

April 15, 2024

CCD Black Diamond Partners LLC Attn: Justin Wortman 3025 112<sup>th</sup> Ave NE, Ste 100 Bellevue, WA 98004

### **RE: Regional Infiltration Facility**

CCD Black Diamond Partners, LLC is proposing a Regional Infiltration Facility in King County, WA. The facility is a planned appurtenance for the region, in accordance with The City of Black Diamond's The Villages MPD Development Agreement.

The Regional Stormwater Facility is located on King County parcels 212106-9059, 212106-9060, and 212106-9062, and is adjacent to The Reserve at Woodlands development site in King County. This site is located west of Ten Trails - Phase 2 Plat A, which is in the city of Black Diamond. These parcels were reviewed for critical areas by King County staff in 2021, and Critical Areas Designations (CADS21-0096, CADS21-0097, and CADS21-0099) were issued (attached).

As stated in the CADS, this determination is valid for 5-years, "The determinations reported in this letter as to the existence, location, and classification of critical areas and critical area buffers are effective for five years from the date of this letter if there has been no change in site conditions. The Department of Local Services, Permitting Division (Permitting) shall rely on these determinations of the existence, location and classification of critical areas and critical area buffers in its review of complete applications for permits or approvals filed for the subject development site or parcel within five years after the letter is issued."

The Regional Infiltration Facility is located completely outside of critical areas or their buffers. Consequently, a critical areas report is not required for the construction of the facility.

Existing gravel access roads throughout the larger Ten Trails and The Reserve properties will be utilized for construction haul roads from the existing developed project site. The applicant will implement applicable TESC (Temporary Erosion and Sediment Control) procedures and BMPs (Best Management Practices) surrounding the facility area. No clearing, grading, or temporary impacts are proposed within critical areas or their buffers.

It is in the opinion of WRI the above memo has successfully addressed the requirements of the King County code.

Should you have any questions or concerns, please do not hesitate to call. 425-337-3174.

Wetland Resources, Inc.

Jeff Mallahan

Senior Wetland Ecologist



**Permitting Division** 

Department of Local Services 35030 SE Douglas St., Ste. 210 Snoqualmie, WA 98065-9266 206-296-6600 TTY Relay: 711

www.kingcounty.gov

September 7, 2021

Makayla Bowdish 3025 112<sup>th</sup> Avenue Northeast, Suite 100 Bellevue, Washington 98004

RE: Critical Areas Designation CADS21-0096, Parcel 212106-9059 **Status: Complete** 

Dear Makayla:

Your property was recently reviewed for a Critical Areas Designation. Our review consisted of a site visit and an in-office review of existing background data. The result of our study is that we have determined that your parcel is host to the critical areas discussed separately below. Specific impacts to development on your parcel are also discussed.

The determinations reported in this letter as to the existence, location, and classification of critical areas and critical area buffers are effective for five years from the date of this letter if there has been no change in site conditions. The Department of Local Services, Permitting Division (Permitting) shall rely on these determinations of the existence, location and classification of critical areas and critical area buffers in its review of complete applications for permits or approvals filed for the subject development site or parcel within five years after the letter is issued. If you do not plan to develop your property soon after receiving this letter, it may be in your interest to contact us to see if any of the conclusions in this letter have changed or are no longer valid.

### Critical Aquifer Recharge Area (21A.24.311 to 21A.24.316)

A Category II Critical Aquifer Recharge Area (CARA) is mapped over about the eastern 400 to 500 feet of this parcel. For typical residential sites, CARA regulations only affect the type of on-site septic system for sites less than an acre. Additionally, King County Code (KCC) section 21A.24.316 requires development proposals in CARAs and within the urban growth area to incorporate BMPs into stormwater design to infiltrate runoff to the maximum extent possible. However, because your site is greater than one acre in size and outside the urban growth area, no restrictions are likely to apply to the proposed subdivision.

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### Steep Slope Hazard Area (21A.24.310)

Your parcel contains steep slopes. Steep slopes are defined as those slopes that exceed forty percent inclination (about 21 degrees) and have a vertical elevation change of at least ten feet. The buffer required between the steep slope and any proposed development (which is to remain unaltered native vegetation), without providing a geotechnical study, is generally 50 feet. Structures must maintain an additional 15-foot building setback beyond the buffer. Where a geotechnical study confirms that the slope is stable and that development will not create a hazard, the buffer may be reduced. For slopes that are less than 20 feet high, the requirements for a buffer and setback may be eliminated completely if a geotechnical study finds that the slope is stable and that the development will not adversely affect (or be affected by) the slope.

