# NOTICE OF INTENTION SAMMAMISH PLATEAU WATER AND SEWER DISTRICT ISSAQUAH HIGHLANDS SEWER DE-ANNEXATION

# NOTICE OF INTENTION SAMMAMISH PLATEAU WATER AND SEWER DISTRICT ISSAQUAH HIGHLANDS SEWER DE-ANNEXATION

# I. ADVANCE COURTESY NOTIFICATION

Advance Courtesy Notification package was submitted to the Boundary Review Board on January 25, 2022.

# II. BACKGROUND INFORMATION/MAPS

### A. Basic Information

1. A brief description of and reason for seeking the proposed action. Include a statement of the method used to initiate the proposed action (i.e., petition or election method), and the complete RCW designation.

The proposed action is de-annexation of the approximately 27 acres in size from the Sammamish Plateau Water & Sewer District to the City of Issaquah for sewer service. The action was initiated by resolution by the Board of Commissioners per RCW 57.28.035. The Issaquah Highlands sewer de-annexation area is located in area that the City of Issaquah is currently providing sewer service and is generally located in the Issaquah Highlands, east of 9th Ave NE, west of 11th Ave NE, north of NE High Street, and south of the Lakeside Issaquah Terrace Apartments.

2. A signed and certified copy of the action accepting the proposal as officially passed.

Certified copies of Resolutions

Exhibit A – Resolution 5098, which sets public hearing date.

**Exhibit B** – Resolution 5110, which states the District's interest in de-annexing the area, subject to approval by the Boundary Review Board for King County and the King County Council.

3. Certification of any petitions for municipal annexation, as required by state law (RCW 35A.01.040 (4).

Not applicable.

 A copy of the State Environmental Policy Act (SEPA) Determination and current SEPA checklist with adequate explanations to answers, including Section D, Government Non- project Actions, when applicable, or Environmental Impact Statement (EIS) if prepared.(Not required for city annexations, which are exempt from SEPA)

Exhibit C – Completed SEPA Checklist

Exhibit D – Determination of Non-significance

Exhibit E – Agency Distribution List for the SEPA checklist review

5. The legal description of the boundaries of the area involved in the proposed action. This must be legible, on a separate page from any other document, and in a form capable of reproduction by standard photocopiers.

Exhibit F – Legal Description

- B. Maps:
  - 1. Two copies or sets of King County Assessor's maps (only two rather than six copies in case of assessor's maps) on which the boundary of the area involved in the proposal must be clearly indicated.

**Exhibit G** – Assessor's Map of Southeast Quarter of Section 22, Township 24, Range 6

- 2. Vicinity map(s) no larger than 8 1/2 x 11 inches displaying:
  - a. The boundary of the area involved in the proposal.
  - b. The entity corporate limits in relationship to the proposal.
    - i. Major physical features such as bodies of water, major streets and highways.
    - ii. The boundaries of all cities or special purpose districts (to include, if applicable, any water, sewer, fire, school, hospital or library district) having jurisdiction in or near the proposal. Include all utility districts whose comprehensive plans include all or any part of the proposal, even if only in a planning area.
  - c. Surrounding streets must be clearly identified and labeled.
  - d. County and municipal urban growth area boundaries established or proposed under the Growth Management Act (GMA).
  - e. If a boundary service agreement has been formalized between two or more jurisdictions, that service line should be shown with the appropriate entity noted in each service area.

Not applicable.

f. Tax lot(s) that will be divided by the proposed boundaries should be shown on an attached detailed map.

When the de-annexation action is complete there will be no parcels divided by the proposed boundary.

Vicinity Maps showing District Corporate Limits, Proposed De-Annexation area and:

Exhibit H – City Boundaries
Exhibit I – Water Districts and other Class A Purveyors Future Service Areas
Exhibit J – Sewer Districts and Urban Growth Boundary
Exhibit K – Fire Districts
Exhibit L – School Districts
Exhibit M – Hospital Districts
Exhibit N – Library Districts

3. A map of the current corporate limits of the filing entity upon which the proposal has been delineated.

**Exhibit O** – Vicinity Map with only Corporate Limits and De-Annexation Proposal Area.

#### III. EVALUATION CRITERIA

Entities should respond to the following elements regarding this proposal with sufficient information to permit appropriate responses to the Board from staff of either the King County Council or King County Executive. These elements relate to the factors the Board must consider as outlined in RCW 36.93.170 (attached).

#### A. Overview

1. Population of proposal; what percentage is that to existing entity?

The population of the area affected by the proposed action is estimated to be 673 persons. The District as a whole has a sewer population estimated in excess of 50,500 so the percentage of the District impacted by the action is less than 1.5%.

2. Territory (number of acres)

The area of the territory proposed for annexation is approximately 27 acres (0.04 square miles). The existing District sewer service area is approximately 20 square miles.

3. Population density

The de-annexation area consists of approximately 27 acres located within the City of Issaquah. Assuming an average population of 2.1 persons per residence (per City of Issaquah) and a population of approximately 673, the population density could be estimated at approximately 25 persons per acre.

4. Assessed valuation

Based on King County Assessor information for 2021, the assessed valuation of the land and improvements within the proposed for de-annexation area is \$109,039,883. The total assessed valuation of land and improvements within the District's corporate limits is in excess of \$19 billion.

# B. Land Use

- 1. Existing: The current zoning is Urban Village that includes the following uses: single family and multifamily residential, commercial, and municipal for a park-and-ride.
- 2. Proposed: immediate or long-range

The proposed action will not change the land use, which is zoned Urban Village. The de-annexation area is incorporated within the City of Issaquah boundaries.

- C. State Growth Management Act
  - 1. Is the proposed action in conformance with the Growth Management Act (GMA)? What specific policies apply to this proposal?

The proposed action is in conformance with the GMA. Specific GMA goals, as stated in RCW 36.70A.020, that apply to this annexation include:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

The sewer service de-annexation reflects decisions made between adjacent sewer purveyors for efficient provision of sewer service.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development

at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

The de-annexation area is already being provided sewer service by the City of Issaquah. The de-annexation is intended to provide clarity of the sewer service boundaries between the District and the City.

- 2. King County Comprehensive Plan/Ordinances
  - a) How does County planning under the Growth Management Act (GMA) relate to this proposal?

County planning under the GMA relates to this proposal at the Countywide level through the Countywide Planning and Comprehensive Plan polices (see answers to following sections), and for Functional level through the Regional Wastewater Services Plan, which includes provisions for disposal of sewage collected by the District.

- b) What King County Comprehensive Plan policies specifically support this proposal?
  - Note: Notices of Intention for Municipal actions should reference, at a minimum, relevant policies from the following King County Comprehensive Plan Chapters: Chapter 1 - Regional Planning; Chapter 2 - Urban Communities (Section I; Section II); Chapter 7 -Utilities and Facilities.

