consider and may approve such request on the condition that 1) all District fees such as Engineering, administrative and legal relating to the Agreement be paid in full, and 2) as otherwise conditioned by the District such as the completion of a portion of the extension improvements.

The District shall reimburse connection fees and charges paid by the Developer pursuant to this Developer Extension Agreement, up to a maximum of $500 per Equivalent Residential Unit for water and up to $500 per Equivalent Residential Unit for sewer, to the extent that such fees and charges have not been used, committed to or the collection of such relied upon for the planning, facilities construction, etc. by the District.

BACKGROUND:
The District entered into a DEA for the proposed development of Nevin 219th Ln SE Sewer Extension, which is a sewer main extension with Ruth and Randy Nevin by Resolution 5181 on March 6, 2023. The project received Certificate(s) of Water and Sewer Availability dated March 7, 2023. The project represents 0 ERUs for water and 1 ERU for sewer. The property has 1 existing ERU for water.

Under the DEA, the proponents have paid the following fees:
- General Facility Charge Payments:
  - Partial Water General Facility Charges ("GFCs") payment: $1,000/ERU x 0 ERUs = $0.00
Partial Sewer General Facility Charges ("GFCs") payment: $1,000/ERU x 1 ERU = $1,000.00

**Budget Status:**
NA

**Fiscal Impact:**

**General Facility Charges**

When the District issues a Certificate of Water and/or Sewer Availability there is an expectation that service for the project will be requested within the following 1 to 5 years. The District must then ensure that the facilities required to provide this service are in place prior to the actual request for service. The District Water and Sewer General Facility Charges are used to fund construction of the major water and sewer facilities.

If the District has relied upon the General Facility Charges collected with a project to fund construction of water and/or sewer facilities based on the expectation that service would be requested, the money may not be available for reimbursement.

**Options:**
The Board may consider refunding a portion of the General Facility Charges paid at a rate between $0 and $500 per ERU for water and sewer.

**Staff Recommendations:**

Refund
$500.00/ERU of the Water General Facility Charge amount paid, equal to $0.00
$500.00/ERU of the Sewer General Facility Charge amount paid, equal to $500.00

Credit
The un-refunded Water General Facility Charge of $0.00
The un-refunded Sewer General Facility Charge of $500.00

Against Tax Parcel 0424069103 for credit against any future payment of Sewer General Facility Charge respectively.
The credit is a credit in dollars and not of Equivalent Residential Units.

**Attachments:**

- Map indicating Nevin 219th Ln SE Sewer Extension.
- Proposed Resolution to adopt termination of DEA.
RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, AUTHORIZING AND APPROVING TERMINATING THE DEVELOPER EXTENSION AGREEMENT FOR THE

NEVIN 219TH LN SE SEWER EXTENSION

WHEREAS, Sammamish Plateau Water and Sewer District ("District") entered into a Water and Sewer Developer Extension Agreement ("DEA") for 0 Water Equivalent Residential Units ("ERU's") and 1 Sewer ERU with Ruth and Randy Nevin, by Resolution No. 5181 on March 6, 2023; and

WHEREAS, Ruth and Randy Nevin previously paid $0.00 for Water and $1,000.00 for Sewer to the District totaling $1,000.00 for 0 Water ERU's and 1 Sewer ERU as partial payment of the Water and Sewer General Facilities Charges (GFC's) owing the District for the DEA; and

WHEREAS, Ruth and Randy Nevin have requested that the District cancel and terminate the DEA; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. The Developer Extension Agreement for the Nevin 219th Ln SE Sewer Extension, as referenced above, is hereby terminated and canceled, and partial GFC'S shall be refunded to Ruth and Randy Nevin in the amount of

   $0.00 of the $0.00 paid for Water GFC's and
   $500.00 of the $1,000.00 paid for Sewer GFC's

2. Provided the non-refunded balance of the partial GFC's of

   $0.00 for Water and $500.00 for Sewer

   shall be applied as a credit against future Water and Sewer GFC's if the property which was subject of the DEA is connected to the District's Water and Sewer system.
ADOPTED by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 17th day of April 2023.

Individual Commissioner’s Vote on this Resolution:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approved:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Opposed:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Abstained:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Absent:</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signed:

Lloyd Warren, President and Commissioner

Ryika Hooshangi, Vice President and Commissioner

Mary Shustov, Secretary and Commissioner

Tom Harman, Commissioner

Nav Otal, Commissioner
EXHIBIT A

REAL PROPERTY DEPICTION
NEVIN 219TH LN SE SEWER EXTENSION
TAX PARCEL 0424069103
Active Agenda
Active Agenda
Item A

Review of Rate Setting Initiatives – Capital Replacement Reserve Calculations
The Board has provided a number of objectives to staff to incorporate in a review of rate setting and rate structure review. One of the initiatives provided to staff is to revisit impacts of Rehabilitation and Replacement (R&R) funding on rates. Evaluate the projected level of R&R expenses on rates and develop potential alternative strategies/policies to mitigate excessively high contributions and rate spikes.

Staff has begun work on addressing all of the objectives provided by the Board, and anticipates a number of future presentations prior to adopting the 2024 Budget and adjusting revenue requirements. Staff has completed an initial review of the impacts of R&R funding on rates and will be providing a presentation to the Board on a number of alternatives that will be incorporated into the future work related to other rate setting initiatives. The presentation will include initial discussion of inflation factors used to adjust R&R calculations, alternatives and associated impacts, and potential use of rolling averages for establishing R&R appropriations. A copy of the PowerPoint is included in the packet for review prior to the meeting.

ATTACHMENTS:

- Rate Review Initiatives PowerPoint.
Further implement Cost Of Service Analysis with focus on rate structure

Revisit conservation oriented rate structure using AMI data to capture water costs impacted by peak season usage

Regarding water rate structure, consider opportunities and new emerging approaches made possible by AMI and synchronous billing

Review general assumptions being used in rate model

Revisit impacts of R&R funding on rates. Evaluate the projected level of R&R expenses on rates and develop potential alternative strategies/policies to mitigate excessively high contributions and rate spikes
Why National CCI???

- Tracks the changes using data for 20 cities across the United States.
- More elements considered
- Smoother trend

Is it more accurate to use an index that is closest to my home city?

No. The 20-city average index is generally more appropriate. Because it has more elements, it has a smoother trend. Indexes for individual cities are more susceptible to price spikes.
# ENR / CCI Rate

<table>
<thead>
<tr>
<th>YEAR</th>
<th>SEATTLE CCI</th>
<th>NATIONAL CCI</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>4.79%</td>
<td>1.80%</td>
<td>2.99%</td>
</tr>
<tr>
<td>2020</td>
<td>0.90%</td>
<td>1.50%</td>
<td>-0.60%</td>
</tr>
<tr>
<td>2021</td>
<td>8.40%</td>
<td>5.90%</td>
<td>2.50%</td>
</tr>
<tr>
<td>2022</td>
<td>11.40%</td>
<td>8.20%</td>
<td>3.20%</td>
</tr>
</tbody>
</table>
As of 2022 total water asset replacement value have been over inflated by 5%.

<table>
<thead>
<tr>
<th>Year</th>
<th>Seattle ENR / CCI</th>
<th>National ENR / CCI</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$772,737,880</td>
<td>$769,972,180</td>
<td>$2,765,700</td>
</tr>
<tr>
<td>2020</td>
<td>$781,414,000</td>
<td>$783,252,840</td>
<td>($1,838,840)</td>
</tr>
<tr>
<td>2021</td>
<td>$849,323,000</td>
<td>$831,834,800</td>
<td>$17,488,200</td>
</tr>
<tr>
<td>2022</td>
<td>$948,970,980</td>
<td>$903,433,910</td>
<td>$45,537,070</td>
</tr>
</tbody>
</table>
Overall $639,000 or 2.16% more contributed in Water CRR with Seattle CCI
Water 2.32% Rate Adjustment = $410,000
As of 2022, total sewer asset replacement value have been overvalued by 5%.

<table>
<thead>
<tr>
<th>Year</th>
<th>Seattle ENR / CCI</th>
<th>National ENR / CCI</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$386,479,000</td>
<td>$385,861,150</td>
<td>$617,850</td>
</tr>
<tr>
<td>2020</td>
<td>$394,107,000</td>
<td>$395,827,090</td>
<td>$(1,720,090)</td>
</tr>
<tr>
<td>2021</td>
<td>$430,680,000</td>
<td>$422,688,200</td>
<td>$7,991,800</td>
</tr>
<tr>
<td>2022</td>
<td>$482,859,450</td>
<td>$460,716,990</td>
<td>$22,142,460</td>
</tr>
</tbody>
</table>
Overall $324,000 or 2.08% more contributed in Sewer CRR with Seattle CCI
Sewer 2.47% Rate Adjustment = $193,000
<table>
<thead>
<tr>
<th>Year</th>
<th>Seattle ENR</th>
<th>National ENR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ENR</td>
<td>3 Yr</td>
</tr>
<tr>
<td>2018</td>
<td>7.1%</td>
<td>3.4%</td>
</tr>
<tr>
<td>2019</td>
<td>4.8%</td>
<td>4.4%</td>
</tr>
<tr>
<td>2020</td>
<td>0.9%</td>
<td>4.3%</td>
</tr>
<tr>
<td>2021</td>
<td>8.4%</td>
<td>4.7%</td>
</tr>
<tr>
<td>2022</td>
<td>11.4%</td>
<td>6.9%</td>
</tr>
</tbody>
</table>
Considerations moving forward:

- CCI rate to apply in future years to set annual CRR target
  - National CCI Vs Seattle CCI
    - Apply actual annual CCI
    - 3 year Rolling Average CCI
    - 5 year Rolling Average CCI

- Recalibration of Replacement Values
  - Reduce Replacement Values to reflect prior Seattle CCI impacts
  - Maintain current values until inflation catches up
  - Replacement value impacts rates

- Recalibration of R&R Contribution Levels
  - Apply surplus contributions to lower current year’s rates increase
  - Maintain current contribution level until inflation catches up

- More to come as other rate model work progresses
<table>
<thead>
<tr>
<th>YEAR</th>
<th>Seattle ENR / CCI</th>
<th>National ENR/CCI</th>
<th>3 yrs Rolling Avg with National CCI</th>
<th>5 yrs Rolling Avg with National CCI</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$7,064,000</td>
<td>$6,998,000</td>
<td>$7,012,000</td>
<td>$7,010,000</td>
</tr>
<tr>
<td>2021</td>
<td>$7,154,000</td>
<td>$7,158,000</td>
<td>$7,229,000</td>
<td>$7,257,000</td>
</tr>
<tr>
<td>2022</td>
<td>$7,727,000</td>
<td>$7,560,000</td>
<td>$7,433,000</td>
<td>$7,461,000</td>
</tr>
<tr>
<td>2023</td>
<td>$8,300,000</td>
<td>$7,890,000</td>
<td>$7,555,000</td>
<td>$7,517,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Seattle ENR / CCI</th>
<th>National ENR/CCI</th>
<th>3 yrs Rolling Avg with National CCI</th>
<th>5 yrs Rolling Avg with National CCI</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$3,683,000</td>
<td>$3,653,000</td>
<td>$3,655,000</td>
<td>$3,656,000</td>
</tr>
<tr>
<td>2021</td>
<td>$3,755,000</td>
<td>$3,749,000</td>
<td>$3,752,000</td>
<td>$3,790,000</td>
</tr>
<tr>
<td>2022</td>
<td>$4,093,000</td>
<td>$3,998,000</td>
<td>$3,927,000</td>
<td>$4,002,000</td>
</tr>
<tr>
<td>2023</td>
<td>$4,397,000</td>
<td>$4,204,000</td>
<td>$4,020,000</td>
<td>$4,001,000</td>
</tr>
</tbody>
</table>
Active Agenda
Item B

Review of On-Call Staffing and Vehicle Use Policy
INTRODUCTION:
As an outgrowth of the General Manager and Human Resources Manager’s initiatives to enhance employee retention, feedback solicited from water and sewer operations staff regarding issues impacting workload and employee retention. Feedback was received regarding the structure of the current on-call system, its impact on employees while on-call, and suggestions for revising the program in ways that would balance demands on employees while benefitting the District. Staff will be giving a presentation on a number of recommendations regarding the on-call structure and vehicle use policy.