The steep slopes are roughly as shown on the attached site plan. Please note that we do not have access to data that are sufficiently accurate to locate precisely the steep slopes and determine their height. For that reason, the attached map should be thought of as an approximation only. Depending upon the nature of a future building proposal, a detailed topographic survey by a licensed surveyor may be advisable or even required.

On this parcel, steep slopes are mapped near the northeast corner of the site. However, the steep sections of these slopes are mapped intermittently and generally appear to be less than 20 feet high with some areas likely less than 10 feet high. A detailed topographic survey in this area may indicate most, if not all, of the mapped steep slopes do not meet the hazard definition. For those slopes that do meet the hazard definition, recommendations by a geotechnical engineer or geologist specific to these slopes may reduce or eliminate the buffers and/or regulations. For these reasons, the standard 50-foot buffer is not shown on the attached site map. Until a survey or report is provided, however, the standard 50-foot buffers would apply.

### Erosion Hazard Area (21A24.220)

Erosion Hazard Areas are those areas that are underlain by soils that may be conducive to severe erosion when exposed. For typical single-family residence construction projects, the presence of an erosion hazard poses little impact to development proposals. There is no buffer or building setback required, and there is no impact to the proposed locations of structures, water wells, on-site septic systems, or new pavement. There may be some extra attention given to controlling storm water runoff and erosion during construction and to seasonal clearing restrictions, but this would be considered during subdivision or building permit review. However, for projects that would propose clearing more than 7,000 square feet of land you should confirm compliance with Chapters 9.04 and 16.82 of the KCC.

For projects that propose clearing more than 15,000 square feet of land within an erosion hazard area, KCC section 21A.24.220 may limit clearing and grading to the dry season, April 1 to October 1. Additionally, section 21A.24.220.B requires vegetation to be left in place within erosion hazard

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areas in subdivisions until approval of building permits on individual lots unless clearing is required as part of a large-scale grading plan. The geotechnical report by Golder Associates submitted with the application documents notes that soils classified as having severe to very severe erosion hazards are mapped on the site, but these mapped soils do not fully align with the erosion hazard areas presented on King County iMap. Depending on specifics of proposed layouts and grading plans for the subdivision, accurate limits of the erosion hazard area may need to be shown on future site and erosion control plans.

### Wetlands (21A.24.318 to 21A.24.345)

Your parcel contains three Category **III** wetlands. Two of these are located on the northern portion of the parcel and one is located on the northeast portion of the parcel. The buffer width for the two wetlands located on the northern part of the parcel (which on an undeveloped lot is to remain unaltered native vegetation) is 110 feet. The buffer width for the wetland located on the northeast part of the parcel is 225 feet. Structures must honor an additional 15-foot building setback beyond the buffer. Within a currently undeveloped buffer, no development of any kind is usually allowed, including clearing, grading, or any other alteration of the existing vegetation. Within legally developed buffers, maintenance of existing structures and landscaping is allowed as well as limited expansions of some structures.

In your particular case, the wetlands were described in a report (dated November 20, 2020) by *Wetland Resources Environmental Consulting*. The Category III wetlands are located on the northern part of the parcel and feature habitat scores of 6 points. Wetlands such as these are assigned 110-foot buffers if moderate impact projects are proposed. The Category III wetland located on the northeast part of the parcel has a habitat score of 8 points. Wetlands such as these are assigned 225-foot buffers if moderate impact projects are proposed.

The buffer for the northeast wetland intersects mapped steep slopes. As discussed in the steep slope section above, these steep slope buffers may be reduced or eliminated based on the results of a detailed topographic survey or geotechnical report. For these reasons, only the wetland buffer is shown in this area on the attached map. Until a survey and/or geotechnical report is completed, though, the standard 50-foot steep slope buffer would apply and overlap a portion of the wetland buffer. Where buffers for multiple critical areas overlap, the regulations for each area apply. Additionally, per KCC section 21A.24.325, where wetland buffers intersect steep slopes or landslide hazard areas, the wetland buffer is extended to the top of the hazard.

There is an unmapped flood plain (21A.24.230) associated with these wetlands. The elevation change between the boundary of the wetland and the proposed development site is less than 10 feet based upon iMap. A minor flood study may be required to demonstrate the proposed development is not located within the flood hazard area.

