

## CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works / Administration

**DATE:** January 9, 2018

**REQUESTED ACTION:** Approve Clark Regional Wastewater District's request to annex an area to their Service Area Boundary that was added to the Hockinson Rural Center in December 2010. This is identified as CRWWD Annexation #02-17.

Consent     Hearing     County Manager

### BACKGROUND

The Clark Regional Wastewater District was approached by the owner of a parcel of land that was added to the Hockinson Rural Center in December 2010. Clark County has also designated the District as the sewer provider to this parcel based on basin planning documents, as well as the practicality from both an engineering standpoint and the availability of service.

### COUNCIL POLICY IMPLICATIONS

This action is consistent with RCW 57.02.040 which requires the county legislative authority to either approve the action or hold a hearing on the action. Since there is no opposition from other service providers, the area is within their planned service area, and this is the normal manner to provide wastewater services to the expanded urban area, we recommend approval.

### ADMINISTRATIVE POLICY IMPLICATIONS

None

### COMMUNITY OUTREACH

Request was initiated by property owners in the annexation area and a resolution was adopted at a Clark Regional Wastewater District Board Meeting.

### BUDGET IMPLICATIONS

| YES | NO |  |
|-----|----|--|
| X   |    | Action falls within existing budget capacity.  |
|     | X  | Action falls within existing budget capacity but requires a change of purpose within existing appropriation  |
|     | X  | Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager. |

PW18-009

**BUDGET DETAILS**

|                          |     |
|--------------------------|-----|
| Local Fund Dollar Amount | N/A |
| Grant Fund Dollar Amount | N/A |
| Account                  | N/A |
| Company Name             | N/A |

**DISTRIBUTION:**

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

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\_\_\_\_\_  
Heath H. Henderson, PE  
Public Works Director/County Engineer

Primary Staff Contact: \_\_\_\_\_ Ext. \_\_\_\_\_

  
\_\_\_\_\_  
**APPROVED:**  
CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS

DATE: 1-9-18  
SR# 05-18



**APPROVED:** \_\_\_\_\_  
Jim Rumpeltes, Interim County Manager

DATE: \_\_\_\_\_



COMMISSIONERS  
Norm Harker  
Denny Kiggins  
Neil Kimsey  
GENERAL MANAGER  
John M. Peterson, P.E.

8000 NE 52 Court Vancouver, WA 98665 PO Box 8979 Vancouver, WA 98668  
Phone (360) 750-5876 Fax (360) 750-7570 www.crwwd.com

October 31, 2017

Board of County Councilors  
Clark County  
P.O. Box 5000  
Vancouver, WA 98660-5000

RE: Approval of Clark Regional Wastewater Annexation  
#02-17

Gentlemen:

Clark Regional Wastewater District has been approached by the owner of a parcel of land that was added to the Hockinson Rural Center in December 2010. Clark County has also designated Clark Regional Wastewater District as the sewer provider to the parcel. In conformance with RCW 57.02.040 the District is hereby submitting petitions to the Board of County Councilors for approval.

As outlined in item 2 of Chapter 57.02.040 (copy attached) we are providing the required notice for the proposed action of annexing the areas shown on the attached maps and described in the attached legal description. We have also forwarded copies of this package to the Department of Ecology and the Department of Health as required. The County shall either approve the action or hold a hearing within 30 days.

As outlined in item 3 of Chapter 57.02.040 we include the following comments:

- a. County Development Program within the County Comprehensive plan. The County's Growth Management Plan identifies Goals and Visions. This annexation is compliant with the County's Goals and Vision. The Plan also discusses annexation and inclusion into future cities. This annexation does not prohibit nor increase any city annexation process; it merely provides service to new areas added to the urban service boundary by the organization that has the closest point of service and capacity at that location.

The Plan also calls for a goal that Capital Facilities installation shall "ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy ...". This annexation is compliant with this goal.



October 31, 2017  
Board of County Councilors  
Clark County  
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- b. Compliance with basin-wide sewerage plan – While the County has a county wide water plan, there is no county wide sewer plan. The County has two plans in place, the 1981 Salmon Creek Basin Sewer Master Plan (Robert Meyer) with 3 subsequent revisions. The area depicted clearly includes the areas requesting annexation at this time. The 2004 plan primarily addresses the plant and transmission system and looks briefly at the collection system relative to population and flow projection. The area requesting annexation is being added to the District's Comprehensive Plan in 2018.
- c. Compliance with the County's plan for sewerage facilities – As described in b (above) the area submitted is within the 1981 approved Salmon Creek Basin Sewer Master Plan and is stated by reference in the Clark County Comprehensive Plan.