BACKGROUND:
The District currently provides on-call staff for response to emergency and customer needs 24 hours a day, 365 days a year. Currently there is one Water Operations and one Sewer Operations staff member on-call. On-call staff leaves their personal vehicle at the District office, and takes a District vehicle home in order to provide immediate response should the need arise.

During the course of soliciting feedback from Operations staff, staff made a number of recommendations to the District which would balance the demands of on-call responsibilities with impacts on employees’ families and personal life. Generally, staff offered the following comments:

- On-call work requirements are disruptive to employees’ personal lives and families.
- On-call responsibilities at times cause stress and sleep deprivation when employees are called out during the night.
- When employees are required to leave their personal vehicle to be able to drive the on-call vehicle, it limits their flexibility to conduct personal business or transport family members while on-call.

To address some of these considerations, the staff made the following suggestions:

- As a result of growth in the Operations department and the division of the Water Team, it was recommended to add an additional on-call person to water in order to spread the on-call burden.
- Some elements of on-call currently assigned to the Sewer Team would be reassigned to a water on-call person to lessen the on-call responsibilities of Sewer staff.
- Provide additional flexibility for the use of the District’s on-call vehicle so that on-call staff can run personal errands and transport family members, if required.

Staff will be providing a presentation with additional details on the suggested changes for Board consideration. Proposed changes would require Board authorization to fund one additional on-call position and modification of the On-call Vehicle Use Policy.

FISCAL IMPACT:
The additional on-call position will cost about $27,000 per year plus cost of living adjustment. The prorated cost for 2023 is estimated to be $17,400.

ATTACHMENTS:
- On-call Presentation
District On-Call

In meeting with Operations Staff regarding Retention and Succession Planning, On-Call was an element that was widely brought up and potential changes that would benefit staff and District customers.
Current On-Call Structure

2 On-Call Personnel

- Water
  - Currently 7 of the 16 Water Department Staff are eligible to be on-call
- Sewer
  - Currently 5 of the 7 Sewer Department Staff are eligible to be on-call
Proposed On-Call Structure

3 On-Call Personnel
• Water Treatment
• Water Distribution
• Sewer

Purpose:
• Increase number of available staff for on-call
• Expertise for each division of Water; Treatment & Distribution
• Reallocation of emergency locates & District office building alarms from Sewer on-call to Water Distribution on-call
On-Call Responses per Division

Water Treatment:
• Water Quality Complaints
• Station Alarms (Wells, Reservoirs, Pump Stations)

Water Distribution:
• Emergency locates
• District office building alarms
• Meters
• Customer calls
• Leaks
• Fire hydrants

Sewer:
• Grinder Pumps
• Lift Stations
• Sewer related customer calls
On-Call Vehicle Usage Policy Change

Current Employee Handbook:

- The on-call employee may use the District vehicle as a means of transportation to and from work and for normal commuting purposes while en route to and from work.

Proposed Employee Handbook Update:

- The on-call employee may use the District vehicle as a means of transportation to and from work and for normal commuting purposes as well as to run short errands, such as grocery shopping. It will not be used for hauling non-district things.

- Transportation of family members is allowed, only if there are not other means of transportation available.
On-Call Policy Cost Change

2023 Additional one time on-call cost:

• $17,400

Future Additional cost:

• $27,000 + cost of living adjustment
Active Agenda
Item C

Lead and Copper Rule Overview Presentation
Lead and Copper Service Line Inventory
April 17, 2023

Andy Tuchscherer – Operations Manager
Mike Lillejord – Water Distribution Superintendent
Tony Gonzalez – Water Distribution Lead
June 19, 1986

- In amending the Safe Drinking Water Act in 1986, Congress incorporated a ban on the use of lead pipe. The ban went into effect **June 19, 1986**. It was applicable nationwide. As of that date, installation of lead pipe, including LSLs, was prohibited. Following the law, states had two years to incorporate the ban into State law and regulations.
Lead and Copper Rule

The Lead and Copper Rule is a National Primary Drinking Water Regulation under the Safe Drinking Water Act. Its purpose is to reduce lead and copper at the tap in drinking water provided by regulated public water systems.

On December 22, 2020, the U.S. Environmental Protection Agency finalized the first major update to the Lead and Copper Rule since it was initially enacted in 1991.

The deadline is to prepare and maintain an inventory of service line materials by October 16, 2024.

Key Dates:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 16, 2021</td>
<td>LCRR Effective Date</td>
</tr>
<tr>
<td>Prior to October 16, 2024</td>
<td>EPA Finalizing Lead and Copper Rule improvements (LCRI)</td>
</tr>
<tr>
<td>October 16, 2024</td>
<td>LCRR Compliance</td>
</tr>
</tbody>
</table>
Inventory Components

- Sammamish Plateau Water is required to create and maintain an inventory of all water service lines.
- This includes the public and private side of the water meter.
- Mandated by the EPA and DOH.
- SP Water field staff believes there is zero lead service lines in the district.
Inventory of Service Line Materials

- Parcels Built Prior to 1988 – Strict Verification Methods
  - Historical Documentation – As-builts and Specifications.
  - Customer Based knowledge and dates.
  - Field Verification.

- Parcels Built Post 1988 – DOH determined systems may designate homes built after 1988 as not having a lead service line.
Map of SPW District
Using ESRI Lead Service Line Solution.

Parcels Built 1988 and before
(5,391 Service Lines)

Current status of verification

Total number of customers with service lines installed before 1988

Number of public service lines identified to date
Recording of service line material.
Customer Outreach

Initial mailer to let public know what’s coming.

IMPORTANT ANNOUNCEMENT:
Protecting the health and safety of your public water system

The United States Environmental Protection Agency (EPA) is requiring public water systems, including the Sammamish Plateau Water and Sewer District (District), to itemize all District and customer owned water lines for possible sources of lead in drinking water.

The District will establish a mandatory water service line inventory to identify and eventually remove lead service lines.

The good news is our existing data shows very little or no lead service lines in the District. It’s also believed only a small percentage of homes in the District have private water lines containing lead. In such cases the EPA may require the District to seek customer consent and minimal private property access as part of the service line investigation.

The inventory process is not expected to cause significant interruptions to water service or transportation delays on public roadways. The EPA requires the process to be completed by October 16, 2024.

For more information about this critical public safety requirement, please go to this tab on our website //326/Risks-of-Lead-in-Drinking-Water or directly to the EPA’s dedicated website: epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule
**Public Service Lines**  
August 2022 – August 2023

- **August 2022:** Begin review of historical records for those public service lines installed on homes built 1988 and before.
- **December 2022:** ESRI Lead Service Line Solution implementation  
  - Public Facing Map and available under current ESRI program with no additional cost.
- **January 2023 – August 2023:** Exhaust all efforts of determining public service line materials through historical records kept by the district.
- **August 2023 – January 2024:** Pothole areas with unknown material types for those public service lines.

**Private Service Lines**  
July 2023 – August 2024

- **July 2023:** Outreach to public for ESRI solution database input – customer submittal form.
- **October 2023:** Mailer to inform of customers of field verification method for private service lines.
- **January 2024:**
  - **Option 1:** contract out field verification effort.
  - **Option 2:** devote in house effort.
- **August 2024:** Prepare inventory package for EPA and public facing map. Mandated for systems that serve over 50K population.
Active Agenda
Item D

Discussion of Cross Connection Control Program and Administration
Cross Connection Control Program

April 17, 2023
Premise Isolation vs In-Premises Protection

• Premises Isolation
  Backflow protection at or near the service connection

• In-Premises Protection
  Backflow protection at the point of hazard
Example of In-Premise Protection
Example of Premises Isolation
Cost of Backflow Installations

› ESTIMATED COSTS:
  • 3/4” TO 1” DCVA INSTALLATION - $1,500
  • 3/4” TO 1” RPBA INSTALLATION - $5,000
Options for the Program

• Keep the program as is.
  • Combination of in-premises with premises isolation for commercial facilities.

• Premises Isolation
  • Premises Isolation for:
    › New construction.
    › Plumbing changes that add a hazard.
    › Cross Connection Survey discovers an unprotected hazard.

• Hybrid
  • Premises Isolation except for single family outdoor irrigation.
Discussion
Administration of the Backflow Assembly Testing Program
Current Administration of the Backflow Prevention Program

› Annual tests of backflow assemblies are required.
  • The District is required to track the assemblies and tests.
  • Customers are sent three letters as an attempt to achieve compliance.
    › An additional shut off notification letter sent if no compliance.
Non-Compliance Discussion

Non-Compliance refers to backflow preventers that do not report successful backflow tests to the District as per the WAC.

- WAC 246-290-490(7)(b) details the requirements for annual testing of backflow preventers.
Current Non-Compliance Statistics

• 7,000+ Backflow Devices.

• 900+ non-compliant customers received a fourth letter
  • Non-compliance letters are a continual tracking issue for staff.
  • It is a vulnerability for the water quality of the District system.
District Code - Sec.5.10.020(f)(3).d

• District provides 2 letters as an attempt to achieve compliance.
  › A third letter is notification that service will be shut off.
• Examples of measures in the District Code.
  › High Hazards require immediate shut off.
  › Low Hazards - Customer can be shut off from the system until compliant.
  › Premises Isolation can be required.
Non-Compliance Recourse

• Shut off water to services that:
  › Received a shut off notification letter.
  And-
  › Still do not comply with the law regarding this issue.
Discussion
Active Agenda
Item E

Discussion of East King County Regional Water Association Water Rights Application
MEMORANDUM

TO: Sammamish Plateau Water and Sewer District Commissioners
FROM: Charlotte A. Archer, General Counsel
DATE: For Board Meeting of April 17, 2023
RE: East King County Regional Water Association

The District received correspondence from the East King County Regional Water Association (EKCRWA), and a corresponding letter from Seattle Public Utilities, pertaining to the joint Water Rights Applications dated January 19, 1994, and January 29, 1998. (Attachment 1 to this memo). As previously discussed in November 2022, EKCRWA, in conjunction with the Seattle Water Department, submitted the two applications for water rights to the State of Washington Department of Ecology; one was submitted in 1994 and the other in 1998 (Attachments D and E to the November 21, 2022 memo). It is believed the District was a member of the Association at the time the applications were submitted.

Both letters indicate that the Department of Ecology has requested the applicants push forward with developing the subject projects or withdraw the Applications. Seattle indicates an interest in moving forward with the Applications. As previously discussed, EKCRWA’s Board has been discussing a potential dissolution, and the impact dissolution would have on these rights; the distribution of equity was provided by the Association’s Board to the members (Attachment F to the November 21, 2022 memo) and was attached to the letters. Seattle has expressed an interest in continuing work towards a water right for the Snoqualmie aquifer, in partnership with the Association or its members. Minutes from the most recent Association Board meeting reflect this discussion (Attachment G to the November 21, 2022 memo).

Seattle has requested a response from EKCRWA, who has in turn sought a response from its members. As previously discussed, a commitment to continuing with the application includes costs associated with development. In addition, there is the potential that those efforts would ultimately be futile given the requirements of Ecology at this time.

---

1 Attorney memorandum from November 2022 enclosed, along with all attachments thereto.
Attachment 1
Correspondence from EKCRWA and Seattle Public Utilities
April 4, 2023

Jay Krauss, General Manager – Sammamish Plateau Water
Terry Olson, Commissioner – King County Water District #119
Mike Amburgey, General Manager – Cedar River Water and Sewer District
Brad Miyake, City Manager – City of Bellevue
Kurt Triplett, City Manager – City of Kirkland
Angela Birney, Mayor – City of Redmond
Mary Lou Pauly, Mayor – City of Issaquah
Patrick Sorensen, General Manager – Woodinville Water District
Armando Pavone, Mayor – City of Renton
Jessi Bon, City Manager – City of Mercer Island
Robert Russell, General Manager – Coal Creek Utilities
Cynthia McNabb, City Administrator – City of Duvall
Laura Keough, General Manager – Northeast Sammamish Sewer and Water District
Mike Sauerwein, City Administrator – City of Snoqualmie
Tom Keown, General Manager – Covington Water District
Rob McFarland, Mayor – City of North Bend

Subject: **Equity Interest in Snoqualmie Aquifer Project**

*Sent Via Certified Letter*

This letter is to notify you that your equity interest in the Snoqualmie Aquifer Project will be lost if the water rights applications for the project are not prosecuted.

To recap the situation, all of the above entities were or are dues paying members of the East King County Regional Water Association (EKCRWA). The EKCRWA and Seattle Public Utilities (SPU) jointly applied for two water rights to the Department of Ecology as part of the Snoqualmie Aquifer Project. The Department of Ecology has notified the EKCRWA and SPU to recommence processing water rights applications No. G1-27384 and No. S1-27877 or withdraw the applications. If no action is taken, Ecology will deny the applications. The ECRWA has a 50% interest in the applications. That 50% is spread out among the equity members listed above. A calculation of the equity interest percentages for each entity is shown in Attachment A.

SPU has requested the EKCRWA provide by April 19, 2023 the following information:
1. EKRWA’s proposal to partner with SPU on the Snoqualmie Aquifer water right applications.
2. The member organizations of EKRWA that will be partners on these applications.
3. The financial commitment EKRWA will obtain from members or elsewhere within the next 3 years to provide adequate and equitable resources for future project development.

The EKRWA needs to know if your entity has any interest in pursuing the water rights applications with the City of Seattle and contributing financially. If EKRWA nor any member desire to participate, SPU indicates that it will request EKRWA’s removal from the applications, presumably so that it can continue on its own with the project.

Please respond to this letter by Friday April 14, 2023 in order to leave the EKRWA time to respond to the City of Seattle by their due date.

If you have any questions, I can be reached by email at laura@nesswd.org or phone at 425-868-1144.

Sincerely,

Laura Keough
General Manager - NE Sammamish Sewer and Water District
Secretary/Treasurer - East King County Regional Water Association
3600 Sahalee Way NE
Sammamish, WA 98074

cc: Elizabeth Garcia, Seattle Public Utilities
    Terri Gregg, Seattle Public Utilities
    Paul Faulds, Seattle Public Utilities
## Exhibit A

**East King County Regional Water Association**  
**Snoqualmie Aquifer Equity Calculation**

<table>
<thead>
<tr>
<th></th>
<th>Total Equity per 1998 Calculation</th>
<th>% to Total Project</th>
<th>1999 Assessment</th>
<th>2001 Assessment</th>
<th>Total Equity</th>
<th>% to Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rose Hill**</td>
<td>$10,144.75</td>
<td>1.96%</td>
<td>$2,166.00</td>
<td>$6,090.25</td>
<td>$10,144.75</td>
<td>1.78%</td>
</tr>
<tr>
<td>Sammamish Plateau*</td>
<td>$38,284.92</td>
<td>7.39%</td>
<td>$132.00</td>
<td>$341.07</td>
<td>$46,541.17</td>
<td>8.16%</td>
</tr>
<tr>
<td>KCWD 119</td>
<td>$3,265.83</td>
<td>0.63%</td>
<td>$1,170.00</td>
<td>$3,016.19</td>
<td>$3,738.90</td>
<td>0.66%</td>
</tr>
<tr>
<td>Cedar River</td>
<td>$21,010.32</td>
<td>4.06%</td>
<td>$960.00</td>
<td>$2,504.45</td>
<td>$23,729.07</td>
<td>4.16%</td>
</tr>
<tr>
<td>Bellevue</td>
<td>$96,067.16</td>
<td>18.55%</td>
<td></td>
<td>$96,067.16</td>
<td></td>
<td>16.84%</td>
</tr>
<tr>
<td>Kirkland</td>
<td>$44,715.89</td>
<td>8.63%</td>
<td>$2,632.00</td>
<td>$47,347.89</td>
<td></td>
<td>8.30%</td>
</tr>
<tr>
<td>Redmond</td>
<td>$64,953.72</td>
<td>12.54%</td>
<td>$3,866.00</td>
<td>$68,819.72</td>
<td></td>
<td>12.07%</td>
</tr>
<tr>
<td>Issaquah</td>
<td>$20,259.62</td>
<td>3.91%</td>
<td>$960.00</td>
<td>$2,504.45</td>
<td>$23,729.07</td>
<td>4.16%</td>
</tr>
<tr>
<td>Woodinville Water</td>
<td>$36,198.75</td>
<td>6.99%</td>
<td></td>
<td>$36,198.75</td>
<td></td>
<td>6.35%</td>
</tr>
<tr>
<td>Renton</td>
<td>$71,089.77</td>
<td>13.73%</td>
<td>$4,102.00</td>
<td>$9,367.49</td>
<td>$84,559.26</td>
<td>14.82%</td>
</tr>
<tr>
<td>Mercer Island</td>
<td>$19,690.27</td>
<td>3.80%</td>
<td></td>
<td>$19,690.27</td>
<td></td>
<td>3.45%</td>
</tr>
<tr>
<td>Coal Creek</td>
<td>$26,762.52</td>
<td>5.17%</td>
<td>$1,454.00</td>
<td>$3,726.70</td>
<td>$31,943.22</td>
<td>5.60%</td>
</tr>
<tr>
<td>DuVall</td>
<td>$4,555.20</td>
<td>0.88%</td>
<td>$224.00</td>
<td>$669.47</td>
<td>$5,448.67</td>
<td>0.96%</td>
</tr>
<tr>
<td>NE Sammamish</td>
<td>$13,533.62</td>
<td>2.61%</td>
<td>$462.00</td>
<td></td>
<td>$13,995.62</td>
<td>2.45%</td>
</tr>
<tr>
<td>Snoqualmie</td>
<td>$3,100.42</td>
<td>0.60%</td>
<td>$238.00</td>
<td>$628.24</td>
<td>$3,966.66</td>
<td>0.70%</td>
</tr>
<tr>
<td>Covington</td>
<td>$44,251.48</td>
<td>8.54%</td>
<td>$2,594.00</td>
<td>$5,265.42</td>
<td>$52,110.90</td>
<td>9.14%</td>
</tr>
<tr>
<td>North Bend</td>
<td>$885.71</td>
<td></td>
<td>$885.71</td>
<td></td>
<td>$885.71</td>
<td>0.16%</td>
</tr>
<tr>
<td></td>
<td>$517,884.24</td>
<td>100.00%</td>
<td>$20,000.00</td>
<td>$32,499.99</td>
<td>$570,384.23</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

* Includes Cascade View  
** now a part of Kirkland, Bellevue and Redmond
March 29, 2023

East King County Regional Water Association
Attn: Nicole DeNovio, Executive Director
3600 Sahalee Way NE
Sammamish, WA, 98074-6028

RE: Snoqualmie Aquifer Project - Water Right Applications No. G1-27384 and No. 51-27877

Dear Ms. DeNovio,

I hope this letter finds you well.

As you know, Seattle Public Utilities (SPU) is moving forward with water right applications for the Snoqualmie Aquifer Project. We are at a critical point where the East King County Regional Water Association (EKCRWA) needs to commit to being a co-applicant in the applications. A decision on EKCRWA’s commitment to this project is required.

As you are aware, Department of Ecology (Ecology) has requested that SPU and EKCRWA to either commence with developing the Snoqualmie Aquifer project and processing water right applications No. G1-27384 and No. 51-27877 or withdraw the Applications. SPU is actively working with Ecology on moving forward with the Applications and is advertising for a consultant to develop a plan for SPU’s future water supply alternatives. To move forward with the project and our analysis, a decision on EKCRWA’s commitment to this project is required.