Notices of Intention for Special Purpose District actions should reference, at a minimum, relevant policies from the following King County Comprehensive Plan Chapters: Chapter 1 - Regional Planning; Chapter 2 - Urban Communities (Section I; Section II); Chapter 7 - Utilities and Facilities.

# The following King County Comprehensive Plan, 2016 Comprehensive Plan – updated July 24, 2020, policies specifically support this proposal:

**RP-101** King County shall strive to provide a high quality of life for all of its residents by working with cities, special purpose districts and residents to develop attractive, safe and accessible communities at appropriate urban and rural service levels; retain rural character and rural neighborhoods; support economic development; promote equity and social justice; preserve and maintain resource and open space lands; preserve the natural environment; and protect significant cultural and historic resources.

**RP-104** King County's planning should include multicounty, countywide, and subarea levels of planning. Working with residents, special purpose districts and cities as planning partners, the county shall strive to balance the differing needs identified across or within plans at these geographic levels.

**RP-119** King County shall prepare functional plans to identify countywide facility and service needs and define ways to fund these consistent with the King County Comprehensive Plan. Independent special purpose districts and other public agencies also prepare functional plans that should be considered by King County.

**F-101** King County, the cities, special purpose districts or local service providers shall plan as partners. King County's planning will focus on unclaimed urban unincorporated areas and cities' Potential Annexation Areas.

**F-204** King County should work with the cities, special purpose districts and other service providers to define regional and local services and to determine the appropriate providers of those services.

- c) What King County/Countywide Planning Policies specifically support this proposal?
  - Note: Notices of Intention for Municipal actions should reference, at a minimum, relevantpolicies from the following King County/Countywide Policies Chapters: Chapter II - Critical Areas; Chapter III Land Use Patterns; Chapter IV - Transportation; Chapter V Section D - Community Character and Open Space; and Chapter VII - Contiguous Orderly Development and Provision of Urban Services.

Notices of Intention for Special Purpose District actions should reference, at a minimum, relevant policies from the following King County/Countywide Policies Chapters: Chapter II - Critical Areas; Chapter III - Land Use Patterns; and Chapter VII - Contiguous Orderly Development and Provision of Urban Services.

The 2021 King County Countywide Planning policies, Ordinance 19384, did not follow the same chapter outline as provided above in the Note. An attempt was made to identify the types of policies referenced in the Note.

Through regional planning, SPWSD and City of Issaquah identified the City as the logical provider of sewer services to the de-annexation area. The following 2021 King County Countywide Planning policies, Ordinance 19384, specifically support this proposal:

**PF-12** Require all development in the Urban Growth Area to be served by a public sewer system except:

a) Single-family residences on existing individual lots that have no feasible access to sewers may utilize individual septic systems on an interim basis; or

b) Development served by alternative technology that:

1) Provide equivalent performance to sewers;

2) Provide the capacity to achieve planned densities; and

3) Will not create a barrier to the extension of sewer service within the Urban Growth Area.

d) What is the adopted plan classification/zoning? (Please include number of lots permitted under this classification.)

The City of Issaquah zoning of the de-annexation area as zoned as Urban Village that includes the following uses: single family and multifamily residential, commercial, and municipal for a park-and-ride. City of Issaquah zoning identifies an average of 2.1 dwelling units per acre.

e) Will city regulation(s) supplant King County regulations for the protection of sensitive areas, preservation of agricultural or other resource lands, preservation of landmarks or landmark districts, or surface water

control? If so, describe the city regulations and how they compare to the County regulations.

The area is currently contained within the City of Issaquah, and Issaquah's land use policies would prevail in this de-annexation area. No changes are anticipated in the regulations associated with the provision of sewer services by the City of Issaquah.

- D. Jurisdictional Comprehensive Plan/Franchise (Applies to Cities and to Special Purpose Districts)
  - 1. How does the jurisdiction's planning under the Growth Management Act (GMA) relate to this proposal?

The area is designated as urban and is within the City of Issaquah's city limits. The proposed de-annexation area is included in City's sewer service area.

 Has the jurisdiction adopted a Potential Annexation Area (PAA) under the Growth Management Act? Have you negotiated PAA agreements with neighboring cities?

Not applicable

3. When was your Comprehensive Plan approved? Does this plan meet requirements set by the State of Washington? Does this plan meet requirements set by King County?

The SPWSD 2013 Wastewater Comprehensive Plan was approved by the SPWSD Board by Resolution No. 4518 on August 10, 2015. The Wastewater Comprehensive Plan was approved by the King County by Ordinance 18610 on June 15, 2015. The Department of Ecology approved the 2013 Plan by letter dated March 16, 2015. The Wastewater Comprehensive Plan is being updated starting in 2020, with completion anticipated in 2022/2023.

- 4. Is this proposal consistent with and specifically permitted in the jurisdiction's adopted Comprehensive Plan, or will a plan amendment be required? If so, when will thatamendment be completed?
  - **Note**: The proponent is required to provide written confirmation that the jurisdiction's Comprehensive Plan is current and that the Plan confirms the jurisdiction's authority to change or create new boundaries.

A proponent representing a city shall ensure that the City Comprehensive Plan is on file with the Office of the King County Executive Office of Performance, Strategy, and Budget (Karen Wolf) or shall provide a copy of the current Comprehensive Plan with the Notice of Intention.

A proponent representing a Special Purpose District shall ensure that the Special Purpose District Comprehensive Plan is on file with King County Natural Resources and Parks Department or shall provide a copy of the current Comprehensive Plan with the Notice of Intention.

The SPWSD 2013 Wastewater Comprehensive Plan reflected the majority of deannexation proposal. SPWSD is currently updating the Wastewater Comprehensive Plan and will modify the future sewer service boundary to match the de-annexation area. 5. Is a franchise required to provide service to this area? If so, is the area included withinyour current franchise?

A franchise is not required as the de-annexation area is completely within the City of Issaquah.

- Has this area been the subject of an Interlocal Agreement? If so, please enclose asigned copy of the agreement. No
- Has this area been the subject of a pre-Annexation Zoning Agreement? If so, pleaseenclose a signed copy of the agreement. Not applicable
- 8. What is the proposed land use designation in your adopted Comprehensive Plan? Whenwere your proposed zoning regulations adopted? According to City of Issaquah zoning, the land use designation of the deannexation area is Urban Village. The area is within the City of Issaquah boundaries and the land use designation is set through the City of Issaquah Comprehensive Plan.
- E. Revenues/Expenditures Planning Data (please respond to only those questions which are relevant to the proposal.)
  - 1. Estimate City expenditures

The area is located in the City of Issaquah. The SPWSD de-annexation action will not impact City expenditures.

