



GREEN VALLEY/LAKE HOLM ASSOCIATION

Mike Morris, President
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Fran Seagren, Secretary
Judith Carrier, Officer At-Large
E-Mail: GVLHAssn@gmail.com

PLAT 2C PUBLIC HEARING
BLACK DIAMOND, WASHINGTON
DECEMBER 11, 2014

Presented by Max Beers for the Green Valley/Lake Holm Association

I am speaking for the Green Valley/Lake Holm Association. My name is Max Beers. I reside at 22134 SE Green Valley Rd., Auburn, Washington, just outside the SW boundary of Black Diamond.

Within the Southeast King County Community Service Area we, a group of local rural citizens have recently established and incorporated the Green Valley/Lake Holm Association representing the rural areas south and west of Black Diamond. We are concerned for the protection of our essential private and small public (Group B) domestic water systems during any development project or other water use activity that might put at risk the quantity or quality of our water systems. We ask that you consider our requests listed below.

The state Growth Management Act (GMA), plus the King County and City of Black Diamond Comprehensive plans all have included protections for rural water systems from urban growth. See **Attachment #1** for a partial list of these protections. For example the Black Diamond Comprehensive Plan, Chapter 2, UGA Policy NE 3 states, "*Protect and where appropriate, enhance ground and surface water quality to meet or exceed state water quality standards within the **drainage basins** that may be affected by development in the UGA*". (Emphasis added)

Many of our rural farms and homes border on the south and west of, and are downgrade from the Yarrow Bay developments in Black Diamond, i.e., within the drainage basin of the development projects. Each of these homes is serviced by private or small public (Group B) well or spring systems which could be affected by groundwater from the Plat 2C development. (See the attached Greater Black Diamond Well and Spring Sites map). The Plat 2C project is another move closer to this rural area and thus could impact the quantity and/or quality of our essential water systems.

There is at least one instance of a well that was potentially affected during a PPIA grading project. This well is within the boundaries of Black Diamond. The owner reports that her well water had white glacial silt, a condition not experienced since the well's drilling thirty-five years ago. The water cleared shortly after the grading stopped. Obviously we have no evidence that the silt was caused by the grading project, but it is cause for concern and supportive of our requests listed below.

We request the following actions be considered to ensure the protection of our water systems before approval of the Yarrow Bay Plat 2C project.

- 1) Provide impartial risk assessments, using best science techniques, to determine which specific wells or springs could be affected by the Plat 2C project.**
- 2) Depending on the level of risks, monitor those systems for quantity and quality before, during and after the project to determine impacts, if any.**
- 3) Provide for mitigation in the case where impacts are realized; e.g., water purification systems or alternative water sources.**
- 4) Communicate and coordinate with owners of wells or springs considered at risk.**

Our drinking water systems are critical and essential to the livability of our homes. They must be protected.

Thank you for listening and considering our requests.

Green Valley / Lake Holm Association
gvlhassn@gmail.com

EXHIBIT 81

Attachment #1. Do Existing Governmental Regulations

Protect Rural Domestic Water Supply?

by G.C. Bortleson---September 2014

The goals in Growth Management Act (GMA) include the protection of the environment including water quality and availability of water (RCW 36.70A.020). The protection of quality and quantity of ground water for public water supplies and adequate public facilities are required in comprehensive plans adopted under the GMA (RCW 36.70A.070). Domestic water systems are a public facility (RCW 36.70A.030 –item 12). Under the GMA, counties and cities must adopt comprehensive plans for the mandatory land-use element. Where applicable, the land- use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state (RCW 36.70A.070).

The drinking water protections for small rural systems (class B, 2 to 14 hookups) are detailed in chapter 246-291 WAC and administered by the Washington State Department of Health. Under WAC chapter 173-200-090, the Washington Department of Ecology can provide for special ground water protection areas which presumably could include areas under class B systems. Special protection areas may be proposed for designation at any time by the department upon its own initiative or at the request of a federal agency, another state agency, an Indian tribe, or local government. The Department of Ecology through RCW 90.44.400 can prepare a ground water management program that is guided by areas where land use may result in contamination or degradation of the ground water quality.

Local governments can use critical area ordinances to protect aquifer recharge areas (RCW 36.70A.060). Sensitive aquifer recharge areas need to be protected from contaminated stormwater infiltrations if located in a basin that is upgradient of rural water systems. Under the GMA, local governments must adopt stormwater controls. Local governments have options in adopting low impact techniques for the management of stormwater runoff. As the local land-use authority for the unincorporated area, King County has regulations in place to reduce water-polluting stormwater and promote practices that protect water quality. King County's land-use regulations and development standards have a component to protect and enhance aquifers used for potable waters (King County Comprehensive Plan, Chapter 4, E-493 to E-497, 2012), including implementing adopted stormwater management plans. King County's standards and plans for utility services in the rural areas are provided in Title 13--code 13.24.138 for King County.

Under the GMA, municipalities must also prepare comprehensive plans and stormwater management plans. Implementation of stormwater plans are met to protect rural water supplies outside of urban growth area (UGA) boundaries. Local jurisdictions, such as the City of Black Diamond where massive growth is planned, has assurances written in their comprehensive plan that downstream rural residents are protected (Black Diamond Comprehensive Plan, Chapter 2, 2009). The Black Diamond UGA Policy NE 3 states "*Protect and where appropriate , enhance ground and surface water quality to meet or exceed state water quality standards within the drainage basins that may be affected by development in the UGA*".

Watershed planning is encouraged by the state through the Watershed Management Act RCW chapter 90.82. The Act requires assessment of water quality within an area, commonly known as WRIA's (Water Resource Inventory Areas). The state's Department of Health (DOH) wellhead protection program (RCW 43.20.050) applies to class A public systems but not class B rural systems. In the case of class A systems, the DOH recommends the formation of local wellhead protection committees. Opportunities may exist for amending DOH administered WAC 246-291 to include more comprehensive programs and regulations existing in class A systems (WAC 246- 290) to apply to class B systems.

GREATER BLACK DIAMOND AREA WELL AND SPRING SITES