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### **Water Service**

New development in the rural area must be served by Group A water systems, Group B water systems or individual private wells as provided for in King County Code (KCC) 13.24.138. If potable water is required for development, a Certificate of Water Availability or approval of an alternative water source consistent with the priority order provided in KCC 13.24.138 will be required under KCC 21A. 21A.28.040. Attached is a flow chart summarizing water service requirements and links to additional information. Read the chart by starting in the upper left corner, "Unincorporated King County, Property Location". It appears this property is not in a water service area, which should be confirmed by the applicant. It is the applicant's responsibility to verify water availability, in priority order, preceding submittal of an application. If you have questions about these requirements, please contact Permit Review Coordinator at the Permitting Division.

### **Closure**

When you are applying to the Health Department for septic system design approval or water well site approval, please include a copy of this letter and any attachments with your application to them. Similarly, a copy should be included with any building permit application. This critical area determination is not based on a professional survey of the site. As a result, this CAD may be relied on for the type and general location of critical areas but does not represent a confirmation of the precise boundaries of identified critical areas. Depending on the scope and type of development proposed on the site, a survey may be required with a permit application. If additional critical areas that are not reflected in the CAD become known during permit review, the development would still need to comply with applicable critical areas regulations.

The purpose of this review is to determine the location and classification of critical areas on your site that might affect your proposed development activities and is not an approval of existing or proposed development. Additional reviews, including but not limited to drainage, floodplain, clearing, grading, compliance with critical area codes, and fire flow may occur during the building permit review process.

A clearing and grading permit would be required in order to clear land for access to a well site within critical areas prior to obtaining a building permit.

Please feel free to contact Chris Holcomb at 206-477-3721 or <a href="mailto:cholcomb@kingcounty.gov">cholcomb@kingcounty.gov</a> for questions regarding ecological critical areas or Ryan Scheffler at 206-477-2373 or rscheffler@kingcounty.gov if you have any questions regarding geological critical areas.

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Sincerely,

Chris Holcomb, MES

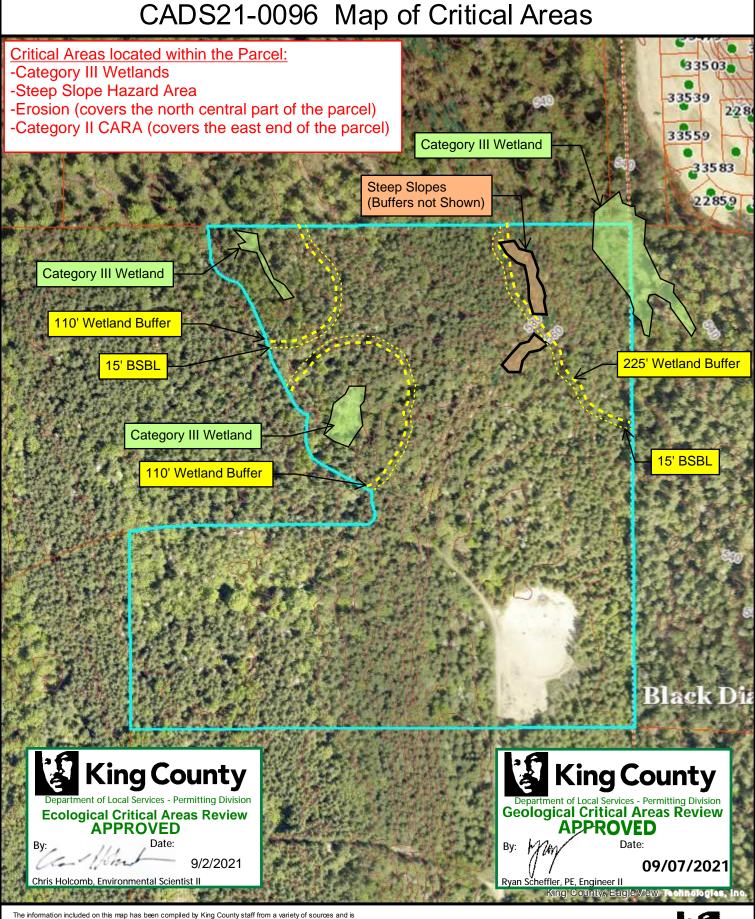
Environmental Scientist II-Ecologist

Car Hotol

Ryan Scheffler, P.E. Geotechnical Engineer II

Attachments: Map of Critical Areas

Water Service Requirements Flow Chart



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Notes:

Date: 8/30/2021







**Permitting Division** 

Department of Local Services 35030 SE Douglas St., Ste. 210 Snoqualmie, WA 98065-9266 206-296-6600 TTY Relay: 711

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September 7, 2021

Makayla Bowdish Oakpointe 3025 112<sup>th</sup> Avenue Northeast, Suite 100 Bellevue, Washington 98004

RE: Critical Areas Designation CADS21-0097, Parcel 212106-9060 **Status: Complete** 

Dear Makayla:

Your property was recently reviewed for a Critical Areas Designation. Our review consisted of a site visit and an in-office review of existing background data. The result of our study is that we have determined that your parcel is host to the critical areas discussed separately below. Specific impacts to development on your parcel are also discussed.