- 2. Estimate City revenues to be gained The area is located in the City of Issaquah. The SPWSD de-annexation action will not impact City revenues.
- 3. Estimate County revenues lost The SPWSD de-annexation action will not impact County revenues.
- 4. Estimate County expenditure reduction The SPWSD de-annexation action will not impact County expenditures.
- 5. Estimate fire district revenue lost

None. The City of Issaquah contracts with Eastside Fire and Rescue for fire services in this area, and the area will be remain within contracted service area of Eastside Fire and Rescue.

- 6. Estimate fire district expenditure reduction None. The City of Issaquah contracts with Eastside Fire and Rescue for fire services in this area, and the area will be remain within contracted service area of Eastside Fire and Rescue.
- F. Services

State whether the territory that is the subject of this action is presently within the service areaof any other political subdivision or presently being served by any other political subdivision?

The de-annexation area is presently incorporated within the City of Issaquah, and is included in the City of Issaquah sewer service area.

If so, please identify the other political subdivision. Please provide written

documentation confirming that:

• Notification of the proposed annexation, assumption, merger or other action has been provided to that political subdivision;

The City of Issaquah was notified by letter dated March 1, 2022, attached as **Exhibit P**.

• The other subdivision has completed action to approve/consent or deny approval/consentfor the withdrawal of this territory;

The City of Issaquah did not take any action within 60 days of the notice of the proposal to withdraw territory from SPWSD.

• Transfer of territory has been accomplished in accord with applicable state law (e.g., RCW36.93, RCW 35A.14, RCW 35.14).

The de-annexation action is being pursued through the Boundary Review Board. The entire area is already within the City of Issaquah and the City provides sewer service to the de-annexation area.

State whether the proposed action would result in a change in any of the following services. If so, provide the following detailed information both on current service and on service following the proposed action, in order to allow for comparison. If there would be no change, name current service providers.

- 1. Water
  - a) Directly or by contract?

Water service in the de-annexation area is provided by direct service from the City of Issaquah.

b) Storage location(s), capacity?

The de-annexation area is provided from storage tanks owned and operated by the City of Issaquah.

- Mains to serve the area (diameter; location)
   The de-annexation area is provided from mains owned and operated by the City of Issaguah.
- d) Pressure station location and measured flow

The de-annexation area is provided from facilities owned and operated by the City of Issaquah.

e) Capacity available?

Water service in the de-annexation area is already provided from the City of Issaquah.

f) Water source (wells, Seattle, etc.)

Water service in the de-annexation area is already provided from the City of Issaquah and the water supply source is from Cascade Water Alliance's regional supply.

- g) Financing of proposed service (LID, ULID, Developer Extension, etc.) *Not applicable.*
- 2. Sewer Service

a) Directly or by contract?

Sewer service to the de-annexation area is currently provided by direct service from the City of Issaquah.

b) Mains to service the area (diameter; location)

The de-annexation area is provided from mains owned and operated by the City of Issaquah.

- c) Gravity or Lift Station required? The de-annexation area is provided from gravity mains owned and operated by the City of Issaquah.
- d) Disposal (Metro; city or district treatment plant)?

The de-annexation area is provided the City of Issaquah and sends all sewage collected to the King County Metro system, for treatment by King County.

- e) Capacity available? The de-annexation is fully developed and is being provided service by the City of Issaquah.
- 3. Fire service
  - a) Directly or by contract?
  - b) Nearest station(s)
  - c) Response time?
  - d) Are they fully manned? How many part time and full time personnel?
  - e) Major equipment at station location (including type and number of emergencyvehicles)?
  - f) How many fully certified EMT/D-Fib personnel do you have?
  - g) What fire rating applies?
  - h) Source of dispatch?

Fire service will not change as a result of the annexation. The City of Issaquah contracts with Eastside Fire and Rescue for the provision of fire services in this area.

- G. General
  - 1. In case of extensions of services, has an annexation agreement been required? If so, please attach a recorded copy of this agreement.

No, sewer service is or will be provided the City of Issaquah.

2. Describe the topography and natural boundaries of the proposal.

The sewer de-annexation area is located on the Grand Ridge plateau above the central core of the City of Issaquah, north of I-90. The area is characterized by rolling hills and some steep areas. The northern and western boundaries following the sewer service boundary of the Sammamish Plateau Water and Sewer District.

3. How much growth has been projected for this area during the next ten (10) year period? What source is the basis for this projection?

The sewer de-annexation area is fully developed.

4. Describe any other municipal or community services relevant to this proposal. *None.* 

- 5. Describe briefly any delay in implementing service delivery to the area. *None.*
- 6. Briefly state your evaluation of the present adequacy, cost, or rates of service to the area and how you see future needs and costs increasing. Is there any other alternative source available for such service(s)?

City of Issaquah currently provides sewer service to the de-annexation area. The de-annexation would not impact the cost of service already provided by the City of Issaquah.

If the City of Issaquah were not able to continue to provide sewer service, Sammamish Plateau Water and Sewer District could provide sewer service but this would require additional sewer infrastructure to serve the de-annexation area.

# III. FACTORS and OBJECTIVES

Please evaluate this proposal based upon the factors listed in RCW 36.93.170 and based upon objectives listed in RCW 36.93.180. Describe and discuss the ways in which your proposal is related to and supports (or conflicts with) each of these factors and objectives.

# RCW 36.93.170 – Factors to be considered by board – Incorporation proceedings exempt from state environmental policy act

(1) Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter 35.63, 35A.63, or 36.70 RCW; comprehensive plans and development regulations adopted under chapter 36.70A RCW; applicable service agreements entered into under chapter 36.115 or 39.34 RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities;

Within the de-annexation area, the City of Issaquah zoning identifies the area as Urban Village. The continuation of the provision of sewer service from the City of Issaquah will not alter the zoning or comprehensive plan use designation. The de-annexation will not impact the growth projections of adjacent areas or the potential location of community facilities.

(2) Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units; and

The de-annexation will continue provision of sewer service to the area from the City of Issaquah. The provision of sewer service from the City of Issaquah should not impact the other governmental units providing services to this area.

(3) The effect of the proposal or alternative on adjacent areas, on mutual economic

and social interests, and on the local governmental structure of the county.

The de-annexation will not impact mutual economic or social interests of the adjacent areas or the local government structure. The continued provision of sewer service from the City of Issaquah will not change the local government land use agency or land use proposals.

# RCW 36.93.180 – Objectives of boundary review board.

(1) Preservation of natural neighborhoods and communities;

The de-annexation will not change any natural neighborhood or community boundary.

