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Section 10

Joint Use Facilities

10.1 Introduction

The 1977 Public Water System Coordination Act and the Water Resources Act of 1971 both recognize and encourage the joint use of public water facilities to promote regional water use efficiency and resource management. In addition, the intertie legislation of 1991 (RCW 90.03.383) reinforces this legislative policy and adds the objective of encouraging interties for the purpose of improving the reliability of public water systems.

Joint use of facilities through intergovernmental agreements is an essential component of an effective implementation program. The Coordinated Water System Plan (CWSP) is designed to further expand the joint use concept and seeks to establish a phased program to construct new transmission facilities that intertie major utilities and sources of supply within the urban area of Skagit County (County). Interties with utilities in Island County and between the Public Utility District No. 1 of Skagit County (PUD) and City of Anacortes (City) now exist, and future interties with utilities in Snohomish County are anticipated.

10.2 Joint Use Facilities

The City and the PUD now operate a number of interties between their public water supply systems.

The City and the PUD continue to operate under agreement developed under the 1993 CWSP (Appendix B) to develop a Skagit Regional Water Supply System.

The Agreement recognized the past cooperative programs of the two parties in operating reliable public water systems in Skagit County. The Agreement further established the following intent as set forth in Section 2:

- It is the intent of the parties to cooperate in the development of additional waterworks and facilities that would form a Skagit Regional Water Supply System. The City and PUD will work cooperatively in the development of additional of expanded water resources and systems for distribution within Skagit County. Absent further agreement, the City and PUD will maintain present service areas, and their customers will continue to enjoy the present level of supply and service.
- This Agreement provides a framework for development of each new joint facility. Each joint facility not specifically addressed by this

Agreement shall be addressed by amendment to this Agreement. The specific intent of this Agreement is to make provisions for a standardized method to expand the Skagit Regional Water Supply System to meet the public water supply needs, and to establish a basis for agreement between the City and PUD for financing, ownership, construction, and operation of new joint facilities required for the Skagit Regional Water Supply System.

- It is the further intent of the parties that this agreement be incorporated into the Skagit County CWSP.

This CWSP does establish the current framework for additional projects, projection of need and schedule, and the general guidelines for the regionally coordinated program.

Joint use facilities may require changes in source of supply water rights. Any source of supply proposed for use as a joint facility should be carefully evaluated to determine water right implications. The existing City and PUD water rights provide for water use within their respective service areas. Extension of this use under the regional concept embodied in the Agreement will require modification of the rights as to the authorized place of use of water. The 1991 intertie legislation (see discussion in Sub-Section 11.5) provides the framework for addressing water right requirements.

Section 9 presents the recommended supply plan for the study area to the year 2050. The evaluation of all supply strategies should be undertaken with the Agreement conditions as a reference. All significant projects will require use and development of joint facilities.

The State, Tribes, and local governments entered into a 50-Year Memorandum of Agreement (MOA) regarding cooperative water resource management of the Lower Skagit River and Cultus Mountain Streams. This updated CWSP and the MOA will continue to be an integral part of the water resource planning for Skagit County.

Collectively, the CWSP, the Water Resources Act of 1971, the MOA, and the Growth Management Act (GMA) establish a program of joint study, resource management, and facility development. The City of Anacortes-PUD Agreement is consistent with the envisioned intent and all of the referenced programs.

During the life of the 1999 CWSP Skagit County will address watershed planning and coordination of all water policies with the Environmentally Sensitive Area (ESA). It is the intent of the CWSP to provide a functional plan that links all water resource planning documents. To achieve that coordination with the CWSP will be periodically reviewed for consistency with the intent of all referenced programs.

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