As outlined in item 4, based on consistency shown above, the District requests that the County approves the submitted annexation of these properties into the Clark Regional Wastewater District, finding it consistent with the County's plan for sanitary sewer service.

Thank you for timely action on this matter. If you have any specific questions on these issues please contact Steve Bacon at 360-993-8810 or by email at [sbacon@crwwd.com](mailto:sbacon@crwwd.com).

Sincerely,



John M. Peterson, P.E.  
General Manager  
Clark Regional Wastewater District

Attachments (2)



COMMISSIONERS  
Norm Harker  
Denny Kiggins  
Neil Kimsey  
GENERAL MANAGER  
John M. Peterson, P.E.

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October 2, 2017

Board of Commissioners  
Clark Regional Wastewater District  
PO Box 8979  
Vancouver, WA 98668-8979

RE: Annexation #02-17  
Certification of Sufficiency of Petition

I hereby certify that we have received 1 valid petition representing 15.25 acres within the proposed annexation area. The 15.25 acres of the total 15.25 acres equals 100% of the area and meets the 60% requirement as outlined in RCW 57.24.070.

Sincerely,

A handwritten signature in black ink that reads 'J.D. Robin Krause'.

J.D. Robin Krause, P.E.  
District Engineer  
Clark Regional Wastewater District



## **RCW 57.02.040**

### **Water-sewer district activities to be approved—Criteria for approval by county legislative authority.**

(1) Notwithstanding any provision of law to the contrary, the following proposed actions shall be approved as provided for in RCW 57.02.045:

- (a) Formation or reorganization under chapter 57.04 RCW;
- (b) Annexation of territory under chapter 57.24 RCW;
- (c) Withdrawal of territory under chapter 57.28 RCW;
- (d) Transfer of territory under RCW 57.32.160;
- (e) Consolidation under chapter 57.32 RCW; and
- (f) Merger under chapter 57.36 RCW.

(2) At least one of the districts involved shall give notice of the proposed action to the county legislative authority, state department of ecology, and state department of health. The county legislative authority shall within thirty days of receiving notice of the proposed action approve the action or hold a hearing on the action.

(3) The county legislative authority shall decide within sixty days of a hearing whether to approve or not approve the proposed action. In approving or not approving the proposed action, the county legislative authority shall consider the following criteria:

(a) Whether the proposed action in the area under consideration is in compliance with the development program that is outlined in the county comprehensive plan, or city or town comprehensive plan where appropriate, and its supporting documents;

(b) Whether the proposed action in the area under consideration is in compliance with the basin-wide water and/or sewage plan as approved by the state department of ecology and the state department of social and health services; and

(c) Whether the proposed action is in compliance with the policies expressed in the county plan for water and/or sewage facilities.

(4) If the proposed action is inconsistent with subsection (3)(a), (b), or (c) of this section, the county legislative authority shall not approve it. If the proposed action is consistent with subsection (3)(a), (b), and (c) of this section, the county legislative authority shall approve it unless it finds that water or sewer service in the area under consideration will be most appropriately served by the county itself under the provisions of chapter 36.94 RCW, or by another district, city, town, or municipality. If there has not been adopted for the area under consideration a plan or program under subsection (3)(a), (b), or (c) of this section, the proposed action shall not be found inconsistent with such subsection.

(5) Where a district is proposed to be formed, and where no boundary review board is established in the county, the petition described in RCW 57.04.030 shall serve as the notice of proposed action under this section, and the hearing provided for in RCW 57.04.030 shall serve as the hearing provided for in this section and in RCW 57.02.045.

[ 1996 c 230 § 105; 1988 c 162 § 7; 1971 ex.s. c 139 § 2.]

#### **NOTES:**

**Part headings not law—Effective date—1996 c 230:** See notes following RCW 57.02.001.



COMMISSIONERS  
Norm Harker  
Denny Kiggins  
Neil Kimsey  
GENERAL MANAGER  
John M. Peterson, P.E.