(2) Use of physical boundaries, including but not limited to bodies of water, highways, and land contours;

The de-annexation area is in a hilly, but no major physical boundaries, and the deannexation boundary is not based on any physical boundaries.

(3) Creation and preservation of logical service areas;

The de-annexation will remove areas from SPWSD sewer service area where service is being provided by the City of Issaquah, eliminating an overlap of sewer service areas.

(4) Prevention of abnormally irregular boundaries;

The de-annexation will not create any irregular boundaries.

(5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas;

Not applicable.

(6) Dissolution of inactive special purpose districts;

The SPWSD will remain an active special purpose district.

(7) Adjustment of impractical boundaries;

The de-annexation will remove areas from SPWSD sewer service area where service is being provided by the City of Issaquah, eliminating an overlap of sewer service areas.

(8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character; and

Not applicable.

(9) Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.

All of the property included in the sewer de-annexation area has an urban land use designation.

# EXHIBIT A

# **RESOLUTION 5098**

# OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

# FIXING A DATE FOR A PUBLIC HEARING ON THE INTENT TO WITHDRAW AN AREA FROM THE DISTRICT'S CORPORATE BOUNDARIES

# ISSAQUAH HIGHLANDS SEWER DE-ANNEXATION

# SAMMAMISH PLATEAU WATER & SEWER DISTRICT KING COUNTY, WASHINGTON

# RESOLUTION NO. 5098

RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, FIXING THE DATE, TIME AND PLACE FOR PUBLIC HEARING ON THE INTENT TO WITHDRAW AN AREA FROM THE DISTRICT'S CORPORATE BOUNDARIES REFERRED TO AS ISSAQUAH HIGHLANDS SEWER DE-ANNEXATION.

WHEREAS, the City of Issaquah ("City") is currently, and will be in the future providing sewer service for the territory proposed for de-annexation from the Sammamish Plateau Water and Sewer District ("District") for the provision of water service to the specific area described in Exhibit "A" hereto, and is referred to as the "Issaquah Highlands Sewer De-Annexation"; and

**WHEREAS**, the District is using the resolution procedure to withdrawal the territory pursuant to RCW 57.28.035; and

**WHEREAS**, the District has undertaken compliance with Chapter 43.21C RCW and, upon review of the Environmental Checklist, the District General Manager, who is the District responsible official under SEPA, has prepared a proposed Declaration of Non-Significance for said withdrawal; now, therefore,

**BE IT RESOLVED**, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. That a Public Hearing be schedule for public comment on the proposed deannexation on June 6, 2022 commencing at the hour of 5:00 P.M., or as soon thereafter as can be heard. The public hearing will be held both in-person at the District Office located at 1510 228th Ave SE, Sammamish, WA 98075 and virtually using the Zoom meeting platform.

Notice of the public hearing shall be given in the manner provided by law. At that public hearing, the District Board of Commissioners shall determine whether the territory should be de-annexed from the District subject, however, to the review, approval, disapproval or modification by the Washington State Boundary Review Board of King County and the King County Council.

**ADOPTED** by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 2nd day of May, 2022.

Individual Commissioner's Vote on this Resolution:		<u>Ryika Hooshangi</u>
Approved:	$\checkmark$	Ryika Hooshangi (May 2, 2022 18:45 PDT)
Opposed: Abstained: Absent:		Ryika Hooshangi, President and Commissioner
Approved:	$\checkmark$	for a com-
Opposed: Abstained: Absent:		Lloyd Warren, Vice President and Commissioner
Approved:	$\checkmark$	Mary Shaaso (May 2, 2022 18:46 PDT)
Opposed: Abstained: Absent:		Mary Shustov, Secretary and Commissioner
Approved:	$\checkmark$	They Hamm
Opposed: Abstained: Absent:		Tom Harman, Commissioner
Approved:		Nav-Otal
Opposed: Abstained: Absent:		Nav Otal, Commissioner

Resolution No. <u>5098</u>

# EXHIBIT A

LEGAL DESCRIPTION & DEPICTION

# SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

# SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS

MARCH 7TH, 2022

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 22 TO THE SOUTHERLY EXTENSON OF THE EASTERLY RIGHT OF WAY MARGIN OF 9TH AVE NE: THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY MARGIN A DISTANCE OF 598.47 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1.030.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 369.35 FEET TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 7.50 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 21.42 FEET TO THE WESTERLY RIGHT OF WAY MARGIN OF HIGHLANDS DRIVE NE, THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY MARGIN A DISTANCE OF 276.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 670.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 431.55 FEET: THENCE EASTERLY TO THE NORTHWESTERLY CORNER OF BLOCK 9 B REVISED ACCORDING TO THAT CERTAIN LOT LINE ADJUSTMENT KNOWN AS ISBLA LLA09-006IH. RECORDED UNDER RECORDING NUMBER 20090910900001: THENCE EASTERLY ALONG THE NORTHERLY LINE THEREOF TO THE NORTHEASTERLY CORNER THEREOF: THENCE NORTHERLY ALONG THE WESTERLY LINE OF BLOCK 9 A REVISED, SAID LOT LINE ADJUSTMENT TO THE SOUTHWESTERLY CORNER OF TRACT GA. VISTA PARK 2 ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 237 OF PLATS, PAGES 40 THROUGH 45; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID TRACT GA TO THE NORTHWESTERLY CORNER THEROF; THENCE EASTERLY ALONG THE NORTH LINE THEREOF AND THE NORTHERLY LINE OF BLOCK 14A SAID VISTA PARK 2 TO THE EASTERLY LINE OF SAID SOUTHEAST QUARTER: THENCE SOUTH ALONG SAID EASTERLY LINE TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER AND THE POINT OF BEGINNING.

CONTAINING 27 ACRES, MORE OR LESS. WRITTEN BY: VVB CHECKED BY: CPC



03/07/2022



20300 Woodinville Snohomish Rd NE Suite A | Woodinville, WA 98072 p: 425.415.2000 f: 425.486.5059 deainc.com

DAVID EVANS n00000162\0600info\sv\0699surveylegaldescriptions\corrected 2021 1230\de-anex sewer iss hl lgl.docx AND ASSOCIATES INC.