As part of our planning work, it is critical for us to have clarity: is EKCRWA able to formally engage in this business partnership, which includes signing a cost-sharing agreement for this potential future water supply? SPU has reached out repeatedly about the status and needs of the water right applications (see attachments). To date, SPU has received limited responses about EKCRWA’s commitment to continue in the project. SPU has also been unable to discuss this topic with EKCRWA at any annual or regular association meetings which, to our knowledge, have not been held since 2019. As an affiliate member of EKCRWA, we are aware that annual meetings are required at the very least per the organization’s bylaws. Your last communication to us in February of 2022 stated that EKCRWA was going to communicate with its membership to organize a response, which SPU has not received.

Because EKCRWA has been consistently and repeatedly unresponsive to repeated communications, SPU’s remaining option is to request that Ecology remove EKCRWA as co-applicant to the Applications. To avoid having to approach Ecology regarding removal of EKCRWA, SPU requests that EKCRWA provide a response to this letter by April 19, 2023, with the following information:

i. EKCRWA’s proposal to partner with SPU on the Snoqualmie Aquifer water right Applications.

ii. The member organizations of EKCRWA that will be partners on these Applications.

iii. The financial commitment EKCRWA will obtain from members or elsewhere within the next 3 years to provide adequate and equitable resources for future project development.
If we do not receive a response by April 19, 2023, SPU will pursue removing EKCRWA from both Snoqualmie Aquifer water rights applications. In failing to respond coupled with its lack of effort to pursue the development of the project in good faith, EKCRWA is effectively abandoning and withdrawing from the Applications. Please fully respond to the requested information. SPU can no longer postpone its pursuit of the Applications based on partial responses or continued delay.

We have sent this letter to all parties associated with EKCRWA because we are unaware which members, we should be engaging with for the Snoqualmie Aquifer Project. We request that you also share this letter with the appropriate parties and members so there is full transparency about this action. Removal of your organization from these Applications is a plan we do not contemplate lightly. However, given SPU’s commitment to evaluate this water supply project and EKCRWA’s continued silence and lack of committed partnership in this effort, SPU is seeking alternative means to make progress. We hope to hear from you on this important matter right away.

If there are any questions, feel free to reach out to either Elizabeth Garcia Elizabeth.garcia@seattle.gov (206) 375-2591 or Terri Gregg, terri.gregg@seattle.gov (206) 718-0287 for additional information.

Sincerely,

Paul Faulds
Water Resources Manager
Seattle Public Utilities
Paul.faulds@seattle.gov
Mobile: (206) 423-2280

CC:
King County Water District #119 (Member)
Northeast Sammamish Sewer & Water District (Member)
City of Duvall (Member)
City of North Bend (Member)
Sammamish Plateau Water and Sewer District (Member)
City of Snoqualmie (Member)
Water District 111 (Member)
Snoqualmie Pass Utility District (Member)
City of Redmond (Member)
Union Hill (Associate Member)
Ames Lake (Associate Member)
Sallal Water Association (Associate Member)
August 24, 2022

East King County Regional Water Assoc.
c/o Nicole DeNovio
3600 SAHALEE WAY NE
SAMMAMISH, WA, 98074-6028

Dear Ms. DeNovio,

I hope you have been well and are finding ways to enjoy Seattle’s beautiful summer. I’m reaching out to exchange information and updates on efforts related to the Snoqualmie Aquifer Project. As you are aware, when our organizations signed Statement of Intent forms for the water rights associated with this project, we committed to Ecology that we would continue to make progress toward a decision to formally pursue development of this water supply project.

Seattle Public Utilities (SPU) remains committed to advancing its analysis of its portfolio of potential future water supply options, which includes the Snoqualmie Aquifer Project. This internal analysis is nearing the point where each individual project will undergo a feasibility study by a consultant. If the East King County Regional Water Association’s (EKCRWA) is still interested in retaining a share of the water rights, SPU expects the association to invest equally in the project’s analysis and development. We continue to provide progress updates to the Department of Ecology to show SPU’s commitment to its existing water right applications.

Your February 2022 letter described your next effort related to this project as providing a notification letter to the 17 organizations that have invested in the Snoqualmie Aquifer Project ahead of EKCRWA’s annual meeting. Were you able to reach out to these organizations? As we shared in February, SPU plans to attend EKCRWA’s annual meeting; the event would provide an efficient and meaningful opportunity to exchange information on project developments. Please share any meeting information when you are able.

Regards,

Paul Faulds, Water Resources Manager, Seattle Public Utilities

Cc:
Elizabeth Garcia, Water Resources Planning and Policy Advisor, Seattle Public Utilities
King County Water District #119, c/o Terry Olsen (EKCRWA President) and Roxanne Heller
Northeast Sammamish Sewer & Water District, c/o Laura Keough (EKCRWA Treasurer), Paul Sentena, and Wayne Demeester
City of Duvall, c/o Steven Lengerzewski
City of North Bend, c/o Mark Rigos
Sammamish Plateau Water and Sewer District, c/o Mary Shustov, Ryika Hooshangi, Lloyd Warren, and Jay Krauss
City of Snoqualmie, c/o Jeff Hamlin
Water District 111, c/o Brent Lewis and Chris Hall
Snoqualmie Pass Utility District, c/o Tom Hastings, William Powers, and David Harja
City of Redmond, c/o Amanda Balzer
Union Hill (associate member), c/o Teresa Fowlkes
Ames Lake (associate member), c/o Jeremy Reier
Sallal Water Association (associate member), c/o Denny Scott, Rich Formisano
February 17, 2022

East King County Regional Water Assoc.
c/o Nicole DeNovio
3600 SAHALEE WAY NE
SAMMAMISH, WA, 98074-6028

Dear Ms. DeNovio,

Thank you for your response on behalf of the East King County Regional Water Association (EKCRWA). We’re pleased to learn the review of documents associated with the Snoqualmie Aquifer Project has been completed. We also thank you for providing financial documents for EKCRWA from the last three years. We appreciate you outlining EKCRWA’s next steps in determining its member’s level of involvement and interest with the Snoqualmie Aquifer Project.

It’s good to learn that EKCRWA will resume its annual meetings. SPU looks forward to continuing its participation in the annual meetings. Please provide us with the meeting date in time to arrange for our attendance. We believe resumption of EKCRWA’s regular meetings will be useful for all involved, including SPU.

Regarding your request that SPU join EKCRWA for information sessions for the Snoqualmie Aquifer Project, SPU remains open to discussions to help inform EKCRWA member invested in this project. As you are aware, SPU reached out to EKCRWA members throughout 2021 to provide information on the Snoqualmie Aquifer Project, so we believe much of this requested work has already been done. We would be happy to participate in an information session with all appropriate parties in order to provide this information efficiently and allow for discussion. We can also provide the information on SPU’s broader water supply planning projects that has been previously shared in individual member meetings. SPU remains interested in maintaining the Snoqualmie Aquifer water rights applications and will be able to have more detailed conversations about this work once partners have been clearly identified and agreements have been reached.

Given EKCRWA’s efforts to identify individual members that are interested in the Snoqualmie Aquifer Project, we are interested in learning about how EKCRWA intends to treat former members that are no longer active with EKCRWA or members of EKCRWA that do not intend to contribute toward the Snoqualmie Aquifer Project. As you are aware, the water right applications for the project are held by EKCRWA as an entity. Given the shifting EKCRWA membership and the dynamic interest in regional water availability, SPU understands that your letter implies that continued participation by interested EKCRWA members will be based on those entities providing specific monetary support for EKCRWA’s share in the Snoqualmie Aquifer Project, rather than general EKCRWA funds. If that is the case, it is important that future MOUs are signed by SPU and the individual members within EKCRWA that intend to invest in the Snoqualmie Aquifer Project. We believe this will provide necessary clarity regarding who will partner in current and future agreements for this project, and those entities who are abandoning their interest. Please don’t hesitate to contact me with further questions. We are pleased this will be moving forward soon.
Regards,

Paul Faulds
Water Resources Manager – Water Planning and Program Management, Seattle Public Utilities – Water Line of Business

Cc:

King County Water District #119, c/o Terry Olsen (EKCRWA President) and Roxanne Heller
Northeast Sammamish Sewer & Water District, c/o Laura Keough (Treasurer), Paul Sentena, and Wayne Demeester
City of Duvall, c/o Steven Leniszewski
City of North Bend, c/o Mark Rigos
Sammamish Plateau Water and Sewer District, c/o Mary Shustov, Ryika Hooshangi, and Lloyd Warren
City of Snoqualmie, c/o Jeff Hamlin
Lake Meridian Water, c/o Brent Lewis
Snoqualmie Pass Utility District, c/o Tom Hastings, William Powers, and David Harja
City of Redmond, c/o Amanda Balzer
Union Hill (associate member), c/o Teresa Fowlkes
Ames Lake (associate member), c/o Jeremy Reier
Sallal Water Association (associate member), c/o Denny Scott, Rich Formisano
December 22, 2021

East King County Regional Water Assoc.
c/o Nicole DeNovio
3600 SAHALEE WAY NE
SAMMAMISH, WA, 98074-6028

Dear Ms. DeNovio,

We are reaching out once again to continue to express our interest in communicating with the East King County Regional Water Association (EKCRWA). It is important we understand how EKCRWA is intending to act on the water right applications for the Snoqualmie Aquifer Project (G1-27384 and S1-27877), which is held jointly with Seattle Public Utilities (SPU). We haven’t received responses to phone calls or letters (sent May 2021 and August 2021). We value this partnership but are struggling to move forward, due to the lack of clarity and communication.

In addition to posing the questions that remain unanswered from previous letters (see below), we are also writing to inquire after the status of EKCRWA in a more general sense. Is the association still in good standing? SPU is not aware of annual dues having been collected for 2021 nor were any regular meetings announced or held. Are there plans to collect dues for 2022? When is the next general meeting scheduled to take place and will EKCRWA resume standard operating procedures in 2022? In the absence of these actions, we request an unambiguous response regarding the future of EKCRWA.

Please respond to these requests we have presented in previous letters as well, as they will assist SPU in its understanding and preparation for maintaining the Snoqualmie Water Rights, by providing the following:

- Copies of any EKCRWA Interlocal Agreements and Memorandums of Agreements regarding the Snoqualmie Aquifer Water Rights.
  - SPU emailed scanned MOAs, Interlocal Agreements, and technical reports in May 2021.
- A list of current membership and a list of the members, to the best of your knowledge, when the Snoqualmie Aquifer Water Rights Application was filed (circa 1992 – 1994)
- Accounting statements for money spent in years 2019 – 2021
  - Detailed statements that show how the collected dues have been spent and the remaining savings.
- Share SPU’s drafted Memorandum of Agreement (MOA, sent in Nov 2020) with EKCRWA; SPU asks that EKCRWA members review the MOA and work with SPU toward amendments that are amenable to both parties. Once an MOA is developed that both parties agree to, we ask that the individual members sign the MOA.

