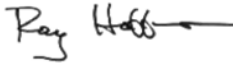


Title Utility Main Extension Dispute Process	Number ENG-430.2	Rev. no. 0
Responsibility Development Services Office	Supersedes N/A	Pages 5
SPU Director's Approval  Ray Hoffman	Effective Date October 1, 2015	

1. PURPOSE

This procedure serves to clarify and streamline roles, responsibilities, and requirements related to Seattle Public Utilities' Utility Main Extension Dispute Process (Director's Rule ENG-430.1). This procedure applies to both drinking water and drainage/wastewater main extension requirements. Drainage/wastewater includes the public sanitary sewer, public combined sewer, and public storm drain systems.

2. DEFINITIONS

Preliminary Assessment Report (PAR). A report provided by the Department of Planning and Development (DPD) that lists the results of a preliminary assessment of a project's requirements based on the review of various city departments. The report is based on the project characteristics described on the site plan and project information provided by the applicant.

Preliminary Assessment Tool (PAT). A program maintained by DPD that multiple City agencies use to evaluate project requirements, input requirements, and produce a PAR.

Water Availability Certificate (WAC). A report Seattle Public Utilities prepares for property owners, developers and contractors who are constructing a new home or building, or renovating an existing facility to use for a new purpose. The WAC determines if the project has adequate water flow and pressure for the new and existing properties in the area. It also shows fire flow information for a nearby tested or modeled hydrant, if there is one. A WAC is required for most development projects in Seattle, Shoreline, and unincorporated King County.

WAC Tracker. A program used and maintained by SPU to evaluate project requirements, store project documents, and produce a WAC.

3. PROCEDURE

A. Setting Initial Main Extension Requirements

- 1) **For water:** Applicant may request a Water Availability Certificate (WAC) either directly from the Development Services Office (DSO) or via a building permit/land use application request, including jurisdictions outside of Seattle.

- a) If the project requires a water main extension, SPU's WAC team issues a "Not Approved" WAC. The WAC cannot be approved until the applicant signs a Water Main Extension Initiation Agreement with SPU for the water main extension.
- 2) **For drainage/wastewater:** Applicant requests a Preliminary Application Report (PAR) via a building permit/land use application to the Department of Planning and Development (DPD).
 - a) DPD's Drainage Review team requires a drainage/wastewater extension in the Preliminary Application Tool (PAT).
 - b) DSO confirms the drainage/wastewater extension requirement.
 - c) The PAR is issued with a drainage/wastewater extension requirement determined in the PAT.

B. Determination Review Meeting

- 1) Requesting a Meeting
 - a) Applicant submits the completed application and the required documentation to SPU.
 - b) **For water:** Applicant sends a Water Main Extension Determination Review Request to SPUWaterAvailability@seattle.gov.
 - c) **For drainage/wastewater:** Applicant sends a Drainage & Wastewater Main Extension Determination Review Request to spu_dso@seattle.gov.
 - d) When form fields are not fully completed, staff returns the form to the applicant.
 - e) Meeting Organizer schedules meetings every other week when there are projects to be reviewed; meeting cancellations are done one day before the noon submittal deadline.
- 2) Determination Review Committee

The Determination Review Committee consists of the following staff members or their designees:

- a) DSO WAC Lead/DSO Strategic Analyst
 - Organizes review committee meetings.
 - Receives initial review requests and determine completeness.
 - Sends out the meeting agenda one day in advance to committee members.
 - Inputs data from completed Extension Determination Review Request into "Clarification Tracking Form" Excel spreadsheet.
 - Documents decision making using the Utility Main Extension Meeting Form.
 - Ensures all applicable materials are ready for presentation, including:
 - Completed Determination Review Request Form
 - UtiliView maps
 - WAC Tracker
 - Preliminary Assessment Report
 - Permit and Complaint Status
 - Writes a draft-decision letter
- b) DSO Strategy Lead
 - Leads meeting.

