

Spokane County Water Availability Advisory Group Draft Recommendations

5/17/12

Demonstration of Available Water prior to Land Division

Current Practices

There are two methods for the approval of land divisions within Spokane County: sub-divisions in accordance with Chapter 58.17 RCW or a certificate of exemption issued by Spokane County.

State law requires all counties to require demonstration that potable water supplies are available for all sub-divisions subject to Chapter 58.17 RCW. To implement this requirement the Spokane Regional Health District requires that the subdivision applicant provide one of the following:

- ❑ Proof that the new lots will be served by a public water supply system;
- ❑ A pump test from a well located on each proposed new lot that meets the same requirements as for a building permit; or
- ❑ A report from a hydro-geologist that includes a statement of adequacy (along with other requirements).

A Certificate of Exemption (CE) may be granted for *some* (but not all) divisions of land into parcels of greater than 10 acres. There are no requirements to demonstrate water availability within the CE approval process. The CE is granted at the counter within the Planning Department as an administrative process; there are no opportunities for review or appeal of these determinations. The provisions for CE are a bit complicated and there are a lot of nuances regarding which divisions are eligible for a CE. For those property divisions that are eligible, however, there is no requirement for any evaluation of water availability.

All building permits, regardless of how the land was divided, require a pump test to show adequate water.

Issues

There is concern that if property is divided without adequate assessment of water, the purchasers of the lots will not be aware that water may not be available, and therefore the lot is not really “buildable”.

There are two scenarios under which water may not be available:

- The aquifers underlying the subdivision do not have adequate water to provide the necessary sustainable yield for the proposed development, or
- Use of water by the new subdivision will impact senior water users giving rise to potential future water conflicts.

The Advisory Group focused on the following questions:

- Are the current procedures used by Spokane Regional Health sufficient to address water availability for subdivisions?
- Should there be new requirements to address water availability when land is divided through the CE process? If so, which types of land divisions?

Options

The attached flow chart shows potential options and decision points.

Additional options include:

- 1) Address the use of the CE process to create multiple lots for residential construction without an evaluation of water availability.
- 2) Establish geographic areas of concern—possibly overlay zones—to focus on problem areas rather than impose new requirements county-wide.
- 3) Require an evaluation of potential impairment to senior water users as part of the subdivision process.
- 4) Include and or enhance water availability information on property sale disclosures, property titles, and/or plat documentation.
- 5) Develop a tiered evaluation system based on the number and size of lots within the proposed subdivision
- 6) Revise the current evaluation of water availability for subdivisions to address both recharge and the physical capacity of the aquifer to supply the needed water.

Potential Recommendations

- 1) The Advisory Group recommends that Spokane County require the demonstration of potable water prior to the creation of multiple lots for single family home development through the CE process.
- 2) The Advisory Group recommends that Spokane County consider establishing geographic zones of concern for water availability. Once these zones are established, Spokane County should require more rigorous demonstrations of water availability within these zones.