

WATER-SEWER DISTRICT PROPOSALS
PIERCE COUNTY BOUNDARY REVIEW BOARD

RCW 57.02.040 *Water-sewer district activities to be approved--Criteria for approval by county legislative authority.* (1) Notwithstanding any provision of law to the contrary, the following proposed actions shall be approved as provided for in RCW 57.02.045: (a) Formation or reorganization under chapter 57.04 RCW; (b) Annexation of territory under chapter 57.24 RCW; (c) Withdrawal of territory under chapter 57.28 RCW; (d) Transfer of territory under RCW 57.32.160; (e) Consolidation under chapter 57.32 RCW; and (f) Merger under chapter 57.36 RCW.

(2) At least one of the districts involved shall give notice of the proposed action to the county legislative authority, state department of ecology, and state department of health. The county legislative authority shall within thirty days of receiving notice of the proposed action approve the action or hold a hearing on the action.

(3) The county legislative authority shall decide within sixty days of a hearing whether to approve or not approve the proposed action. In approving or not approving the proposed action, the county legislative authority shall consider the following criteria:

(a) Whether the proposed action in the area under consideration is in compliance with the development program that is outlined in the county comprehensive plan, or city or town comprehensive plan where appropriate, and its supporting documents;

(b) Whether the proposed action in the area under consideration is in compliance with the basinwide water and/or sewage plan as approved by the state department of ecology and the state department of social and health services; and

(c) Whether the proposed action is in compliance with the policies expressed in the county plan for water and/or sewage facilities.

RCW 57.02.045 *Approved by county legislative authority final, when--Boundary review board approval.* In any county where a boundary review board, as provided in chapter 36.93 RCW, is established, a notice of intention of the proposed action shall be filed with the boundary review board as required by RCW 36.93.090 and with the county legislative authority. The county legislative authority shall transmit to the boundary review board a report of its approval or disapproval of the proposed action together with its findings and recommendations under RCW 57.02.040. Approval by the county legislative authority of the proposed action shall be final and the procedures required to adopt the proposal shall be followed as provided by law, unless the boundary review board reviews the action under RCW 36.93.100 through 36.93.180. If the county legislative authority does not approve the proposed action, the boundary review board shall review the action under RCW 36.93.150 through 36.93.180. The action of the boundary review board shall supersede approval or disapproval by the county legislative authority.

You may contact the Office of the Pierce County Boundary Review Board at:

Pierce County Boundary Review Board
2401 So. 35th Street
Tacoma, WA 98409

(253) 798-7156, Chief Clerk

**FORMATION OF WATER-SEWER DISTRICT
RCW 57.04**

1. Contact the Resource Management section of the Pierce County Planning & Land Services Department regarding preparation of an Environmental Checklist and issuance of Determination of Significance/Nonsignificance. For newly forming districts, Pierce County will act as lead agency. **This is a separate process and should occur first as it takes some time to complete.**
2. Write the legal description of the **perimeter** boundary of the area proposed for inclusion in the new district (not a parcel by parcel description); double-spaced and numbered lines are preferable for ease of reference.
3. Obtain a copy of Pierce County Assessor's 1/4 section maps (200 scale) and mark the boundary of the proposed area. Submit one copy of the legal description and Assessor's maps to the Clerk of the BRB who will forward them to the County staff for verification. Legal description/map verification should occur prior to circulating petitions because those petitions will contain that legal description and map.
4. A petition (contents to be included are listed in RCW 57.04.030), signed by 10% of the registered voters who voted at the last municipal general election who live within the new district area, is submitted to the BRB Clerk (or directly to the County Auditor) who forwards it to the Auditor for verification within 10 days. If sufficient, the petition and certificate of sufficiency are transmitted to the County Council (copy to BRB).

OR

- If, in the opinion of the County Health officer, creation of the district is necessary for public health and safety, the County Council may declare by resolution that creation of the district is a public health and safety necessity and the petition is unnecessary. Proceed with remainder of process.
5. A Notice of Intention (submittal requirements are listed in the Board's Notice of Intention format) of the proposed action is filed with the Boundary Review Board (10 copies) and one copy each with the County Council, State Department of Ecology, and State Department of Health. The County Council will hold a hearing within 60 days to determine whether to change the boundaries and whether to approve or disapprove (based on RCW 57.02.040(3) and 57.04.030(3)) the action. The Council will transmit to the Boundary Review Board a report of approval/disapproval along with its findings and recommendations.
 6. If the formation is approved by the Council and the BRB's jurisdiction is not invoked during the 45-day comment period which follows receipt of Council's report, the Council will set a date for election. If disapproved by the Council or the BRB's jurisdiction is invoked, the BRB will hold a public hearing (within 120 days of invocation of jurisdiction) and a render a decision of approval, denial, or approval with modification of the boundaries (written within 40 days of the BRB hearing). After a decision of approval by the BRB, the Council will, by resolution, call for an election.