The determinations reported in this letter as to the existence, location, and classification of critical areas and critical area buffers are effective for five years from the date of this letter if there has been no change in site conditions. The Department of Local Services, Permitting Division (Permitting) shall rely on these determinations of the existence, location and classification of critical areas and critical area buffers in its review of complete applications for permits or approvals filed for the subject development site or parcel within five years after the letter is issued. If you do not plan to develop your property soon after receiving this letter, it may be in your interest to contact us to see if any of the conclusions in this letter have changed or are no longer valid.

### Critical Aquifer Recharge Area (21A.24.311 to 21A.24.316)

A Category II Critical Aquifer Recharge Area (CARA) is mapped over about the eastern 550 feet of this parcel. For typical residential sites, CARA regulations only affect the type of on-site septic system for sites less than an acre. Additionally, King County Code (KCC) section 21A.24.316 requires development proposals in CARAs and within the urban growth area to incorporate BMPs into stormwater design to infiltrate runoff to the maximum extent possible. However, because your site is greater than one acre in size and outside the urban growth area, no restrictions are likely to apply to the proposed subdivision.

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### Steep Slope Hazard Area (21A.24.310)

Your parcel contains steep slopes. Steep slopes are defined as those slopes that exceed forty percent inclination (about 21 degrees) and have a vertical elevation change of at least ten feet. The buffer required between the steep slope and any proposed development (which is to remain unaltered native vegetation), without providing a geotechnical study, is generally 50 feet. Structures must maintain an additional 15-foot building setback beyond the buffer. Where a geotechnical study confirms that the slope is stable and that development will not create a hazard, the buffer may be reduced. For slopes that are less than 20 feet high, the requirements for a buffer and setback may be eliminated completely if a geotechnical study finds that the slope is stable and that the development will not adversely affect (or be affected by) the slope.

The steep slopes are roughly as shown on the attached site plan. Please note that we do not have access to data that are sufficiently accurate to locate precisely the steep slopes and determine their height. For that reason, the attached map should be thought of as an approximation only. Depending upon the nature of a future building proposal, a detailed topographic survey by a licensed surveyor may be advisable or even required.

On this parcel, the steep slopes are limited to a small area near the center of the southern property border. As mapped, these steep slopes appear to be greater than 10 but less than 20 feet tall. Based on the limited height and minimal extents of these mapped slopes, the code-required buffers and other steep slope regulations could likely be reduced or eliminated by a geotechnical study or by the County geological reviewer at the time of building permit submittal. For these reasons, the above-described steep slope buffers and building setback lines are not shown on the attached site map.

### Wetlands (21A.24.318 to 21A.24.345)

Your parcel contains a Category **III** wetland and a buffer from another Category III wetland located west of the parcel. The buffer width for this category of wetland (which on an undeveloped lot is to remain unaltered native vegetation) is 110-feet. Structures must honor an additional 15-foot building setback beyond the buffer. Within a currently undeveloped buffer, no development of any kind is usually allowed, including clearing, grading, or any other alteration of the existing vegetation. Within legally developed buffers, maintenance of existing structures and landscaping is allowed as well as limited expansions of some structures.

In your particular case, the wetlands were described in a report (dated November 20, 2020) by *Wetland Resources Environmental Consulting*. One of these wetlands is located on the southwest portion of the parcel and the other is located west of the parcel. Both of these Category III wetlands have habitat scores of 6 points. Wetlands such as these are assigned 110-foot buffers if moderate impact projects are proposed.

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There is an unmapped flood plain (21A.24.230) associated with these wetlands. The elevation change between the boundary of the wetland and the proposed development site is less than 10 feet based upon iMap. A minor flood study may be required to demonstrate the proposed development is not located within the flood hazard area.

### **Water Service**

New development in the rural area must be served by Group A water systems, Group B water systems or individual private wells as provided for in King County Code (KCC) 13.24.138. If potable water is required for development, a Certificate of Water Availability or approval of an alternative water source consistent with the priority order provided in KCC 13.24.138 will be required under KCC 21A. 21A.28.040. Attached is a flow chart summarizing water service requirements and links to additional information. Read the chart by starting in the upper left corner, "Unincorporated King County, Property Location". It appears this property is not in a water service area, which should be confirmed by the applicant. It is the applicant's responsibility to verify water availability, in priority order, preceding submittal of an application. If you have questions about these requirements, please contact Permit Review Coordinator at the Permitting Division.

### Closure

When you are applying to the Health Department for septic system design approval or water well site approval, please include a copy of this letter and any attachments with your application to them. Similarly, a copy should be included with any building permit application. This critical area determination is not based on a professional survey of the site. As a result, this CAD may be relied on for the type and general location of critical areas but does not represent a confirmation of the precise boundaries of identified critical areas. Depending on the scope and type of development proposed on the site, a survey may be required with a permit application. If additional critical areas that are not reflected in the CAD become known during permit review, the development would still need to comply with applicable critical areas regulations.

The purpose of this review is to determine the location and classification of critical areas on your site that might affect your proposed development activities and is not an approval of existing or proposed development. Additional reviews, including but not limited to drainage, floodplain, clearing, grading, compliance with critical area codes, and fire flow may occur during the building permit review process.

A clearing and grading permit would be required in order to clear land for access to a well site within critical areas prior to obtaining a building permit.

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Please feel free to contact Chris Holcomb at 206-477-3721 or <a href="mailto:cholcomb@kingcounty.gov">cholcomb@kingcounty.gov</a> for questions regarding ecological critical areas or Ryan Scheffler at 206-477-2373 or <a href="mailto:rescheffler@kingcounty.gov">rescheffler@kingcounty.gov</a> if you have any questions regarding geological critical areas.

Sincerely,

Chris Holcomb, MES

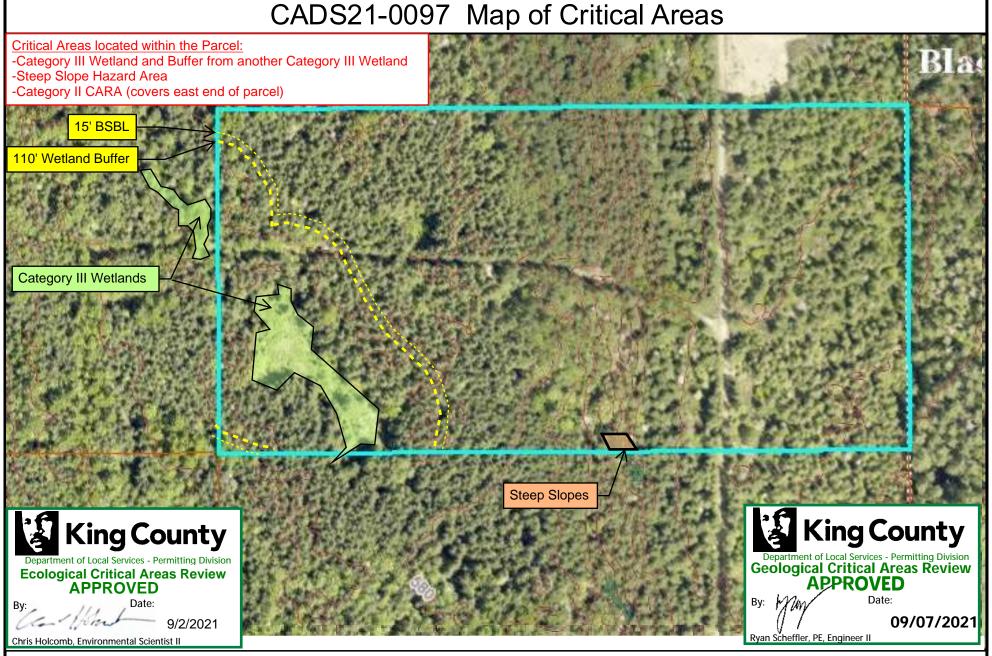
Environmental Scientist II-Ecologist

Car Hotout

Ryan Scheffler, P.E. Geotechnical Engineer II

Attachments: Map of Critical Areas

Water Service Requirements Flow Chart



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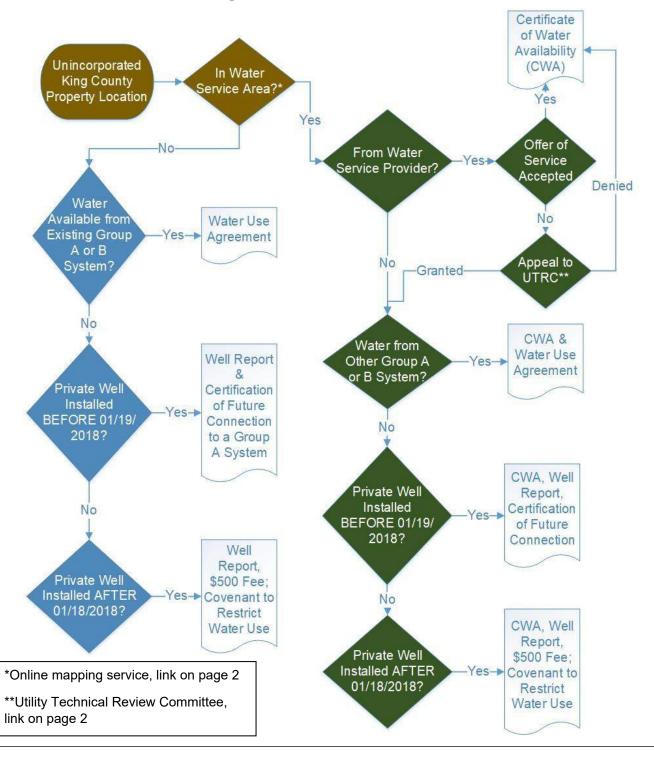
Date: 8/31/2021 Notes:







# **Water Service Requirements**



## Water Service Requirements, continued

### Water Service Area Provider Notes:

If the water service area provider is not willing or able to provide a Certificate of Water Availability (CWA) that indicates water is not presently available at a property, a letter or email to that effect from the water service area provider will be sufficient in lieu of the CWA.

If the water service area provider is not willing to sign the Certification of Future Water Connection, an email or letter to that effect from the water service area provider will be sufficient and the applicant can record the certification with the email or letter as an attachment, in lieu of the water district signature.

The certification of future connection for properties not located in a water service area need only to be signed by the owner.

If you feel the offer of water availability from the water service provider is not timely and/or reasonable, you can appeal their determination of water availability to the Utility Technical Review Committee (UTRC), King County Department of Natural Resources and Parks. The link to their appeal procedures and application requirements are included below.

#### Resources:

Parcel Located in King County, Check Jurisdiction and Zoning

\* Interactive Water Service Area Maps

Water Availability; Certificate of Availability

Dept. of Ecology, Well Construction & Licensing and Well Notice of Intent

Water Connection; Certification of Future Water Connection

Water Connection; Certification of Future Water Connection to a Group A System

Water Usage, Recording Document; Covenant Form

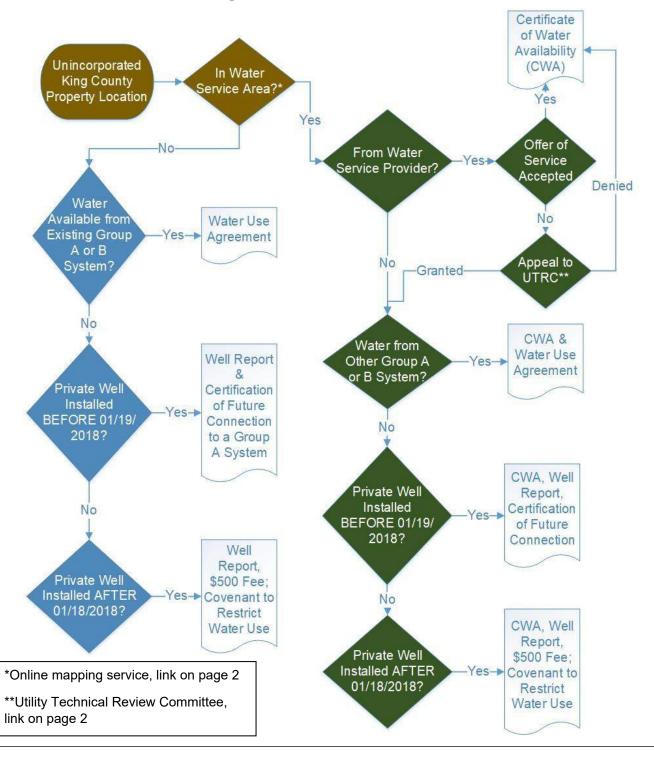
**Groundwater Maps and Reports** 

Public Health, Private Wells, Plumbing, Gas Piping and Onsite-Sewage Systems

\*\* Utility Technical Review Committee (UTRC) - Water Service Appeal Procedures and Forms



