

## **Regional Water Cooperative of Pierce County (RWPC)**

First a bit of background. Jeff has been involved in public water supply since 1980 and served as the general manager of Spanaway Water Company, a non-profit mutual water company from 1991 to 2021. Jeff has been a certified operator since 1980 and has a JD from the University of Puget Sound (1986). Beginning in 2021, he has assumed the newly created role of executive director for the RWPC.

This organization is the merger of two organizations, the Regional Water Association of Pierce County and the Water Cooperative of Pierce County. The first was created in the 1980s and was largely an information sharing organization with minimal dues and activities. The second was formed in 1994 by six public water systems that teamed together to address water supply issues in the central portions of Pierce County, to take a more active role in water management, was limited to Pierce County ground water systems, and was supported by a larger dues structure. This “co-op” became increasingly involved in state and local water issues including evaluation of intertie potentials, state legislation from 1997 (amendment to RCW 90.44.100) onward including lobbying, USGS ground water modeling, amicus briefs in state supreme court, Coordinated Water system Plan and updates, and participation in local regulation development at the county level. Due to the redundancy of the groups, the two entities merged in 2014.

The RWPC organization’s purpose is:

- “1. To promote, preserve, and protect the use of ground and surface water as a safe and reliable source of water for domestic, industrial, commercial, and other municipal water supply purposes within Pierce County and Washington State;
2. To coordinate joint action of ground and surface water members regarding issues and opportunities relating to legislation, regulation, and other public policy matters that may benefit or otherwise affect their respective water rights, resource management, and operational interests.
3. To share information and foster joint action and/or mutual aid on matters of common member concern, including but not limited to drought, water supply shortages, emergency interties, training, purchasing, employment, water quality monitoring, conservation, water use efficiency, laboratory services, planning, construction of joint facilities, and operational issues, to the end that service to, and assets of the members, may be preserved and enhanced for the benefit of their customers.”

Membership now includes 27 members including cities, towns, county, a PUD, special purpose districts, non-profit mutual, and for profit water systems, with system sizes ranging from 40 to 188,239 connections. The RWPC membership currently includes several water systems outside Pierce County, one of which is an associate member – Camano Water Association. Overall the RWPC members provide water services in 7 counties and 11 WRIAs. Annual dues are based on an agreed fee per connection (\$0.78/connection), with a minimum of \$250 to a maximum of \$9,750, and an annual budget of nearly \$130,000. The RWPC is also open to non-water system entities as contributing members of which there are currently 15 contributing members. The later are mostly engineering firms. Importantly the RWPC includes active participation by DOH, the Tacoma Pierce County Health Department, County Planning and Public

Works, Dept. of Emergency Management, Fire Prevention Bureau, Master Builders Association, and DOE.

The RWPC activities include information sharing, group purchasing, water 101 informational programs for governing bodies and legislators, emergency communications, mutual aid agreements, shred equipment (leak detectors and man lift), participation and funding contributions for USGS modeling and coordinated water system plan development and updates, water related lobbying at state and local levels, sponsorship of the water festival, and active participation in the following outside groups:

- Washington Water Utility Council (WWUC)
- Washington Water Resources Committee (DOE)
- Central Puget Sound Water Suppliers Forum
- Washington State Legislature
- Pierce County Council
- Water Policy Alliance
- USGS Ground Water Modeling
- Streamflow Restoration Committees
- Joint Legislative Task Force on Water Mitigation
- Pierce County Unified Sewer Plan
- Washington State ground Water Association

The organization has six internal committees: communications/social, emergency management, equipment/resources sharing, legislative, technical, and water quality.

**Non-Profit Mutual Companies** – Comments related to Spanaway Water Company and mutual companies in general

Pros / Benefits:

- Board of Directors elected from membership, the property owners within the system
- Elections as determined by the by-laws – not a general public election
- Not directly regulated by the UTC
- Board of Directors establishes rates and fees (no second level of governance approvals)
- Not required to pay prevailing wages
- Not required to publically contract (SWC generally required a minimum of three bids)
- Can send bid packages to known qualified entities
- Public Meeting requirements do not apply (but all SWC meetings open to customers)
- More limited state audit obligations

Cons / Limitations / Restrictions:

- Does not have access to some funding sources including Public Works Assistant Account
- Must pay into Public Works Assistance Account (utility tax)
- Not as protected under RCWs (i.e. RCW 54 Public Utility Districts and RCW 57 Water-Sewer Districts) RCW 57 played a key role in preventing mandatory public water system fluoridation in Pierce County per Washington Supreme Court
- Limited ability to direct growth, zoning, development regulations (County or City directed)

## **City Utility**– Comments prepared by the City of Sumner in general

### Pros / Benefits:

Allow for integrated service across many areas of public service.

By cross training field staff, the number of crew capable of responding to an incident is greatly expanded.

Governance is regulated in a very public manor with open public meetings and public records request requirements.

Not directly regulated by the UTC

### Cons / Limitations / Restrictions:

Required to publicly bid contracts and pay prevailing wages.

Required to publicly contract for most projects (SWC generally required a minimum of three bids)

Service to areas outside of City boundaries is often times possible. This generally entails a higher cost of service and customers outside of the City boundary do not elect utility officials.

Utility contributions to funding general City services is restricted. It is hard to ascertain precisely and can be managed for the overall benefit of the community.

## **Challenges Common to All Agencies**

The Foster decision makes the expansion or acquisition of new rights problematic.

The use of franchise fees as a way for municipal entities to draw additional revenues from utilities.

PFAS regulations pose a new challenge to utilities. Testing requirements are different than other contaminants.

An aging workforce and infrastructure.