As a reminder, you signed a Statement of Intent form on behalf of the EKCRWA. SPU signed a SOI form as well. This committed our organizations to development of a Conceptual Mitigation Plan to keep these water right applications in good standing with the Department of Ecology. Historically, SPU and EKCRWA have signed MOAs in order to formalize expectations related to project development and organization cost-
sharing. SPU anticipates a significant amount of work and expense will be required to maintain these water right applications and are eager to know your organization’s ability to commit.

We continue to request a timely response; please provide a response to this letter by January 14, 2022. We strive to honor our entities’ long history of cooperation in maintaining these water right applications. Our highest priority is that the applications remain in good standing with the Department of Ecology.

Regards,

Paul Faulds, Interim Director – Water Planning and Program Management, Seattle Public Utilities – Water Line of Business

Cc:

King County Water District #119, c/o Terry Olsen (EKCRWA President) and Roxanne Heller
Northeast Sammamish Sewer & Water District, c/o Laura Keough (EKCRWA Treasurer), Paul Sentena, and Wayne Demeester
City of Duvall, c/o Steven Leniszewski
City of North Bend, c/o Mark Rigos
Sammamish Plateau Water and Sewer District, c/o Mary Shustov, Ryika Hooshangi, and Lloyd Warren
City of Snoqualmie, c/o Jeff Hamlin
Lake Meridian Water (formerly King County Water District 111), c/o Brent Lewis and Chris Hall
Snoqualmie Pass Utility District, c/o Tom Hastings, William Powers, and David Harja
City of Redmond, c/o Amanda Balzer
Union Hill (associate member), c/o Teresa Fowlkes
Ames Lake (associate member), c/o Jeremy Reier
Sallal Water Association (associate member), c/o Denny Scott and Rich Formisaro
August 6, 2021

East King County Regional Water Assoc.
c/o Nicole DeNovio
3600 Sahalee Way NE
Sammamish, WA, 98074-6028

Dear Ms. DeNovio,

As you know, we would like to determine the interest of the East King County Regional Water Association (EKCRWA) in continuing to partner with Seattle Public Utilities (SPU) on our joint water right applications. We continue to seek opportunities to understand the EKCRWA membership and communicate with members on this issue.

We understand there was an East King County Regional Water Association Board meeting this past June; this board meeting was referenced during a July 2021 informational session initiated by Seattle Public Utilities (SPU) with the City of Sallal. As an affiliate member of EKCRWA, SPU has remained in good standing by paying dues in full and on time. As such, we were surprised to learn of this Board meeting after the fact and are writing to request the meeting minutes from that discussion. Additionally, we request that in the future, we are informed of when Board meetings will occur so we will have the option to attend and that their outcome is shared formally with all EKCRWA members via written meeting minutes. SPU has previously requested a list of all current members; we now also request a written list of the specific board members and their roles. We are not aware of any by-laws that may exist for EKCRWA; we would like to request a copy of them if they are available.

In the July 2021 meeting with Sallal, you mentioned holding a meeting for all EKCRWA members in September 2021. We strongly support holding this meeting and request that we be included in the notice of its day, time, agenda, and details on how to join the meeting.

In addition to the conversations we’ve had with you on this matter, a letter we sent you in May 2021 requested a number of pieces of information that you had agreed to share during our April 30, 2021 meeting. We did not receive a response and are repeating our request here:

- SPU and EKCRWA will provide to each other copies of any EKCRWA Interlocal Agreements and Memorandums of Agreements regarding the Snoqualmie Aquifer Water Rights.
  - SPU emailed you scanned MOAs, Interlocal Agreements, and technical reports in May 2021. A number of EKCRWA members have requested this information and we encourage you to share the documents with the board and additional members.
- EKCRWA will provide a list of its current membership and a list of the members, to the best of your knowledge, when the Snoqualmie Aquifer Water Rights Application was filed (circa 1992)
- EKCRWA will share with SPU an accounting statement for money spent in years 2019 – 2020
  - In particular, SPU is interested in detailed statements that show how the collected dues have been spent and the remaining savings.
• SPU requests that EKCRWA circulate the MOA (from Sept 2019). We invite members to review the MOA and work with SPU toward amendments that are amenable to both parties. We then ask that the individual members sign the MOA. We have requested a response to the MOA within 90 days so that the work required to maintain these applications in good standing with the Department of Ecology can begin in a timely manner.

We note that SPU has circulated the MOA to the members listed in a 2020 Budget document shared at one of the last EKCRWA meetings. However, without confirmation from EKCRWA that this is the complete membership list we cannot be sure that we have communicated with all dues-paying members of your organization.

Thank you for responding promptly to our requests for information. We believe a cooperative working relationship on this issue will be to the benefit of all parties involved and ask that in your executive director role, you work with us and with ERKCWA members to move forward in a constructive manner.

 Regards,

Elizabeth Garcia
Hydrologist, Seattle Public Utilities

cc:
Paul Faulds, Interim Director - Water Planning and Program Management, Seattle Public Utilities - Water Line of Business
William Foster – Assistant City Attorney, Seattle City Attorney’s Office
MEMORANDUM

TO: Sammamish Plateau Water and Sewer District Commissioners

FROM: Charlotte A. Archer, General Counsel

DATE: For Board Meeting of November 21, 2022

RE: East King County Regional Water Association

The East King County Regional Water Association has raised the following issues via Commissioner Shustov, the District’s representative on the Association:

- **Execution of an Interlocal Agreement:** The District executed an interlocal agreement to participate in the Association in 1995, but later withdrew. The District rejoined the Association sometime thereafter, but did not execute a new interlocal agreement. The District has continued to participate in the Association, including through the payment of dues. The Association has presented a new interlocal agreement for the District’s execution (Attachment A to this memo). **Discussion and Potential Action Item: Does the Board desire to authorize the execution of a new interlocal agreement?**

- **Dissolution of East King County Regional Water Association:** At a meeting in October 2022, the members of the Association discussed whether to dissolve the Association due to a perceived lack of necessity. Dissolution requires the affirmative agreement to terminate of all current members of the Association. Upon dissolution, all assets of the Association (after satisfaction of all liabilities) will be distributed equitably among the members as determined by the Association’s Board. The Association’s Board has provided an estimated proposed distribution of equity (Attachment B to this memo), as well as a summary of issues pertaining to dissolution discussed by the Association’s Board (Attachment C to this memo). As a member of the Association, the District must take action to authorize the execution of an agreement to dissolve the Association. **Discussion and Potential Action Item: Does the Board desire to authorize the execution of an agreement to dissolve the Association?**

- **Water Rights Applications (January 19, 1994, and January 29, 1998):** The Association, in conjunction with the Seattle Water Department, submitted two applications for water rights to the State of Washington Department of Ecology; one was submitted in 1994 and the other in 1998 (Attachments D and E to this memo). It is believed the District was a member of the Association at the time the applications were submitted. If the Association votes to dissolve, these rights applications would need to be addressed; the distribution of equity was provided by the Association’s Board to the members (Attachment F to this memo). Seattle has expressed an interest in continuing work towards a water right for the Snoqualmie aquifer, in partnership with the Association or its members. Minutes from the most recent Association Board meeting reflect this discussion (Attachment G to this memo). **Discussion and Potential Action Item: What position does the Board desire to take as it relates to these water rights applications?**
Attachment A
Proposed Interlocal Agreement
SECOND AMENDED INTERLOCAL COOPERATIVE AGREEMENT
FOR THE
EAST KING COUNTY REGIONAL WATER ASSOCIATION

Pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW, the undersigned parties do hereby agree to the cooperative undertaking and conditions set forth below and in the attached Bylaws of the Regional Water Association.

1. **Purpose.** All the parties hereto operate water utilities and are required to optimize the use of existing water supply sources and transmission systems, and to seek development and acquisition of new water supply sources and transmission systems to meet the present and projected demand for water. The primary purpose of this Agreement is to facilitate efficient water resource development and utilization through interlocal cooperation.

   The parties hereto are interested in pursuing the planning and implementation of elements of Regional Coordinated Water system Plans. The regional plans, completed under the auspices of the Washington State Department of Health, provide guidance to utilities for future regional coordination. The subscribing parties are interested in meeting their responsibility in the area of water resources to benefit the individual constituency of the membership.

   The parties also recognize that the potential exists for, and intend to pursue, future involvement in the planning, development, management, ownership, and operation of regional water supply source and transmission facilities in cooperation with other utilities.

2. **Formation of Regional Association.** The East King county Regional Water Association (RWA) is duly incorporated as a non-profit corporation under the laws of the State of Washington. Articles of Incorporation were filed with the Secretary of State on February 9, 1987. Pursuant to RCW 39.34.030 (3)(b), all RWA funds shall be subject to audit in the manner provided by law for the auditing of public funds.

3. **Membership.** Membership of the RWA shall be open to all cities, public water districts, and other municipal corporations serving as public water purveyors. The Board may establish a class of "associate membership" in the Association for water purveyors operated as cooperatives or private water companies. Such associate members may attend and be heard at Board meetings. However, such associate members may not (1) vote on expenditure
of Association funds received from public members' dues or from
grants, (2) receive a distribution of Association assets upon
dissolution, except for contributions from such associate members
which have been segregated from other assets of the Association
or (3) vote to bind the Association to any contract. Any member
may withdraw upon giving such notice, and upon complying with
such procedures as may be specified in the Bylaws of the RWA.

4. **Governing Body.** All the functions and powers of the
RWA shall be vested in a Board of Directors (the "Board")
comprised of one representative of each member as specified in
the Bylaws of the RWA.

5. **Authority.** Pursuant to the Interlocal Cooperation Act,
Chapter 39.34 RCW, the RWA shall be vested with all powers and
authority reasonably required to carry out the objectives and
purposes of,-the RWA as stated in section 1 above.

These powers shall include but not be limited to the powers to:

a. Have perpetual succession;

b. Adopt a corporate name and seal and alter it at
pleasure;

c. Enter into contracts, and employ .and retain
professional services;

d. Create, establish, and maintain such offices and
positions as shall be necessary and convenient for the
transaction of the business of the RWA;

e. Elect, appoint, and employ such officers, attorneys,
agents, and employees as shall be found by the Board to
be necessary and convenient;

f. Apply for, own, and/or manage water rights and
reservations;

g. Charge dues and assessments as determined by the Board
of Directors; provided dues and assessments shall not
be utilized for the design, replacement, construction,
acquisition, operation, or maintenance of general
facilities, and provided further that all financial
obligations of the members to the RWA other than dues
and assessments will be by separate agreement:

h. Apply for, receive, disperse, and manage loans, funds,
and grants;
i. Undertake regional water resource planning and implementation:

j. Foster intergovernmental relations at all levels of government in the interest of better water resource utilization;

k. Promote, create, and administer programs to further public information including but not limited to conservation and planning;

1. Maintain data bases on water resources.

6. **Budget.** On or before December 31 of each year, the RWA budget for the next budget year shall be adopted by the Board. The budget shall contain an estimate of all revenues to be collected during the following budget year, and an itemization of all categories of budgeted expenditures.