# **Water Service Requirements**



## Water Service Requirements, continued

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**Permitting Division** 

Department of Local Services 35030 SE Douglas St., Ste. 210 Snoqualmie, WA 98065-9266 **206-296-6600** TTY Relay: 711

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September 7, 2021

Makayla Bowdish Oakpointe 3025 112<sup>th</sup> Avenue Northeast Bellevue, Washington 98004

RE: Critical Areas Designation CADS21-0099, Parcel 212106-9062 **Status: Complete** 

Dear Makayla:

Your property was recently reviewed for a Critical Areas Designation. Our review consisted of a site visit and an in-office review of existing background data. The result of our study is that we have determined that your parcel is host to the critical areas discussed separately below. Specific impacts to development on your parcel are also discussed.

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### Steep Slope Hazard Area (21A.24.310)

Your parcel contains steep slopes. Steep slopes are defined as those slopes that exceed forty percent inclination (about 21 degrees) and have a vertical elevation change of at least ten feet. The buffer required between the steep slope and any proposed development (which is to remain unaltered native vegetation), without providing a geotechnical study, is generally 50 feet. Structures must maintain an additional 15-foot building setback beyond the buffer. Where a geotechnical study confirms that the slope is stable and that development will not create a hazard, the buffer may be reduced. For slopes that are less than 20 feet high, the requirements for a buffer and setback may be eliminated completely if a geotechnical study finds that the slope is stable and that the development will not adversely affect (or be affected by) the slope.

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On this parcel, the steep slopes are limited to a small area near the center of the northern property border. As mapped, these steep slopes appear to be greater than 10 but less than 20 feet tall. Based on the limited height and minimal extents of these mapped slopes, the code-required buffers and other steep slope regulations could likely be reduced or eliminated by a geotechnical study or by the County geological reviewer at the time of building permit submittal. For these reasons, the above-described steep slope buffers and building setback lines are not shown on the attached site map.

### Wetlands (21A.24.318 to 21A.24.345)

Your parcel contains a Category **III** wetland. The buffer width for this category of wetland (which on an undeveloped lot is to remain unaltered native vegetation) is 110 feet. Structures must honor an additional 15-foot building setback beyond the buffer. Within a currently undeveloped buffer, no development of any kind is usually allowed, including clearing, grading, or any other alteration of the existing vegetation. Within legally developed buffers, maintenance of existing structures and landscaping is allowed as well as limited expansions of some structures.

In your particular case, the wetland was described in a report (dated November 20, 2020) by *Wetland Resources Environmental Consulting*. Most of this Category III wetland is located north of the parcel and it features a habitat score of 6 points. Wetlands such as these are assigned 110-foot buffers if moderate impact projects are proposed.

There is an unmapped flood plain (21A.24.230) associated with this wetland. The elevation change between the boundary of the wetland and the proposed development site is less than 10 feet based

CADS21-0099 September 7, 2021 Page 3 of 4

upon iMap. A minor flood study may be required to demonstrate the proposed development is not located within the flood hazard area.

### **Water Service**

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A clearing and grading permit would be required in order to clear land for access to a well site within critical areas prior to obtaining a building permit.

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CADS21-0099 September 7, 2021 Page 4 of 4

