



King County

Utilities Technical Review Committee

Department of Natural Resources and Parks

King Street Center

210 South Jackson Street, Suite 503

Seattle, WA 98104-3855

www.kingcounty.gov

April 8, 2019

Washington State Department of Health
Northwest Drinking Water
Attention Mr. Richard Rodriguez
20425 72nd Ave W, Suite 310
Kent, WA 98032

Dear Mr. Rodriguez:

The County is in receipt of a "*Notice and Statement of Appeal*" requesting a review of a certificate of water availability issued by the Sallal Water Association (Sallal). The appeal was filed by attorney Duana Kolouskova who represents Cedar River Partners LLC. The appeal is made pursuant to King County Code (KCC) 13.24.090 for a development in the City of North Bend. This letter is to make you aware of the appeal and to provide the Department of Health with an opportunity to respond to the Cedar River Partners LLC appeal and to provide evidence and legal argument why the appeal should or should not be granted for consideration by the King County Utilities Technical Review Committee (UTRC).

KCC 13.24.090(3)(a) provides, in part, that the UTRC is to serve as the appeal body to hear issues relating to the creation of new public water systems and the extension of existing public water service within the boundaries of a critical water supply service area as provided for in the utility service review procedures contained in the coordinated water system plans, based on whether an existing water purveyor can provide service in a timely and reasonable manner. Sallal is within the East King County Coordinated Water System Plan (CWSP) area. The process for dispute resolution is described in the CWSP that can be viewed here:

<https://www.kingcounty.gov/depts/dnrp/utilities-technical-review-committee/coordinated-water-system-plans.aspx>

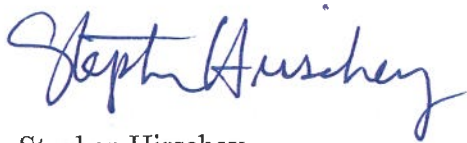
Ms. Kolouskova is asserting the Certificate of Water Availability and service from Sallal is not in a timely and reasonable manner. The relief requested is a service area change and potential service from the City of North Bend or an alternative source. If the UTRC finds the terms of service are not timely and reasonable, the statute provides that the service area boundaries in the coordinated plan for the affected utilities shall be revised to reflect the decision of the local legislative authority (see RCW 70.116.060(3)(b)). Enclosed is a copy of the filing by Ms. Kolouskova.

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By this letter, I ask the Department of Health to provide your perspectives, evidence and legal argument why the appeal should or should not be granted on or before April 24, 2019. The UTRC will also contact the City of North Bend and Sallal to obtain their perspectives on this matter. The role of the UTRC will be to affirm the facts associated with the issue, review the positions or arguments of the parties and then issue a decision on whether Sallal's offer of water service is in a timely and reasonable manner.

If you have any questions on this matter, please do not hesitate to call me at 206-477-5387.

Sincerely,

A handwritten signature in blue ink that reads "Stephen Hirschey". The signature is written in a cursive style with a large initial 'S'.

Stephen Hirschey

Chair, Utilities Technical Review Committee

Enclosures

cc: Duana Kolouskova
Ted Stonebridge, General Manger, Sallal Water Association
Mark Rigos, Interim City Manager, City of North Bend