Page 1 of 1

#### SAMMAMISH PLATEAU WATER AND SEWER DISTRICT SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS



SE 1/4 SEC. 22, TWP. 24N., RGE. 6E

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



# DAVID EVANS AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE Suite A - Woodinville, WA 98072 Phone: 425.415.2000

SV-BD-SAMM0162.dwg

600'

1200'

0

# EXHIBIT B

#### **RESOLUTION 5110**

# OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT TO DE-ANNEX A TERRITORY FOR SEWER SERVICE KNOWN AS ISSAQUAH HIGHLANDS SEWER DE-ANNEXATION SUBJECT TO THE REVIEW, APPROVAL, DISAPPROVAL OR MODIFICATION BY THE KING COUNTY BOUNDARY REVIEW BOARD AND THE KING COUNTY COUNCIL

#### SAMMAMISH PLATEAU WATER & SEWER DISTRICT KING COUNTY, WASHINGTON

# RESOLUTION NO. 5110

RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, STATING ITS INTENT TO WITHDRAW AN AREA FROM THE DISTRICT'S CORPORATE BOUNDARIES KNOWN AS **ISSAQUAH HIGHLANDS SEWER DE-ANNEXATION** SUBJECT TO THE REVIEW, APPROVAL, DISAPPROVAL OR MODIFICATION BY THE KING COUNTY BOUNDARY REVIEW BOARD AND THE KING COUNTY COUNCIL.

WHEREAS, the City of Issaquah ("City") is currently, and will be in the future providing sewer service for the territory proposed for de-annexation from the Sammamish Plateau Water and Sewer District ("District") for the provision of sewer service to the specific area described in Exhibit "A" hereto, and is referred to as the "Issaquah Highlands Sewer De-Annexation"; and

**WHEREAS**, the District is using the resolution procedure to withdrawal the territory pursuant to RCW 57.28.035; and

WHEREAS, the District Board of Commissioners accepted and entertained said intent to withdraw and, pursuant to Resolution No. 5098, fixed the date of hearing on said proposed withdrawal at 5:00 P.M., June 6, 2022, at the Sammamish Plateau Water and Sewer District Offices located at 1510 - 228th Avenue SE, Sammamish, WA 98075, and virtually using the Zoom meeting platform with the purpose of said hearing being to receive public comment whether the said territory should be withdrawn from the District all subject, however, to the approval, disapproval or modification by the King County Boundary Review Board; and

WHEREAS, said notice of hearing was published in the Seattle Times, newspaper of general circulation in the territory proposed to be withdrawn, on May 23, 2022 and May 30, 2022; and

WHEREAS, a public hearing was conducted at the time and place stated in said notice and all interested persons were given an opportunity to appear and voice approval or disapproval of the withdrawal of territory; and

WHEREAS, the Board of Commissioners concluded, after holding the public hearing, that withdrawal of the territory from the District's sewer service area would be in the best interest of the District and that the properties within the subject territory to be withdrawn would also benefit from withdrawal; now therefore,

**BE IT RESOLVED**, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. The recitals set forth above are hereby fully incorporated herein by this reference.

Resolution No. 5110

- 2. The Board of Commissioners hereby finds that the withdrawal of territory will be of benefit to such territory because it is currently and will be in the future receive timely and reasonable sewer service from the City of Issaguah to such territory; and the withdrawal of such territory will be conducive to the general welfare of the balance of the District because it will avoid cost to provide service to this area.
- 3. The Board of Commissioners hereby affirms its intention to withdraw the territory described in Exhibit "A" hereto from the areas for sewer service therein described, with such withdrawal subject to review, approval, disapproval or modification by the Washington State Boundary Review Board for King County and the King County Council.
- 4. The Board of Commissioner's Notice of Intention shall be filed with said Boundary Review Board and the King County Council as provided by law.
- The District shall secure all governmental approvals as necessary to effect 5. said withdrawn territory in conformance with the District's Comprehensive Plans and adopted policies.

**ADOPTED** by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 6th day of June, 2022.

Vote on this Resolution:		
Approved:	$\checkmark$	<u>Ryika Hooshangi (Jun 6, 2022 (741 PDT)</u> Pytka Hooshangi (Jun 6, 2022 (741 PDT)
Opposed: Abstained: Absent:		Ryika Hooshangi, President and Commissioner
Approved:	$\checkmark$	first war
Opposed: Abstained: Absent:		Lloyd Warren, Vice President and Commissioner
Approved:		Mary Shenry (Jun 6, 2022 18:37 PDT)
Opposed: Abstained: Absent:		Mary Shustov, Secretary and Commissioner
Approved:	$\checkmark$	They Ham
Opposed: Abstained: Absent:		Tom Harman, Commissioner
Approved:		Nav-Otal
Opposed: Abstained: Absent:		Nav Otal, Commissioner

Resolution No.

Individual Commissioner's

#### Exhibit A

# SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

# SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS

MARCH 7TH, 2022

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 22 TO THE SOUTHERLY EXTENSON OF THE EASTERLY RIGHT OF WAY MARGIN OF 9TH AVE NE: THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY MARGIN A DISTANCE OF 598.47 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,030.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 369.35 FEET TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 7.50 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 21.42 FEET TO THE WESTERLY RIGHT OF WAY MARGIN OF HIGHLANDS DRIVE NE, THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY MARGIN A DISTANCE OF 276.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 670.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 431.55 FEET; THENCE EASTERLY TO THE NORTHWESTERLY CORNER OF BLOCK 9 B REVISED ACCORDING TO THAT CERTAIN LOT LINE ADJUSTMENT KNOWN AS ISBLA LLA09-006[H. RECORDED UNDER RECORDING NUMBER 20090910900001: THENCE EASTERLY ALONG THE NORTHERLY LINE THEREOF TO THE NORTHEASTERLY CORNER THEREOF: THENCE NORTHERLY ALONG THE WESTERLY LINE OF BLOCK 9 A REVISED, SAID LOT LINE ADJUSTMENT TO THE SOUTHWESTERLY CORNER OF TRACT GA. VISTA PARK 2 ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 237 OF PLATS, PAGES 40 THROUGH 45; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID TRACT GA TO THE NORTHWESTERLY CORNER THEROF; THENCE EASTERLY ALONG THE NORTH LINE THEREOF AND THE NORTHERLY LINE OF BLOCK 14A SAID VISTA PARK 2 TO THE EASTERLY LINE OF SAID SOUTHEAST QUARTER: THENCE SOUTH ALONG SAID EASTERLY LINE TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER AND THE POINT OF BEGINNING.