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Phone (360) 750-5876      Fax (360) 750-7570      www.crwwd.com

October 2, 2017

Board of Commissioners  
Clark Regional Wastewater District  
PO Box 8979  
Vancouver, WA 98668-8979

RE: Annexation #02-17  
Certification of Sufficiency of Petition

I hereby certify that we have received 1 valid petition representing 15.25 acres within the proposed annexation area. The 15.25 acres of the total 15.25 acres equals 100% of the area and meets the 60% requirement as outlined in RCW 57.24.070.

Sincerely,

A handwritten signature in black ink that reads 'Robin Krause'.

J.D. Robin Krause, P.E.  
District Engineer  
Clark Regional Wastewater District



**CLARK REGIONAL WASTEWATER DISTRICT  
CLARK COUNTY, WASHINGTON**

**RESOLUTION NO. 1702**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
CLARK REGIONAL WASTEWATER DISTRICT, CLARK  
COUNTY, WASHINGTON, APPROVING ANNEXATION OF  
REAL PROPERTY (#02-17) TO THE DISTRICT, SUBJECT TO  
FINAL APPROVAL BY THE CLARK COUNTY BOARD OF  
COUNTY COUNCILORS.**

**WHEREAS**, the District received a petition for annexation of land to the District, which was signed by the owners of not less than 60 percent of the land area, according to the records of the Clark County Auditor, of the land described in the petition; and

**WHEREAS**, on September 12, 2017, the Board of Commissioners considered the petition and found it to comply with the requirements of law, and fixed a public hearing on the petition for October 10, 2017; and

**WHEREAS**, RCW 57.24.090 authorizes the Board of Commissioners to annex all or any portion of the area described in a petition for annexation; and

**WHEREAS**, the District caused notice of hearing on the annexation area to be published and posted in accordance with law; and

**WHEREAS**, the hearing was held as scheduled; and

**WHEREAS**, the Board of Commissioners concurs with the boundary for the annexation area; now, therefore

**BE IT RESOLVED** by the Board of Commissioners of Clark Regional Wastewater District, Clark County, Washington, as follows:

Section 1. The Board of Commissioners finds that the annexation approved in Section 2 of this Resolution (1) complies with the requirements of Chapter 57.24 RCW, (2) is consistent with the District's Comprehensive Plan, (3) complies with the requirements of RCW 57.02.040, and (4) will be conducive to the public health, convenience and welfare, and will be of special benefit to the annexed property.

Section 2. The Board approves annexation of the land described in Exhibits A and B to the District, subject to final approval by the Clark County Board of County Councilors as required by RCW 57.02.040.



Section 3. The General Manager is authorized and directed to send a certified copy of this resolution to the Clark County Board of County Councilors, the Clark County Auditor, the Washington State Department of Ecology and the Washington State Department of Health, and to carry out any requirements and procedures prescribed by law for annexation of such land to the District.

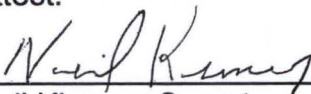
Section 4. The Board of Commissioners requests that the Clark County Board of County Councilors approve the annexation in accordance with RCW 57.02.040.

Section 5. The annexation shall be effective on the first day of the month following approval of the annexation by the Clark County Board of County Councilors, or on such later date as shall be determined by subsequent resolution of the District Board of Commissioners.

**ADOPTED** by the Board of Commissioners of Clark Regional Wastewater District, Clark County, Washington, at a regular meeting held on October 10, 2017.

**CLARK REGIONAL WASTEWATER DISTRICT**

Attest:

  
\_\_\_\_\_  
Neil Kimsey, Secretary

  
\_\_\_\_\_  
Denny Kiggins, President

  
\_\_\_\_\_  
Norm Harker, Vice President

## ***Exhibit A***

### **Legal Description**

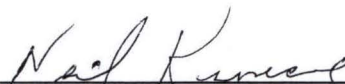
The proposed annexation includes properties fully or partially within the following described area:

- Taxlot Number 79 of Section 13, Township 3 North, Range 2 East of the Willamette Meridian, Number 2 of Section 18, Township 3 North, Range 3 East of the Willamette Meridian. . Clark County Assessor's Serial Number 194842-000.

Except portions lying within public roads.



I, the undersigned, Secretary of the Board of Commissioners of Clark Regional Wastewater District, Clark County, Washington, do hereby certify that the within and foregoing is a true and correct copy of Resolution No. 1702, adopted at the regular, open public meeting thereof held on the 10<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Neil Kimsey, Secretary