7. **Use of Dues and Assessments.** Revenues generated from annual dues and special assessments shall be used to defray normal administrative operating expenses of the RWA but shall not be used for capital expenditures required to construct or otherwise acquire general facilities, or for maintenance and operation of such facilities. Capital funding for construction or other acquisition of general facilities, and funding for maintenance and operation of such facilities which requires the concurrence of each participating agency shall be accomplished through separate agreement among members.

8. **Duration/Termination.** This Agreement shall remain in effect until terminated by execution of a written declaration of termination signed by all parties to the Agreement who have not withdrawn as provided in section 3 above as of the effective date of the declaration. Upon termination all liabilities of the RWA shall be satisfied and all assets, if any, shall be distributed equitably among the parties as determined by the Board.

9. **Amendments.** All amendments to this Agreement must be stated in writing and approval thereof must be evidenced by the signature of two-thirds of the members as of the effective date of the amendment.

10. **Limitations.**

   a. By this Agreement no party has committed itself to participate financially in any future public works project with respect to a future water supply.
b. The Association shall not assume or exercise any regulatory function or lobby to or otherwise seek to obtain such regulatory function.

c. This Agreement shall not constitute a delegation of any of the powers of the individual parties to the Association.

d. The Association shall not enter into agreements or take actions which are inconsistent with the purposes and authorizations set forth in this Agreement.

11. Additional Parties. This Agreement may be amended to add additional cities or water districts as parties hereto upon the majority vote of the Board of Directors. It is intended that cities and water districts shall generally be added as members on fair and equitable terms.

12. Limitation of Liability of Members. Nothing in this Agreement shall alter or waive those provisions of the Association's Articles of Incorporation which establish the limited liability of the members for the debts and obligations of the Association, whether such obligations arise under contract, tort, or statute. Each member shall be obligated to contribute to the Association only those amounts which have been approved by the members, pursuant to the procedures set forth in this Agreement and in the Bylaws of the Association.

13. Effect and Amendment of Prior Agreement. This Agreement shall amend and supersede the current Amended Interlocal Cooperative Agreement for East King County Regional Water Association, when executed by two-thirds of the signators to said Amended Interlocal Cooperative Agreement. This Second Amended Interlocal Cooperative Agreement shall not be effective until so executed.

14. Counterparts. This Agreement may be signed in counterparts and, if so signed, shall be deemed one integrated Agreement.

Approved and signed this ____ day of ___ ,

Name of Member

12/5/91

By (Signature of authorized individual)
AMENDMENT NO. 1 TO SECOND AMENDED INTERLOCAL COOPERATIVE AGREEMENT FOR THE EAST KING COUNTY REGIONAL WATER ASSOCIATION

IN CONSIDERATION of the mutual benefits herein conferred, the undersigned parties to that certain Second Amended Interlocal Cooperative Agreement For The East King County Regional Water Association ("Interlocal Agreement") hereby agree to amend the Interlocal Agreement as set forth below.

REQUITALS

A. The East King County Regional Water Association ("RWA") was established by and is governed in accordance with the Interlocal Agreement. The Interlocal Agreement may be amended by a vote of two-thirds of the members.

B. The RWA is a Washington non-profit corporation organized and existing under RCW Ch. 24.03. Articles of Incorporation of the RWA ("Articles of Incorporation") were executed on January 25, 1987, and filed with the Secretary of State of the State of Washington on February 7, 1987.

C. The Board of Directors of the RWA adopted a policy at its regular meeting held September 22, 1994, directing that an amendment to the Interlocal Agreement be prepared to provide that the equity in the RWA's property be allocated among its members based on their contribution towards the RWA's costs. This amendment is to implement such policy.

D. In order to carry out this amendment it is necessary that the Articles of Incorporation be amended.

AGREEMENT

The undersigned parties hereby agree as follows:

1. **Termination.** The second sentence of Section 8 of the Interlocal Agreement is deleted and replaced with the following:

8. **Duration/Termination.**

   a. Upon termination all liabilities of the RWA shall be paid, or otherwise provided for, in a manner allowed by law; and the net assets of the RWA shall be distributed by category to its members in accordance
with their interests as determined by the following subsection b.

b. Each member of the RWA shall have an equity interest in each of the two categories of the RWA's net assets based upon the following fractions:

(i) **Project Assets:**

Project Portion of Annual Dues and Special Assessments paid by the member,

\[ \text{divided by} \]

Project Portion of Annual Dues and Special Assessments paid by all members.

(ii) **Other Assets:**

Non-Project Portion of Annual Dues paid by the member,

\[ \text{divided by} \]

Non-Project Portion of Annual Dues paid by all members.

(iii) **Definitions.** The capitalized terms set forth above shall have the following definitions:

(1) **Project Assets.** Project Assets means the portion of the RWA's net assets paid for, in whole or in part, by Special Assessments and the Project Portion of Annual Dues. Such assets include, but are not limited to, the Snoqualmie Aquifer project.

(2) **Other Assets.** Other Assets means all net assets of the RWA other than Project Assets.

(3) **Non-Project Portion of Annual Dues.** Non-Project Portion of Annual Dues means the portion of the RWA's annual dues paid by a member other than the Project Portion of Annual Dues.

(4) **Project Portion of Annual Dues.** Project Portion of Annual Dues means the portion of the RWA's annual dues paid by a member which is allocable to the costs of acquiring, developing, maintaining, preserving and disposing of the RWA's Project Assets. Such allocation shall be
determined by the RWA's staff on an annual basis and shall be subject to the approval of the RWA's Board of Directors. Such determination shall be final and binding upon the RWA and its members except in the event of manifest error.

(5) Special Assessments. Special assessments means the amounts assessed by the RWA and paid by a member for the purpose of acquiring, developing, maintaining, preserving and disposing of the RWA's Project Assets.

2. Transfers of Interests by Members. A new section 15 is hereby added to the Interlocal Agreement as follows:

15. Transfers of Interests by Members.

(a) Nature of Interest. The interest of each member in the net assets of the RWA, which interest consists of a percentage interest in Project Assets and a percentage interest in Other Assets calculated pursuant to Section 8 hereof, is a part of, and cannot be separated from the membership interest of each member in the RWA. All such interests are called collectively "Interests" and the share of each member is called an "Interest."

(b) Restrictions on Transferability. No member of the RWA shall transfer its Interest except as set forth in the following subsections.

(c) Transfers by Operation of Law. Transfers of Interests occurring as a result of mergers, consolidations, annexations followed by assumption of assets, or by operation of law between municipal bodies shall be exempt from the restrictions in this section 15.

(d) Procedures for Transfers Other Than by Operation of Law. Any member ("Offeror") that desires to transfer all or part of its Interest shall abide by the following procedures:

(1) The Offeror shall first offer the Interest to the RWA, in writing. The Offeror and the RWA shall promptly appoint representatives to meet and negotiate, in good faith, concerning the price and terms of the transfer of the Interest to the RWA.

(2) If the Offeror and the RWA cannot agree on the price and terms within ninety (90) days from the date of the first meeting
of the representatives, the Offeror shall offer the Interest to all other then-existing members of the RWA ("Offerees"), in writing. Such offer shall contain the Offerer's desired price and terms of transfer. Each Offeree may agree, in writing, within thirty (30) days from the date of the delivery of the offer, to accept such offer. The share of the Offerer's Interest purchased by an Offeree who accepts the offer ("Accepting Offeree") shall equal the percentage share of each Accepting Offeree's existing Interest calculated without regard to the Offerer's Interest.

(3) If any portion of the Offerer's Interest is not purchased, then the Accepting Offerees shall be promptly advised of such fact in writing. Within thirty (30) days after being so advised, each Accepting Offeree may agree, in writing, to purchase an additional share of such unpurchased portion. Such share shall be allocated among the Accepting Offerees who agree to so purchase based on the Accepting Offerees' respective percentage Interests calculated after the first purchase above but without regard to the Interest of the Offerer and the Interests of the Offerees who did not purchase under subsection (2) above.

(4) Any portion of the Offerer's Interest not transferred to an existing RWA member pursuant to the procedures set forth above may be offered by the Offerer on the same price and terms offered to the members to any non-member municipal class A purveyor (as defined by Washington State Department of Health regulations) who has been assigned a water service area under the East King County Coordinated Water System Plan, as amended. Before such transfer is consummated, the non-member must apply for and be accepted as a member of the RWA. The Board of Directors of the RWA may establish reasonable conditions for such application and transfer.

(5) Any portion of the Offerer's Interest which is not sold pursuant to the above procedures shall remain the property of the Offerer. The Offerer shall first offer
such portion to the RWA and then to the other members pursuant to the above procedures if the Offerer desires to sell it at a later date.

(e) The Interest of a member in the net assets of the RWA who resigns as a member and pays no further Annual Dues or Special Assessments to the RWA shall be reduced, over time, in relation to the Interests of other members through the operation of the formulas set forth in Section 8.

3. Amendment of Articles of Incorporation. Upon execution and delivery of this amendment by two-thirds of the members of the RWA, Articles of Amendment to the Articles of Incorporation substantially in the form attached hereto as Exhibit A shall be signed by the President and Secretary of the RWA and filed with the Secretary of State of the State of Washington.

4. Authority/Counterparts. Each member executing this amendment hereby warrants and represents to the other members and the RWA that the person whose signature appears below on behalf of the member has been duly and properly authorized and directed to sign this amendment on behalf of the member. This amendment may be signed in counterparts.

Approved and signed as of the date appearing next to each signature below.