- Tracks consistency with code or policy.
- c) DSO Engineering Service Delivery Manager
 - Manages decision and risk level of case.
 - Approves and signs final letter to applicant within two weeks of meeting.
 - d) DPD Drainage Review Supervisor
 - Attends meetings about requests for drainage/wastewater only.
 - Provides permitting and private-property perspective.
 - e) DSO Engineer
 - Provides technical-engineering support as needed.
 - f) Water or Drainage and Wastewater Lines of Business
 - Determines SPU planning and system needs.
 - g) SDOT Major Permit Project Development Supervisor
 - Evaluates right-of-way implications and requirements.
- 3) Decision Making
- a) Decision making is based on code authority, consistent application of requirements, and best available knowledge of SPU infrastructure limitations and needs.
 - b) Decisions are generally through agreement of all committee members.
 - c) If the committee cannot reach agreement, the DSO Engineering Service Delivery Manager is authorized to make the final decision.

C. SPU Division Director Level Review Meeting

The applicant may dispute the decision of the Determination Review Committee through a review at the SPU Division Director Level.

- 1) Requesting a Meeting
 - a) Applicant submits request for Division Director review to spu_dso@seattle.gov, attention: DSO Strategy Lead.
 - b) DSO Strategy Lead sets up a meeting with the Division Directors to discuss the project.
- 2) The Division Director Level Review consists of the following:
 - a) DSO Division Director
 - Acts as chairperson for the committee.
 - Approves and signs the final determination letter to applicant within two weeks of meeting.
 - b) Water Planning and Program Manager
 - Responsible for water requirements.
 - c) Drainage and Wastewater Planning and Program Manager

- Responsible for drainage/wastewater requirements.
- d) City Law Department
- Responsible for evaluating legal risk.
- e) DSO Strategy Lead
- Organizes meeting
 - Provides all applicable information and documentation
 - Documents decision making
 - Tracks consistency and any code or policy issues
 - Drafts a response letter for the DSO Director and the appropriate Line of Business Director within one week of meeting
- 3) Decision Making
- a) Decision making is based on code authority or requirements, consistent application of requirements, and best available knowledge of SPU infrastructure limitations and needs.
- b) Decisions are made through agreement of all committee members.
- c) If the committee cannot reach agreement, the DSO Director makes the final decision.
- d) If necessary, the committee may elevate the project to the SPU Director.

D. Requesting an Exception to the Stormwater Code (for drainage only)

- 1) When seeking further recourse after completion of the dispute and review process, an applicant may submit a request for an exception to the Stormwater Code by emailing spu_dso@seattle.gov, attention: DSO Strategy Lead.
- 2) The DSO Strategy Lead (or designee) performs the following:
- a) Receives the request and ensures all applicable information is clear and complete (pursuant to SMC 22.800.040.C).
- b) If the application is incomplete, replies to the applicant requesting more information.
- c) When the application is deemed complete, tracks the 120-day period for the SPU Director's decision.
- d) Coordinates with DPD to start the two-week public notice of the application in the manner prescribed for Type II land use decisions (pursuant Chapter 23.76) as follows:
- i. Publish in the City's official newspaper, the Seattle Daily Journal of Commerce, and the Seattle Times.
 - ii. Include in the DPD Land Use Information Bulletin.
 - iii. Provide notice to the applicant and to persons who provided an address for notice and either submitted written comments on the application, or made a written request for notice.
 - iv. Post the project site pursuant to 23.76.012.B.2, Notice of Application.
- e) Briefs the SPU Director on the facts of the exception request.
- f) Drafts the decision letter with review from the City Law Department (utility section).

- 3) The DSO Director (chairperson) decides on the findings of facts, based on severe and unexpected economic hardship (SMC 22.805.080.C.8), and issues the approval in writing within 120 days of the complete application.
- 4) Any person aggrieved by the SPU Director's decision on an application for an exception may file an appeal to the Hearing Examiner's Office as set forth in Section 23.76.022.
- 5) If no appeal is filed within 14 days with the Hearing Examiner's Office, the SPU Director's decision becomes final.

4. AUTHORITY/REFERENCES

- SMC 22.800 - 22.808, Stormwater Code
- SMC 21.16, Side Sewers
- SMC 21.04, Water Rates and Regulations
- SMC 23.76.022. C, Hearing Examiner Appeal Procedures