



Memorandum

Date: 6/17/2025
Meeting of: City Council

File No. AM No. 25-096
Type: Consent Item

TO: Members of the City Council
FROM: Mayor Angela Birney
DEPARTMENT DIRECTOR CONTACT(S):

| | | |
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| Public Works | Aaron Bert | 425-556-2786 |
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DEPARTMENT STAFF:

| | | |
|--------------|---------------|------------------------------|
| Public Works | Chris Stenger | Deputy Public Works Director |
| Public Works | Doug DeVries | Utility Manager |

TITLE:

Approval of Settlement Agreement with King County Regarding Asbestos Cement Pipe Removal Associated with the Lake Hills and Northwest Lake Sammamish Sewer Upgrade Project

OVERVIEW STATEMENT:

Public Works requests Council approval for the Mayor to execute a Settlement Agreement with King County regarding the future removal and cost responsibilities related to out-of-service asbestos cement (AC) pipe that will be left in place as part of the Lake Hills and Northwest Lake Sammamish Sewer Upgrade Project.

The project is a critical infrastructure upgrade led by King County to address capacity deficiencies and aging infrastructure in Redmond and Bellevue. The Lake Hills Trunk and NW Lake Sammamish Interceptor include 4.5 miles of gravity sewer and two siphon segments. As of 2010 modeling, the pipelines can only convey flows from a 5- to 10-year storm, with some segments performing even worse. Additionally, inspections in the late 2000s showed the Lake Hills Trunk was in poor condition and should be replaced.

This project will expand capacity to accommodate a 20-year peak storm flow through 2060.

The City's execution of this Agreement will also support timely project permitting; King County anticipates presenting the Conditional Use Permit application for the project to the Redmond Hearing Examiner in August 2025.

☒ **Additional Background Information/Description of Proposal Attached**

REQUESTED ACTION:

☐ **Receive Information** ☐ **Provide Direction** ☒ **Approve**

REQUEST RATIONALE:

- **Relevant Plans/Policies:**

- Redmond 2050 Comprehensive Plan Utility Policies:
 - o UT-10 Coordinate with regional partners to maintain wastewater infrastructure that meets community and environmental needs.
 - o NE-44 Protect water quality and public health in City and regional storm and wastewater systems.
- **Required:**
 - The Lake Hills and NW Lake Sammamish Sewer Upgrade Project is necessary to relieve long-standing capacity constraints and replace deteriorated infrastructure.
 - The sewer system, as of 2010, could only accommodate a 5- to 10-year storm. The upgrade increases capacity to meet 20-year storm flows through 2060.
 - The Settlement Agreement supports project permitting and future City project coordination related to AC pipe conflicts.
- **Council Request:**
N/A
- **Other Key Facts:**
 - King County's project will upgrade 4.5 miles of sewer infrastructure. The AC pipe abandonment pertains specifically to the area between NE 48th Street and NE Bel-Red Road, and from NE Bel-Red Road to 172nd Ave NE (as shown in Exhibit A, page one). In this segment, approximately 3,972 feet of dual asbestos cement (AC) siphon pipe will be abandoned in place. The pipes will be filled with controlled density fill (CDF) and sealed in accordance with standards approved by EPA, OSHA, PSCAA, and Washington L&I. AC pipe removal will occur only at intersections and within 10 feet of trench lines.
 - Some aging asbestos cement pipe will be left in place, triggering need for coordination if future City capital projects conflict with the abandoned pipe. In alignment with the U.S. Environmental Protection Agency's (EPA) approved Alternative Work Practice (AWP) for asbestos under the National Emission Standards for Hazardous Air Pollutants (NESHAP), abandonment of asbestos cement (AC) pipe in place is recognized as a safe and effective method when conducted in accordance with specified containment and handling procedures. This approach significantly reduces the risk of asbestos fiber release compared to traditional removal, while also minimizing public exposure, traffic disruption, and overall community impact. EPA abandonment guidance is found in Exhibit C.
 - The City and County differ in statutory interpretation regarding responsibility for pipe removal (RCW 35.58.330).
 - The Agreement allows the City to proceed with project planning and design coordination with defined cost and review procedures.

OUTCOMES:

- Enables the Lake Hills and NW Lake Sammamish Sewer Upgrade Project, addressing known capacity and condition concerns in the regional sewer network.
- