

CITY OF BLAINE
REQUEST FOR COUNCIL ACTION
MEETING DATE: December 10, 2007

SUBJECT: Water Use Efficiency Goal Establishment - Scheduling a Public Forum

SUBMITTING DEPT: Public Works

PREPARED BY: _____

(Digital Signature)

AGENDA LOCATION: ☐ Comments/Communications; ☐ Consent; ☐ Committee Reports

☐ Unfinished Business; ☒ Council Action Items; ☐ Public Hearing; ☐ Standing Committees

ATTACHMENTS: WAC 246-290-830
Public Notice

ANALYSIS / SUMMARY: In 2003 the Washington State Legislature passed the Municipal Water Law, which, in part, directed the Washington State Department of Health (WSDOH) to adopt a rule that establishes water use efficiency (WUE) requirements for all municipal water suppliers. WSDOH has since accomplished that task, which the Washington Administrative Code (WAC) now reflects in new Chapter WAC 246-290 Part 8, subsections 800 – 840.

WAC 246-290-830(1) requires that: “The elected governing board or governing body of the public water system shall establish water use efficiency goals [at least one goal is required] within one year of the effective date of this rule for systems serving one thousand or more total connections...”. The *WSDOH Water Use Efficiency Rule* became effective on January 22, 2007, so the deadline date to establish the City’s water use efficiency goal(s) is January 22, 2008.

WAC 246-290-830(4)(a) requires that: “Goals shall be set in a public forum that provides opportunity for consumers and the public to participate and comment on the water use efficiency goals.”.

WAC 246-290-830(4)(b) requires that: “Public notice must occur at least two weeks prior to the public forum. Public notice must include the purpose, date, time, and place of the forum, and where materials supporting the rationale for the proposed goals can be reviewed.”

RECOMMENDATION: ☒ Waive 2nd Reading: Staff recommends that the City Council: **(1)** Adds to its January 14, 2008 Regular Meeting Agenda the *WSDOH Water Use Efficiency Rule*-required public forum to consider public comment on the City’s draft water use efficiency goal(s), with City Council adoption to follow, and **(2)** Directs the City Clerk to arrange to place the attached Public Notice in each Community Almanac Section of each edition of the *Bellingham Herald*, and in each edition the *Northern Light*, until January 14, 2008.

FISCAL ANALYSIS: Providing notice of, and conducting, the public forum will have no fiscal impact. Implementing the proposed goal, however, may involve additional administrative and/or water distribution telemetry system improvement expenses, which are unknown at this time.

REVIEWED BY:

City Manager _____ Finance Director _____ City Clerk _____
(Digital Signature) (Digital Signature) (Digital Signature)

COUNCIL ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to: _____

COUNCIL ACTION: _____

WAC 246-290-830 Water use efficiency goal setting.

- (1) The elected governing board or governing body of the public water system shall establish water use efficiency goals within one year of the effective date of this rule for systems serving one thousand or more total connections, and within two years of the effective date of this rule for systems serving less than one thousand total connections.
- (2) Water use efficiency goals must be designed to enhance the efficient use of water by the system and/or its consumers.
- (3) If a municipal water supplier determines that further reductions over current consumption levels are not reasonably achievable, the municipal water supplier shall provide justification that considers historic water use efficiency performance and investment and any other factors that support that determination. Justification must be provided in water use efficiency programs developed under WAC [246-290-810](#) and in water use efficiency performance reports developed under WAC [246-290-840](#).
- (4) Municipal water suppliers must provide documentation when requested by the department and in water use efficiency programs developed under WAC [246-290-810](#) that demonstrates the following goal setting requirements have been met:
 - (a) Goals shall be set in a public forum that provides opportunity for consumers and the public to participate and comment on the water use efficiency goals;
 - (b) Public notice must occur at least two weeks prior to the public forum. Public notice must include the purpose, date, time, and place of the forum, and where materials supporting the rationale for the proposed goals can be reviewed;
 - (c) The elected governing board or governing body of the public water system shall review and consider all comments received;
 - (d) The following must be made available to the public for the purpose of fully documenting the basis for each goal:
 - (i) The information listed under WAC [246-290-810](#)(4);
 - (ii) Annual water use efficiency performance reports prepared under WAC [246-290-840](#);
 - (iii) Water supply characteristics description in accordance with WAC [246-290-100](#) (4)(f)(iii)(B) or source description in accordance with WAC [246-290-105](#) (4)(f); and
 - (iv) A summary of the comments received and how they were considered.
- (5) Existing public processes may be used if all requirements listed under subsection (4) of this section are met.
- (6) Water use efficiency goals must include:
 - (a) Consideration of the system's forecasted demand and water supply characteristics;
 - (b) Measurable outcomes in terms of reduced or maintained water production or usage. Outcomes may be expressed on a per capita, per connection, total system, or other basis as deemed appropriate by the municipal water supplier;
 - (c) A schedule for achieving the water use efficiency goals; and
 - (d) Implementation schedule for each water use efficiency measure selected under WAC [246-290-810](#)(4).
- (7) The elected governing board or governing body of the public water system shall evaluate and reestablish water use efficiency goals following the process identified in subsection (4) of this section at least every six years and as part of a water system plan approval under WAC [246-290-100](#) or small water system management program approval under WAC [246-290-105](#).
- (8) Water use efficiency goals may be changed at any time in accordance with subsection (4) of this section. Changes to goals must be identified in the next performance report.
- (9) Water use efficiency programs must be modified if any water use efficiency goal is not met. Program modifications must be designed to achieve the system's water use efficiency goals.

Public Notice

City of Blaine Water Use Efficiency Goals Establishment Public Forum

Purpose: To conduct a Public Forum prior to adopting City of Blaine's Water Use Efficiency Goals (as required by WAC 246-290-830)

Date: Monday, January 14, 2008 (regular City Council Meeting)

Time: 7:00 pm

Place: City of Blaine City Council Chambers
344 H Street
Blaine, WA 98230

Materials that support the rationale for the proposed goals are available for examination at:

City of Blaine City Clerk's office
344 H Street
Blaine, WA 98230

and

City of Blaine Public Works Department
1200 Yew Avenue
Blaine, WA 98230

and

www.cityofblaine.com