

## Kapowsin Water District Receivership Action

The Washington State Department of Health (DOH) and Tacoma Pierce County Health Department share responsibility for enforcing state drinking water regulations ensuring safe and reliable drinking water. When a water system fails to do this and has exhausted all reasonable outlets for returning to compliance, DOH may request the court to appoint a receiver to operate the water system.

The Kapowsin Water District (KWD) is a water system in Kapowsin, WA, about 25 miles southeast of Tacoma in unincorporated Pierce County. KWD has a three-member board responsible for operating, maintaining, billing, and making decisions for their system. The water system currently serves 40 connections.

The KWD board had previously contracted with Valley Water District (VWD) to manage the water system with the hopes of merging the two separate districts into Valley. A resolution was drafted but was put on hold in the spring of 2017 when the transmission line for the KWD water system broke. Valley began trucking in water to Kapowsin with a cost between \$4,000 – 4,800/month.

Valley submitted a federal Rural Development (RD) grant application on behalf of Kapowsin to pay for either fixing the broken transmission line or drilling a new well water source but were not successful in securing funds for this year or getting a solid commitment for funds in the future. As a result, Valley terminated their Agreement for Water System Management and Operation on November 17, 2017. This termination of the management contract, coupled with the failed water source, triggered the DOH receivership action.

DOH was unable to find an entity willing to be the receiver of Kapowsin Water District. Per Washington State law (RCW 43.70.195), the County where the water district resides is the receiver of last resort. On November 8, 2017, DOH filed a receivership petition for Kapowsin Water District (KWD) with Pierce County Superior Court and on November 13, 2017 a Superior Court Commissioner signed an order naming Pierce County as temporary Receiver of KWD. On November 29, 2017, a court order was signed naming Pierce County permanent receiver of KWD.

Pierce County's goal is to provide the Kapowsin Water District customers with safe and reliable drinking water. In response to the receivership action, on November 29, 2017 the Pierce County Executive signed a Proclamation of Emergency allowing the County the resources to move forward with emergency actions to keep Kapowsin customers in water and restore their water source. The court order requires Pierce County to pursue a new well as a long-term potable water source.