

MEMO

To: Kitsap Public Health Board
From: John Kiess, Environmental Health Director
Date: May 1, 2018
Re: **Proposed Drinking Water Supply Regulations - Update**

Kitsap Public Health Board [Ordinance 1999-6](#), *Rules and Regulations for Private and Public Water Supplies*, has become antiquated and is in need of an update. The purpose of today's presentation is to refresh the Health Board on the history and progress of this rule update in preparation for a formal public hearing on a final updated ordinance during your regular meeting on June 5, 2018.

Background. At the July 2016 regular meeting of the Health Board, a presentation was made about the drinking water regulatory framework in Kitsap County and proposed changes to Ordinance 1999-6 to make it current and more effective for the protection of drinking water supplies.

Ordinance 1999-6 addresses both Group B public water systems (systems serving three to 15 connections) and private water supplies (individual wells and two-party well systems), new well construction, abandoned well decommissioning, monitoring and oversight of small public water systems, and procedures for coordinating with the local building departments to determine water adequacy for building permit applications.

The proposed changes and updates to the ordinance were developed through a stakeholder group of water purveyors in Kitsap County, the Kitsap Public Utility District, and the Kitsap County Department of Community Development. At the July 2016 meeting, the Health Board provided concurrence to continue and complete the process to modernize and improve drinking water system oversight in Kitsap County, thereby improving the protection of public health and groundwater resources, through a rule update of Ordinance 1999-6.

Large public water systems (systems with greater than 15 connections) are regulated by the state Department of Health.

During regular Health Board meetings in March and April 2017, the Health Board was updated about the status of the proposed changes to the draft ordinance, with a special emphasis on

Group B public water systems. A summary of the proposed changes to the oversight of Group B public water systems was presented to both the Health Board and public, including a public listening session targeted towards operators and users of Group B public water systems. An email list serve for interested parties was developed along with a webpage dedicated solely to the ordinance development process. Based on public input, the Health Board elected to have the Policy Committee review the proposed ordinance requirements.

The Policy Committee convened in June 2017. During this meeting, committee members reviewed applicable state and local drinking water authorities, laws, and regulations; Health District service mandates from Ordinance 1999-6 and the Kitsap County Coordinated Water System Plan; proposed and previously eliminated program elements; and discussed public comments collected during the previous Health Board meetings, the public listening session, and comments submitted through email or the Health District website. At the end of the meeting, the policy committee recommended Health District staff to continue moving forward with proposed updates and development of a new Health Board ordinance to replace Ordinance 1999-6.

The Policy Committee was reconvened December 2017 to discuss proposed regulatory options developed by the Health District in response to Health Board and public comments; pros and cons associated with each option; and staff recommendations for each option. Based on the committee's input during the December meeting, the Health District has finalized the draft ordinance with the recommended changes.

During today's meeting, I will present an overview of the drinking water issues the Health District is proposing to address, the development process of the draft *Drinking Water Supply Regulations* (see Attachment A), and a summary and comparison of the major elements of Ordinance 1999-6 to the proposed draft ordinance (Attachment B). Please note that there is not a strike-out/underline document of Ordinance 1999-6 because it is so out of date; hence, that is why the summary and comparison document has been prepared.

The presentation will include details about:

- Health District legal and program mandates;
- Health District drinking water program services (Attachment C);
- The local drinking water issues the proposed ordinance seeks to address;
- Group B public water system management issues the proposed ordinance seeks to address;
- A summary of the public comments received in 2017 which influenced the current draft of the proposed ordinance, along with Health District response (Attachment D); and
- A cost analysis to implement the proposed ordinance (Attachment E).

Following the meeting, the Health District will solicit more public comment and feedback on the proposed ordinance through a public meeting scheduled on May 7, 2018, and targeted outreach to Group B public water system operators and users through the drinking water ordinance list serve. The Health District intends to bring a final draft proposal of the ordinance to the Health Board for formal consideration during the June 5, 2018, regular meeting.

Recommended Action

None – informational only.

For any questions or concerns about this presentation, please contact me at (360) 728-2290 or john.kiess@kitsappublichealth.org

Attachments:

- A. Draft *Drinking Water Supply Regulations*, Board of Health Ordinance 2018-XX
- B. Regulatory requirements summary
- C. Health District Drinking Water program services summary
- D. Responsiveness summary to public feedback
- E. Proposed Group B water system operating permit fee budget analysis