CITY OF BELLEVUE
By: _________________________
Authorized Signature
Date

CITY OF DUVALL
By: _________________________
Authorized Signature
Date

CITY OF ISSAQUAH
By: _________________________
Authorized Signature
Date
CITY OF KIRKLAND
By: ______________________________
   Authorized Signature             Date

CITY OF MERCER ISLAND
By: ______________________________
   Authorized Signature             Date

CITY OF REDMOND
By: ______________________________
   Authorized Signature             Date

CITY OF RENTON
By: ______________________________
   Authorized Signature             Date

CITY OF SNOQUALMIE
By: ______________________________
   Authorized Signature             Date

SAMMAMISH PLATEAU WATER & SEWER DISTRICT
By: ______________________________
   Authorized Signature             Date

NORTHEAST SAMMAM S SEWER & WATER DISTRICT
By: ______________________________
   Authorized Signature             Date

CEDAR RIVER WATER & SEWER DISTRICT
By: ______________________________
   Authorized Signature             Date

WOODINVILLE WATER DISTRICT
By: ______________________________
   Authorized Signature             Date
KING COUNTY WATER DISTRICT NO. 107
By: __________________________  __________________________
   Authorized Signature          Date

KING COUNTY WATER DISTRICT NO. 119
By: __________________________  __________________________
   Authorized Signature          Date
Attachment B
Proposed Distribution of Non-Project Equity in event of Dissolution
## East King County Regional Water Association
### Proposed Distribution Percentages

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2019</th>
<th>2018</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of North Bend</td>
<td>$5,500.00</td>
<td>$5,500.00</td>
<td>$5,000.00</td>
<td>$16,000.00</td>
<td>20.32%</td>
</tr>
<tr>
<td>Sammamish Plateau</td>
<td>$3,500.00</td>
<td>$4,500.00</td>
<td>$2,500.00</td>
<td>$10,500.00</td>
<td>13.33%</td>
</tr>
<tr>
<td>KCWD #119</td>
<td>$2,750.00</td>
<td>$2,750.00</td>
<td>$2,592.92</td>
<td>$8,092.92</td>
<td>10.28%</td>
</tr>
<tr>
<td>NE Sammamish</td>
<td>$5,500.00</td>
<td>$5,500.00</td>
<td>$5,000.00</td>
<td>$16,000.00</td>
<td>20.32%</td>
</tr>
<tr>
<td>City of Snoqualmie</td>
<td>$4,900.00</td>
<td>$4,900.00</td>
<td>$4,850.36</td>
<td>$14,650.36</td>
<td>18.61%</td>
</tr>
<tr>
<td>Lake Meridian</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
<td>$13,500.00</td>
<td>17.14%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$26,650.00</strong></td>
<td><strong>$27,650.00</strong></td>
<td><strong>$24,443.28</strong></td>
<td><strong>$78,743.28</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>
Attachment C
Dissolution Issues
Dissolution Considerations

1. Membership Status
2. Records Disposition/State Archives
3. Water Right/Easement Transfer
4. Coordinated Water Supply Considerations and interaction with agencies
5. Final Audit
6. Distribution Percentage
7. Legal Services Budget
Attachment D
Application for Water Right (Ground Water)
January 19, 1994
APPLICATION FOR PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

SURFACE WATER ☒ GROUND WATER ☐

$100 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

GRAY BOXES FOR OFFICE USE ONLY

APPLICATION NO. 4727384

W.H.S. COUNTY

PRIORITY DATE

TIME

ACCEPTED

56

APPLICANT'S NAME — PLEASE PRINT

King County Regional Water Association (Exempt)

Secretary With Department (SWD)

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)

2009 11th Avenue SE, Renton, WA 98055

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

1-9-1997 King County WA (Exempt)

1. SOURCE OF SUPPLY

IF GROUND WATER

SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) IF UNNAMED, G0 STATE

SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.)

TRIBUTARY

SIZE AND DEPTH

INITIALLY A 12 INCH DIAMETER WELL

TO 1,000 FEET, SINK NO. 6

2. USE

USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)

REGIONAL MUNICIPAL SUPPLY FOR KING COUNTY WASHINGTON

ENTER QUANTITY OF WATER REQUESTED USING UNITS OF:

CUBIC FEET PER SECOND (CFS) OR GALLONS PER MINUTE (GPM)

ACRE FEET PER YEAR

3A. IF IN PLATTED PROPERTY

LOT BLOCK OR (GIVE NAME OF PLAT OR ADDITION)

SECTION TOWN RANGE

ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION

3B. IF NOT IN PLATTED PROPERTY

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)

SECTION TOWNSHIP N. RANGE (OR W) W.B. COUNTY

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED? IF NOT, INSERT NAME & ADDRESS OF OWNER

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY ON WHICH THE WATER WILL BE USED. TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY OR COPY CAREFULLY IN THE SPACE BELOW.

A REGIONAL MUNICIPAL SUPPLY FOR KING COUNTY WASHINGTON
6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(A EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

If a 12 inch diameter test well is proposed to investigate potential aquifers to 1,000 feet. If an aquifer is encountered, a screen will be installed in the test well and a pumping test will be conducted. A production wellfield with wells of 12 inches to 34 inches in diameter will be installed, if the results of the test drilling and pumping are favorable. Wells will be connected to a transmission line to inject the water parlaxers in King County.

7. REMARKS

8. COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

In order to implement the provisions of Initiative Measure Number 59, the Family Farm Water Act which was passed by the voters on November 3, 1977, we must ask the following questions:

Does the total number of acres in which you have controlling interest in the State of Washington exceed 2000 acres for the following three categories:

1. Lands that are being irrigated under water rights acquired after December 8, 1977.
2. Lands that may be irrigated under applications now on file with the Department of Ecology.
3. Lands that may be irrigated under this application.

If 10 acre-feet or more of water is to be stored and/or if the water depth will be 10 feet or more at the deepest point, a storage permit must be applied for in addition to this permit. These forms can be secured, together with instructions, from the Department of Ecology.

SIGNATURES

LEGAL LANDOWNER'S NAME (PLEASE PRINT)

LEGAL LANDOWNER'S SIGNATURE: OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5

FOR OFFICE USE ONLY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows:

In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before 19.

Witness my hand this day of 19.
Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the location of other wells or works within a quarter of a mile.

Indicate traveling directions from nearest town in space below:

End of Tenet, Washington on 4th Street S.E., off
of Mount Si Road

Detach here

Fold along scale

Detach this scale at the perforation, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and $10.00 examination fee.
Your water right application will be processed by the Regional Office of the Department of Ecology having jurisdiction in the area in which your water works are located. Please submit your completed application form, maps, sketches, and $10.00 examination fee to the appropriate Regional Office.

Northwest Regional Office
3190 - 160th Avenue S.E.
Bellevue, WA 98008-5452
Tel. (206) 649-7000

Southwest Regional Office
7272 Cleanwater Lane
Olympia, Washington 98504-6811
Tel. (206) 586-6380

Central Regional Office
3601 West Washington
Yakima, Washington 98903-1164
Tel. (509) 575-2800

Eastern Regional Office
N. 4601 Monroe, Suite 100
Spokane, Washington 99205-1295
Tel. (509) 456-29

The appropriate Regional Office will be happy to answer any further questions you may have.
State of Washington
Application for a Water Right
Please follow the attached instructions to avoid unnecessary delays.

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name: East King County Regional Water Association and Seattle Public Utilities
Home Tel: (____) _______
Mailing Address: 1301 114th Ave NE #300
Work Tel: (425) 455 - 8346
City: Bellevue
State: WA
Zip:+498004 +
Fax:(425) 455 - 8349

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION
Same as above

Name: Holly Kean, Executive Director
Home Tel: (____) _______
Mailing Address: Same
Work Tel: (____) _______
City: Bellevue
State: WA
Zip:+498004 +
Fax:(425) 455 - 8349

Relationship to applicant: Executive Director of East King County RWUA

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 100 barrels per minute or 10 cubic feet per second) from a surface water source or ground water source (check only one) for the purpose(s) of Regional Water Supply. ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See Instructions.) NOTE: A tax parcel number or a plat number is not sufficient. N/A

Estimate a maximum annual quantity to be used in acre-feet per year: 72,000

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From / / / to / / /

Section 4. WATER SOURCE

<table>
<thead>
<tr>
<th>If SURFACE WATER</th>
<th>If GROUNDWATER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name the water source and indicate if stream, spring, lake, etc. If unnamed, write &quot;unnamed spring,&quot; &quot;unnamed stream,&quot; etc.: Snoqualmie River</td>
<td>A permit is desired for _______ well(s).</td>
</tr>
<tr>
<td>Number of diversions:</td>
<td></td>
</tr>
<tr>
<td>Source flows into (name of body of water): Snohomish River</td>
<td>Size &amp; depth of well(s):</td>
</tr>
</tbody>
</table>

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

SW SW 360 36N 6E KING

For Ecology Use: Date Received: 1-29-98 Priority Date: 1-29-98
SEPA: Exempt/Not Exempt: FERC License #: Dept. Of Health #: Date Accepted As Complete: 2-10-98 By: Date Returned: By: WRIA:
Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: N/A

B. Briefly describe your proposed water system. (See instructions.)

See Attachment A

C. Do you already have any water rights or claims associated with this property or system? □ YES □ NO PROVIDE DOCUMENTATION.

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION
(Completed for all domestic/public supply uses.)

A. Number of "connections" requested: N/A Type of connection N/A (Homes, Apartment, Recreational, etc.) □ YES □ NO

B. Are you within the area of an approved water system? If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department. N/A

Complete C. and D. only if the proposed water system will have fifteen or more connections.

C. Do you have a current water system plan approved by the Washington State Department of Health? □ YES □ NO

If yes, when was it approved? ________________ Please attach the current approved version of your plan.

D. Do you have an approved conservation plan? □ YES □ NO

If yes, when was it approved? ________________ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION
(Complete for all irrigation and agriculture uses.)

A. Total number of acres to be irrigated: N/A

B. List total number of acres for other specified agricultural uses:

Use ____________________________________ Acres _____________
Use ____________________________________ Acres _____________
Use ____________________________________ Acres _____________

C. Total number of acres to be covered by this application: __________________________

D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)

Add up the acreage in which you have a controlling interest, including only:

† Acreage irrigated under water rights acquired after December 8, 1977;
‡ Acreage proposed to be irrigated under this application;
§ Acreage proposed to be irrigated under other pending application(s).

1. Is the combined acreage greater than 2000 acres? □ YES □ NO
2. Do you have a controlling interest in a Family Farm Development Permit? □ YES □ NO

If yes, enter permit no: __________________________

E. Farm uses:

Stockwater - Total # of animals ________________ Animal type ________________ (If dairy cattle, see below)
Dairy - # Milking ________________ # Non-milking ________________
Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? □ YES □ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

East on Novelty Hill Road from Redmond
South on West Snoqualmie Valley Road
to powerline

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used? □ YES □ NO
If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

N/A See Attachment

B. Does the applicant own the land on which the water source is located? □ YES □ NO
If no, submit a copy of agreement:

See Attachment

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

East King County Regional Water Association, Project Administrator

[Signature]
Applicant (or authorized representative)

[Signature] [Date]
Date

N/A

Landowner for place of use (if same as applicant, write "same")

[Signature] [Date]

APPLICATION
Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

<table>
<thead>
<tr>
<th>We are returning your application for the following reason(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examination fee was not enclosed</td>
</tr>
<tr>
<td>Section number(s) is/are incomplete</td>
</tr>
</tbody>
</table>

| APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128 |
| APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE |

Explaination:

Please provide the additional information requested above and return your application by ___________________________ (date).