Sincerely,

Chris Holcomb, MES

Environmental Scientist II-Ecologist

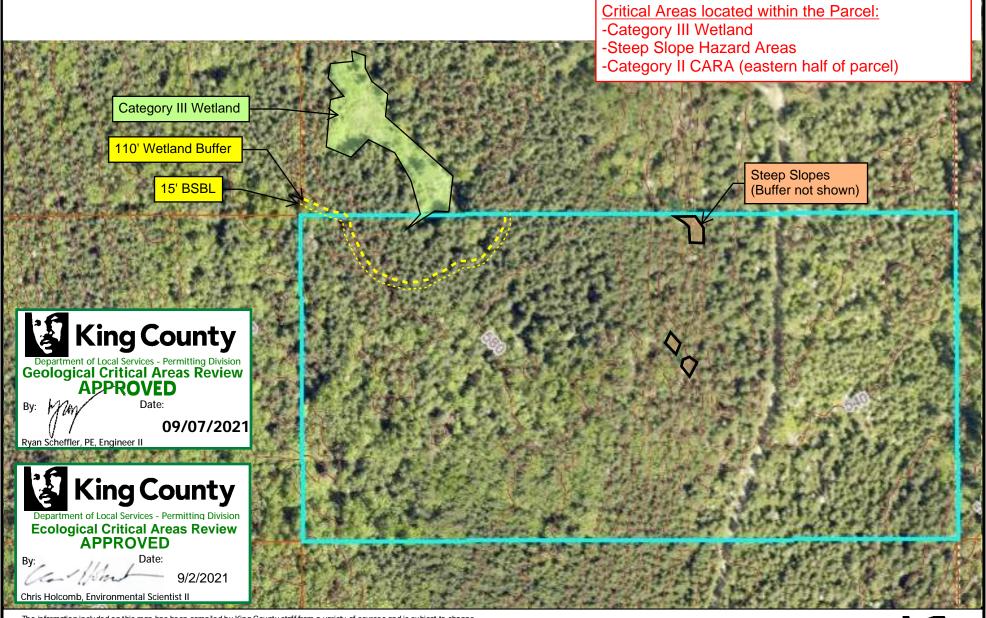
Car Hobert

Ryan Scheffler, P.E. Geotechnical Engineer II

Attachments: Map of Critical Areas

Water Service Requirements Flow Chart

# CADS21-0099 Map of Critical Areas



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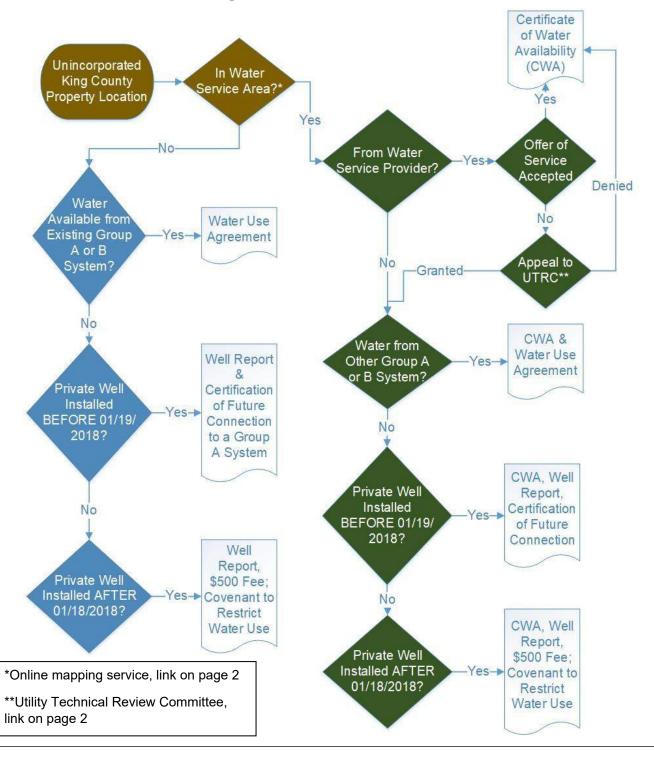
Date: 9/1/2021 Notes:







# **Water Service Requirements**



## Water Service Requirements, continued

### Water Service Area Provider Notes:

If the water service area provider is not willing or able to provide a Certificate of Water Availability (CWA) that indicates water is not presently available at a property, a letter or email to that effect from the water service area provider will be sufficient in lieu of the CWA.

If the water service area provider is not willing to sign the Certification of Future Water Connection, an email or letter to that effect from the water service area provider will be sufficient and the applicant can record the certification with the email or letter as an attachment, in lieu of the water district signature.

The certification of future connection for properties not located in a water service area need only to be signed by the owner.

If you feel the offer of water availability from the water service provider is not timely and/or reasonable, you can appeal their determination of water availability to the Utility Technical Review Committee (UTRC), King County Department of Natural Resources and Parks. The link to their appeal procedures and application requirements are included below.

#### Resources:

Parcel Located in King County, Check Jurisdiction and Zoning

\* Interactive Water Service Area Maps

Water Availability; Certificate of Availability

Dept. of Ecology, Well Construction & Licensing and Well Notice of Intent

Water Connection; Certification of Future Water Connection

Water Connection; Certification of Future Water Connection to a Group A System

Water Usage, Recording Document; Covenant Form

**Groundwater Maps and Reports** 

Public Health, Private Wells, Plumbing, Gas Piping and Onsite-Sewage Systems

\*\* Utility Technical Review Committee (UTRC) - Water Service Appeal Procedures and Forms