CONTAINING 27 ACRES, MORE OR LESS. WRITTEN BY: VVB CHECKED BY: CPC



03/07/2022



20300 Woodinville Snohomish Rd NE Suite A | Woodinville, WA 98072 p: 425.415.2000 f: 425.486.5059 deainc.com

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Page 1 of 1

# SAMMAMISH PLATEAU WATER AND SEWER DISTRICT SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS



SE 1/4 SEC. 22, TWP. 24N., RGE. 6E

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



# DAVID EVANS AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE Suite A - Woodinville, WA 98072 Phone: 425.415.2000

SV-BD-SAMM0162.dwg

600'

1200'

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# EXHIBIT C

COMPLETED SEPA CHECKLIST

# **SEPA** ENVIRONMENTAL CHECKLIST

# Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

# Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. <u>You may use "not applicable" or</u> <u>"does not apply" only when you can explain why it does not apply and not when the answer is unknown</u>. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to <u>all parts of your proposal</u>, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

# Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

# Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the <u>SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D)</u>. Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

# A. Background [HELP]

1. Name of proposed project, if applicable:

Issaquah Highlands Sewer De-Annexation from Sammamish Plateau Water & Sewer District

2. Name of applicant:

Sammamish Plateau Water and Sewer District ("District")

3. Address and phone number of applicant and contact person:

1510 – 228th Ave SE, Sammamish, WA 98075 425-392-6256 Attn: Jay Regenstreif, Planning Engineer

4. Date checklist prepared:

March 1, 2022

5. Agency requesting checklist:

Sammamish Plateau Water & Sewer District

6. Proposed timing or schedule (including phasing, if applicable):

Sammamish Plateau Water & Sewer District Public Hearing – June 2022 Submit to King County Boundary Review Board & King County Council – 3rd Quarter 2022

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No, the areas proposed for withdrawal from the Sammamish Plateau Sewer Service Area are provided sewer service from the City of Issaquah.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

SEPA review and determination for the existing District Comprehensive Wastewater Plans.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None that the District is aware of.

10. List any government approvals or permits that will be needed for your proposal, if known.

Notice of Intention to the Boundary Review Board Approval of the King County Council

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

In the 1980s the District completed Annexation 85-1 for Water and Sewer Service. Portions this annexation area were subsequently annexed into the City of Issaquah. There are development areas within this area where sewer service is provided by the City of Issaquah. This project is to remove the area previously annexed for sewer service, but provided sewer service by Issaquah from the District's sewer service area.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Issaquah Highlands Sewer De-Annexation area is generally located in the Issaquah Highlands, east of 9th Ave NE, west of 11th Ave NE, north of NE High Street, and south of the Lakeside Issaquah Terrace Apartments. See Exhibit A – Legal Description and Exhibit B – Vicinity Map.

# B. Environmental Elements [HELP]

# 1. Earth [help]

- a. General description of the site:
- (circle one): Flat, rolling, hilly, steep slopes, mountainous, other <u>The site includes a range of flat to</u> <u>rolling areas, with some steep slopes.</u>
- b. What is the steepest slope on the site (approximate percent slope)?

### Approximately 36 percent

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The soil types include NeC – Neilton very gravelly loamy sand, 2 to 15 percent slopes, EvD – Everett very gravelly sandy loam, 15 to 30 percent slopes, and AgC – Alderwood gravelly sandy loam, 8 to 15 percent slopes.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

There is no fill or grading proposed as part of this withdrawal of sewer service territory.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No clearing or construction is proposed as part of this withdrawal of sewer service territory.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

No new impervious areas will occur as a result of the withdrawal of sewer service territory.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No applicable.

# 2. Air [help]

a. What types of emissions to the air would result from the proposal during construction. operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

No emissions will result from the withdrawal of sewer service territory.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable.

# 3. Water [help]

- a. Surface Water: [help]
  - Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. *No.*
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable.

- b. Ground Water: [help]
  - 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The withdrawal of sewer service territory will not result in the discharge of waste material into the ground.

- c. Water runoff (including stormwater):
  - Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The withdrawal of sewer service territory will not generate runoff. The Issaquah Highlands and Urban Village developments in portions of the withdrawal area have storm drainage systems.

2) Could waste materials enter ground or surface waters? If so, generally describe.

The withdrawal of sewer service territory will not result in any waste materials entering ground or surface waters.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable.

# 4. Plants [help]

- a. Check the types of vegetation found on the site:
  - <u>X</u> deciduous tree: alder, maple, aspen, other
  - X evergreen tree: fir, cedar, pine, other
  - \_X\_\_ shrubs
  - <u>X</u> grass
  - \_\_\_\_ pasture
  - \_\_\_\_ crop or grain
  - \_\_\_\_\_ Orchards, vineyards or other permanent crops.
  - wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
  - \_\_\_\_\_ water plants: water lily, eelgrass, milfoil, other
  - \_\_\_\_\_ other types of vegetation
- b. What kind and amount of vegetation will be removed or altered?

None.

c. List threatened and endangered species known to be on or near the site.

Not applicable.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable.

e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable.

# 5. Animals [help]

a. <u>List</u> any birds and <u>other</u> animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk heron eagle songbirds other: mammals: deer, bear, elk, beaver, other: fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_ b. List any threatened and endangered species known to be on or near the site. None known.

NONE KNOWN.

c. Is the site part of a migration route? If so, explain.

The area is part of the Pacific Flyway.

d. Proposed measures to preserve or enhance wildlife, if any:

None proposed.

e. List any invasive animal species known to be on or near the site.

None known.

# 6. Energy and Natural Resources [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The proposal to withdraw sewer service territory does not require energy.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable.

# 7. Environmental Health [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

The proposal to withdraw sewer service territory will not result in environmental health hazards.

1) Describe any known or possible contamination at the site from present or past uses.

None known.

 Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable.

 Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable.

4) Describe special emergency services that might be required.

None.

5) Proposed measures to reduce or control environmental health hazards, if any:

None.

# b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None.

3) Proposed measures to reduce or control noise impacts, if any:

Not applicable.

# 8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The area currently includes a bus transit center, self-storage building, and residential uses.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No

c. Describe any structures on the site.

The area currently includes a bus transit center and associated parking lot, self-storage building, single-family and multi-family structures.

d. Will any structures be demolished? If so, what?

No structures will be demolished as part of the withdrawal of sewer service territory.

e. What is the current zoning classification of the site?

Urban Village.

f. What is the current comprehensive plan designation of the site?

Urban.

g. If applicable, what is the current shoreline master program designation of the site? *Not applicable.* 

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. *No.*
- i. Approximately how many people would reside or work in the completed project? *Not applicable.*
- j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None.

# 9. Housing [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

c. Proposed measures to reduce or control housing impacts, if any:

None.

# 10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The withdrawal of sewer service territory will not result in the addition of any new structures.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. Proposed measures to reduce or control aesthetic impacts, if any:

None.

# 11. Light and Glare [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? *No.*
- c. What existing off-site sources of light or glare may affect your proposal? *None.*
- d. Proposed measures to reduce or control light and glare impacts, if any:

None.

# 12. Recreation [help]

- a. What designated and informal recreational opportunities are in the immediate vicinity? *None.*
- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None.

# 13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

No.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None known. There may have been studies associated with the Issaquah Highlands urban village development.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

There are no impacts anticipated with the withdrawal of sewer service territory.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None.