Ecology staff ___________________________ Date ___________________________

To receive this document in alternative format, contact Lisa Newman at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).
Applicants:

1. East King County Regional Water Association
   1309 114th Avenue S.E.,
   Suite 300
   Bellevue, WA 98004
   425-455-8366 (Tel)
   425-455-8309 (Fax)
   Contacts:
   Holly Kean, Executive Director
   Walter Canter, President

2. Seattle Public Utilities
   710 Third Avenue, 10th Floor
   Seattle WA 98104
   206-684-5851 (Tel)
   206-684-4631 (Fax)
   Contacts:
   Diana Gale, Director
   Scott Haskins, Branch Executive

Synopsis

The East King County Regional Water Association is an organization of public water districts and cities formed under RCW 24.03 with the primary goal of implementing the East King County Coordinated Water System Plan. A specific purpose of the RWA is to identify and develop a new regional water source to meet projected water demands. This source would complement, and be integrated with, the existing regional water system presently operated by Seattle Public Utilities.

This water right application is for a surface water withdrawal of 100 cfs for the purpose of regional water supply. The application will be subject to all instream flow requirements for the Snoqualmie River at Carnation, specified in 173-507 WAC. The estimated maximum annual quantity is 72,000 acre-feet per year. This water right application is a component of what is known as the Snoqualmie Aquifer Project, for which a groundwater application (G1-27384) has been filed. The water developed from the project could be used throughout King County, via existing or planned transmission facilities. Thus, the water will be used by a number of public water systems, each with approved water system plans and conservation plans.

This water right application applies to a surface water source, consisting of one diversion on the Snoqualmie River, which flows into the Snohomish River within Ecology's Water Resources Inventory Area (WRIA) Number 7. A proposed river intake location is within the SW1/4 of the SW 1/4 of Section 36, Township 26N, Range 6E, King County. The applicants do not own the land adjacent to the proposed source location since the final location of the source is dependent on pending engineering and environmental investigations.
Attachment F
Snoqualmie Aquifer Equity Calculation
## East King County Regional Water Association
### Snoqualmie Aquifer Equity Calculation

<table>
<thead>
<tr>
<th></th>
<th>Total Equity per 1998</th>
<th>% to Total Project</th>
<th>1999 Assessment</th>
<th>2001 Assessment</th>
<th>Total Equity</th>
<th>% to Total Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rose Hill</td>
<td>$ 10,144.75</td>
<td>1.96%</td>
<td>$ 2,166.00</td>
<td>$ 6,090.25</td>
<td>$ 10,144.75</td>
<td>1.78%</td>
</tr>
<tr>
<td>Sammamish Plateau*</td>
<td>$ 38,284.92</td>
<td>7.39%</td>
<td>$ 2,166.00</td>
<td>$ 6,090.25</td>
<td>$ 46,541.17</td>
<td>8.16%</td>
</tr>
<tr>
<td>KCWD 119</td>
<td>$ 3,265.83</td>
<td>0.63%</td>
<td>$ 132.00</td>
<td>$ 341.07</td>
<td>$ 3,738.90</td>
<td>0.66%</td>
</tr>
<tr>
<td>Cedar River</td>
<td>$ 21,010.32</td>
<td>4.06%</td>
<td>$ 1,170.00</td>
<td>$ 3,016.19</td>
<td>$ 25,196.51</td>
<td>4.42%</td>
</tr>
<tr>
<td>Bellevue</td>
<td>$ 96,067.16</td>
<td>18.55%</td>
<td>-</td>
<td>$ 96,067.16</td>
<td>16.84%</td>
<td></td>
</tr>
<tr>
<td>Kirkland</td>
<td>$ 44,715.89</td>
<td>8.63%</td>
<td>$ 2,632.00</td>
<td>$ 47,347.89</td>
<td>8.30%</td>
<td></td>
</tr>
<tr>
<td>Redmond</td>
<td>$ 64,953.72</td>
<td>12.54%</td>
<td>$ 3,866.00</td>
<td>$ 68,819.72</td>
<td>12.07%</td>
<td></td>
</tr>
<tr>
<td>Issaquah</td>
<td>$ 20,259.62</td>
<td>3.91%</td>
<td>$ 960.00</td>
<td>$ 2,509.45</td>
<td>$ 23,729.07</td>
<td>4.16%</td>
</tr>
<tr>
<td>Woodinville Water</td>
<td>$ 36,198.75</td>
<td>6.99%</td>
<td>-</td>
<td>$ 36,198.75</td>
<td>6.35%</td>
<td></td>
</tr>
<tr>
<td>Renton</td>
<td>$ 71,089.77</td>
<td>13.73%</td>
<td>$ 4,102.00</td>
<td>$ 9,367.49</td>
<td>$ 84,559.26</td>
<td>14.82%</td>
</tr>
<tr>
<td>Mercer Island</td>
<td>$ 19,690.27</td>
<td>3.80%</td>
<td>-</td>
<td>$ 19,690.27</td>
<td>3.45%</td>
<td></td>
</tr>
<tr>
<td>Coal Creek</td>
<td>$ 26,762.52</td>
<td>5.17%</td>
<td>$ 1,454.00</td>
<td>$ 3,726.70</td>
<td>$ 31,943.22</td>
<td>5.60%</td>
</tr>
<tr>
<td>Duvall</td>
<td>$ 4,555.20</td>
<td>0.88%</td>
<td>$ 224.00</td>
<td>$ 669.47</td>
<td>$ 5,448.67</td>
<td>0.96%</td>
</tr>
<tr>
<td>NE Sammamish</td>
<td>$ 13,533.62</td>
<td>2.61%</td>
<td>$ 462.00</td>
<td>-</td>
<td>$ 13,995.62</td>
<td>2.45%</td>
</tr>
<tr>
<td>Snoqualmie</td>
<td>$ 3,100.42</td>
<td>0.60%</td>
<td>$ 238.00</td>
<td>$ 628.24</td>
<td>$ 3,966.66</td>
<td>0.70%</td>
</tr>
<tr>
<td>Covington</td>
<td>$ 44,251.48</td>
<td>8.54%</td>
<td>$ 2,594.00</td>
<td>$ 5,265.42</td>
<td>$ 52,110.90</td>
<td>9.14%</td>
</tr>
<tr>
<td>North Bend</td>
<td>$</td>
<td></td>
<td>$ 885.71</td>
<td>$ 885.71</td>
<td>$ 570,384.23</td>
<td>0.16%</td>
</tr>
</tbody>
</table>

* includes Cascade View
Attachment G
Association Meeting Minutes
The January meeting of the Board of Directors of the EKCRWA was called to order by Terry Olson, President, at 2:30 p.m. at the offices of the N. E. Sammamish Sewer & Water District; 3600 Sahalee Way NE; Sammamish, Washington and on Zoom. In attendance at the District office were Nicole DeNovio, Terry Olson, Laura Keough, Jim Moe, Don DeBerg, Ted Stonebridge, Chris Hall and Brent Lewis. On Zoom were Paul Sentena, Mary Shustov, Jeff Hamlin, Richard Jonson and Mike Jonson. A quorum was present.

APPROVAL OF THE MINUTES

The June 4, 2020 minutes were unanimously approved on a motion from Don DeBerg seconded by Paul Sentena.

SECRETARY/TREASURER REPORT – LAURA KEOUGH

Laura presented the financial reports from May 2020 through September 2022. On a motion by Don DeBerg seconded by Mary Shustov the financial reports were approved.

Laura provided in the agenda a list of checks issued since the last meeting. On a motion by Mary Shustov seconded by Paul Sentena, the checks were approved.

Laura provided the State Auditor’s Report and Exit Items from the 2019 and 2020 audit. It was a clean audit report.

Laura reported that since the last meeting Ted Stonebridge had retrieved EKCRWA files from ex-executive director Bob Pancoast’s house. The records were brought to NE Sammamish Sewer and Water District where Laura reviewed the files. She created an archive list of the items in each box. From review of the records she was able to determine the project equity percentage in the Snoqualmie Aquifer project as well as the non-project equity of current members. These reports were distributed to the members.

It was noted that some of the members did not have interlocal agreements on file with the EKCRWA which is a requirement of membership. It was the members’ consensus that this could be cured by members signing the most current interlocal form. Laura will send out to members who need to provide an interlocal.

It was noted that there are a large amount of boxes being stored at NE Sammamish’s office which need to be relocated.
PRESIDENT’S REPORT – TERRY OLSON

Terry described Seattle’s request for participation by the EKCRWA at a 50-50 level with the City of Seattle on continuing work towards a water right for the Snoqualmie aquifer. The initial participation level request for the EKCRWA was $80,000.

Laura noted that the balance of EKCRWA’s funds was currently $80,034.57 and future participation would not be possible without increased contributions from members. Laura noted that NE Sammamish was not interested in participating in the costs to potentially obtain a water right.

Nicole noted that actually obtaining a water right under current DOE policies, mitigation requirements and senior instream flow rights would be very difficult.

Nicole stated that only North Bend, Sallal and the City of Bellevue had expressed any interest in participating with Seattle at some level and only North Bend is a voting member of the EKCRWA. There was discussion about whether it was possible to assign the EKCRWA’s portion of the water right application to North Bend. Dick Jonson said it was possible to assign water right applications but it would need to be evaluated. The group was amenable to transferring the rights but felt North Bend should have their attorney evaluate the possibility with EKCRWA’s attorney reviewing the evaluation.

Nicole noted that due to work obligations, she is unable to perform the duties of the Executive Director. Laura noted that it had been approximately two and a half years since we last met and she spent considerable time on reviewing EKCRWA records to determine equity percentages. Even with not meeting, the EKCRWA must carry liability and directors and officers insurance, have audits and reconcile monthly bank statements. Laura stated if the EKCRWA was to continue we would need to hire someone to take on both the executive director responsibilities and the financial responsibilities.

There was discussion about different ways members could continue to meet if the EKCRWA on an informal basis. Nicole suggested that members could join the WUCC and possibly a subcommittee could be formed that all the EKCRWA members could attend.

It was the group’s consensus that we would work toward dissolving the association pending members obtaining approval from their boards/councils and providing a step by step process for the members to have a clear understanding of the process. The initial list of considerations is as follows:

1. Membership Status
2. Records Disposition/State Archives
4. Coordinated Water Supply Considerations and Interaction with Agencies
5. Final Audit
6. Distribution Percentage
7. Legal Services Budget – It was the group’s consensus to use existing funds to support legal efforts for Dick Jonson
8. Monitoring Well Transfers – Look on Ecology Well Record
9. Look into WUCC membership Opportunities

OLD BUSINESS
None

NEW BUSINESS
None.

The meeting adjourned at approximately 4:20.
Reports