# 14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The area included in the withdrawal of sewer service territory is served primarily by Highlands Dr. NE, 9th Ave NE, and NE High Street.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yes. The Issaquah Highlands Park and Ride is located within the area.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

None.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

h. Proposed measures to reduce or control transportation impacts, if any:

None.

# 15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

# 16. Utilities [help]

a. Circle utilities currently available at the site:
 electricity natural gas water refuse service telephone sanitary sewer septic system, other \_\_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The area included in the withdrawal of sewer service territory from the District is provided sewer service by the City of Issaquah.

# C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Name of signee Jay Regenstreif

Position and Agency/Organization Planning Engineer,

Sammamish Plateau Water & Sewer District

Date Submitted: March 1, 2022

# D. Supplemental sheet for nonproject actions [HELP]

#### (IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The withdrawal of sewer service territory from the District will not result in any increase in discharges. The area has been developed and is receiving sewer service from the City of Issaquah.

Proposed measures to avoid or reduce such increases are:

None.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The withdrawal of sewer service territory from the District will not result in any new impacts to plants, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None.

3. How would the proposal be likely to deplete energy or natural resources?

The withdrawal of sewer service territory from the District will not cause any additional depletion of energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The withdrawal of sewer service territory from the District will not cause any additional impacts to environmentally sensitive areas. The area has been fully developed.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The withdrawal of sewer service territory from the District will not affect land or shoreline use. The withdrawal clarifies the provider of sewer service to the area as it is used currently or redeveloped.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None.
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The withdrawal of sewer service territory from the District will not increase demands on transportation or public services. The withdrawal clarifies the provider of sewer service to the area as it is currently developed.

Proposed measures to reduce or respond to such demand(s) are:

None.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None known.

#### EXHIBIT A LEGAL DESCRIPTION SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

#### SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS

MARCH 7TH, 2022

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 22: THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 22 TO THE SOUTHERLY EXTENSON OF THE EASTERLY RIGHT OF WAY MARGIN OF 9TH AVE NE: THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY MARGIN A DISTANCE OF 598.47 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1.030.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 369.35 FEET TO A POINT OF REVERSE CURVATURE AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 7.50 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 21.42 FEET TO THE WESTERLY RIGHT OF WAY MARGIN OF HIGHLANDS DRIVE NE, THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY MARGIN A DISTANCE OF 276.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 670.00 FEET: THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE FOR AN ARC LENGTH OF 431.55 FEET: THENCE EASTERLY TO THE NORTHWESTERLY CORNER OF BLOCK 9 B REVISED ACCORDING TO THAT CERTAIN LOT LINE ADJUSTMENT KNOWN AS ISBLA LLA09-006IH. RECORDED UNDER RECORDING NUMBER 20090910900001: THENCE EASTERLY ALONG THE NORTHERLY LINE THEREOF TO THE NORTHEASTERLY CORNER THEREOF: THENCE NORTHERLY ALONG THE WESTERLY LINE OF BLOCK 9 A REVISED, SAID LOT LINE ADJUSTMENT TO THE SOUTHWESTERLY CORNER OF TRACT GA, VISTA PARK 2 ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 237 OF PLATS, PAGES 40 THROUGH 45; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID TRACT GA TO THE NORTHWESTERLY CORNER THEROF; THENCE EASTERLY ALONG THE NORTH LINE THEREOF AND THE NORTHERLY LINE OF BLOCK 14A SAID VISTA PARK 2 TO THE EASTERLY LINE OF SAID SOUTHEAST QUARTER: THENCE SOUTH ALONG SAID EASTERLY LINE TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER AND THE POINT OF BEGINNING.

CONTAINING 27 ACRES, MORE OR LESS. WRITTEN BY: VVB CHECKED BY: CPC



03/07/2022



AND ASSOCIATES INC.

Page 1 of 1

20300 Woodinville Snohomish Rd NE Suite A | Woodinville, WA 98072 p: 425.415.2000 f: 425.486.5059 deainc.com n00000162\0600info\sv\0699surveylegaldescriptions\corrected 2021 1230\de-anex sever iss hl Igl.docx

#### EXHIBIT A LEGAL DESCRIPTION (CONTINUED)

#### SAMMAMISH PLATEAU WATER AND SEWER DISTRICT SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS

JOB # SAMM00000162 MARCH 7, 2022



SE 1/4 SEC. 22, TWP. 24N., RGE. 6E

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



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EXHIBIT B VICINITY MAP & DEPICTION OF DE-ANNEXATION TERRITORY

## EXHIBIT D

SEPA DETERMINATION OF NON-SIGNIFICANCE

#### **SEPA Rules**

#### WAC 197-11-970 Determination of nonsignificance (DNS).

#### **DETERMINATION OF NONSIGNIFICANCE**

Description of proposal: <u>This project is to remove the area previously annexed to the Sammamish Plateau</u> Water & Sewer District for sewer service, but provided sewer service by Issaquah, from the District's sewer service area.

Proponent Sammamish Plateau Water and Sewer District Planning Department.

Location of proposal, including street address, if any: <u>In the Issaquah Highlands, east of 9th Ave NE, west</u> of 11th Ave NE, north of NE High Street, and south of the Lakeside Issaquah Terrace Apartments.

Lead Agency: Sammamish Plateau Water and Sewer District

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by <u>March 25, 2022</u>.

Responsible official:	John C. Krauss	
Position/title:	General Manager	
	Sammamish Plateau Water and Sewer District	Phone (425) 392-6256
Address:	1510 - 228th Avenue SE, Sammamish, Washington	98075
Date: 03/09/2022	Signature	
Date: 03/03/2022	Signature	

#### (OPTIONAL)

X

You may appeal this determination to (name)	
at (location)	
no later than (date)	
by (method)	

You should be prepared to make specific factual objections. Contact \_\_\_\_\_\_\_ to read or ask about the procedures for SEPA appeals.

There is no agency appeal.

X

## EXHIBIT E

AGENCY DISTRIBUTION LIST FOR THE SEPA DETERMINATION OF NON-SIGNIFICANCE AND ASSOCIATED CHECKLIST Lucy Sloman, Land Development Mgr City of Issaquah P.O. BOX 1307 Issaquah, Washington 98027-1308

Department of Health, Kelly Cooper Environmental Health Division SEE EMAIL ONLY - no US Mail PO Box 47820 Olympia, Washington 98504-7820

Issaquah Schools Admin. Bldg. 565 NW Holly St. Issaquah, Washington 98027

King County Boundary Review Board 400 Yesler Way, Room 240 Seattle, Washington 98104

Inslee, Best, Doezie & Ryder, P.S. Eric Frimodt Skyline Tower, Suite 500 10900 NE 4th Street Bellevue, Washington 98004

Mike Gagliardo Cascade Water Alliance 520 112th Avenue NE, Suite 400 Bellevue, Washington 98004 City of Sammamish Planning Department 801 - 228th Avenue SE Sammamish, Washington 98075

Robert Pancoast East King County Regional Water Assoc P.O. Box 699 Carnation, Washington 98014

King County DPER Attn: Env. Div. East Samm. Planner 35030 SE Douglas St, Ste. 210 Snoqualmie, Washington 98065-9266

SEPA Desk Dept. of Fish & Wildlife 16018 Mill Creek Blvd. Mill Creek, Washington 98012

Ecological Serv Div, State Supervisor U.S. Fish & Wildlife Service 510 Desmond Dr. SE, Suite 102 Lacey, Washington 98503 Department of Ecology Environmental Review Section MUST SUBMIT THROUGH SEPA RECORD SUBMITTAL no US Mail PO Box 47600 Olympia, Washington 98504-7703

Eastside Fire & Rescue 175 NW Newport Way Issaquah, Washington 98027

Katherine Fischer, Env Serv Sup King County Wastewater Treatment Div 201 S Jackson St., MS KSC-NR-0505 Seattle, Washington 98104-3856

NMFS NWR 7600 Sand Point Way NE, Bldg 1 Seattle, Washington 98115

Glen St. Amant Muckleshoot Indian Tribe Fisheries Div 39015 - 172nd Ave SE Auburn, Washington 98092

## EXHIBIT F

LEGAL DESCRIPTION

#### SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

#### SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS

MARCH 7TH, 2022

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

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CONTAINING 27 ACRES, MORE OR LESS. WRITTEN BY: VVB CHECKED BY: CPC



03/07/2022



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Page 1 of 1

#### SAMMAMISH PLATEAU WATER AND SEWER DISTRICT SEWER DE-ANNEXATION ISSAQUAH HIGHLANDS



SE 1/4 SEC. 22, TWP. 24N., RGE. 6E

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## DAVID EVANS AND ASSOCIATES INC.

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## EXHIBIT G

ASSESSOR'S MAP SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 24, RANGE 6 WITH DISTRICT CORPORATE AND DE-ANNEXATION AREA BOUNDARIES



#### EXHIBIT H

VICINITY MAP INDICATING CITY BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



## EXHIBIT I

VICINITY MAP INDICATING WATER PURVEYOR BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



Exhibit I - Water Districts and Class A Purveyors Future Service Areas.pdf | Print Date: 6/10/2022

## EXHIBIT J

VICINITY MAP INDICATING SEWER PURVEYORS BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



## EXHIBIT K

VICINITY MAP INDICATING FIRE DISTRICT BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



Exhibit K - Fire Districts.pdf | Print Date: 6/10/2022

## EXHIBIT L

VICINITY MAP INDICATING SCHOOL DISTRICT BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



## EXHIBIT M

VICINITY MAP INDICATING HOSPITAL DISTRICT BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



Exhibit M - Hospital Districts.pdf | Print Date: 6/10/2022

## EXHIBIT N

VICINITY MAP INDICATING LIBRARY DISTRICT BOUNDARIES WITH RESPECT TO THE DE-ANNEXATION FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT



## EXHIBIT O

VICINITY MAP INDICATING THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT CORPORATE LIMITS AND THE DE-ANNEXATION AREA



Exhibit O - Vicinity Map with only Corporate Limits and De-Annexation Proposal area.pdf | Print Date: 6/10/2022

## EXHIBIT P

# DOCUMENTATION SUPPORTING DE-ANNEXATION AREA FROM SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

City of Issaquah notification letter dated March 1, 2022

# **Sammamish Plateau Water**

1510 228th Avenue SE Sammamish, WA 98075 Main: 425.392.6256 Fax: 425.391.5389

www.spwater.org

March 1, 2022

Gary Schimek, Utilities Engineering Manager City of Issaquah PO Box 1307 Issaquah, WA 98027

Re: Withdrawal of Water and Sewer Service Territory from Sammamish Plateau Water

Dear Mr. Schimek:

The Sammamish Plateau Water and Sewer District is following the process to complete a two service boundary changes in the Issaquah Highlands Urban Village and Urban Village-Lakeside areas that will withdraw water and sewer service territory from the District, clarifying that these areas will be provided by the City of Issaquah.

The District plans to pursue these two withdrawal actions by the Resolution Method identified in RCW 57.28.035. One of the requirements of the Resolution Method is as follows:

... Whenever the board of commissioners proposes to commence the withdrawal of any portion of its territory located within a city or town using the alternative procedures herein authorized, it shall first notify such city or town of their [its] intent to withdraw the territory. If the legislative authority of the city or town takes no action within sixty days of receipt of notification, the district may proceed with the resolution method.

At their December 19, 2011 meeting the District Board of Commissioners approved, by motion, for District staff to notify the City of Issaquah of the District's intent to commence the Withdrawal of Territory. The effort was indeed initiated in 2011, but resources were then redirected to other projects and the action stalled. It is being restarted at this time to complete the withdrawal of territory. In the interim there have been activities to solidify and verify this intent, including the 2013 Agreement for the Lakeside Issaquah Terrace Apartments which agreed on provision of water service by the City of Issaquah and sewer service by the District.

This letter is the formal notification to the City of Issaquah that will start the 60 day period for the City of Issaquah to take action, if the City does not want the District to proceed with either of the Withdrawal of Territory actions under the Resolution Method.

The service boundary changes proposed include:

• Issaquah Highlands Sewer De-annexation:

This action will remove from the District's sewer service area a portion of the area annexed to the District in 1985 for water and sewer service. This area is currently fully developed and provided sewer service by the City of Issaquah. Gary Schimek 3/1/2022 Page 2

• Issaquah Highlands & Urban Village Water De-Annexation:

This action will remove from the District's water service area a portion of the areas annexed to the District in 1985 for water and sewer service, and in 1988 for water service only. This area annexed to the District in 1988 is currently fully developed and provided water service by the City of Issaquah. The area annexed to the District in 1985 is partially developed, with that area provided water service by the City of Issaquah. The remaining area is a portion of the Urban Village-Lakeside area and, when developed, will be provided water service by the City of Issaquah.

Maps depicting the two de-annexation areas are attached to clarify the areas that are part of the proposed actions. If you have questions on these two proposed actions to withdraw water service territory and sewer service territory from the District's service areas, please contact our office.

Sincerely

Jay Regenstry

Jay Regenstreif, P.E Planning Engineer

Encl.



Issaquah Highlands Sewer De-Annexation from Sammamish Plateau Water & Sewer District

#### Issaquah Highlands & Urban Village Water De-Annexation from Sammamish Plateau Water & Sewer District

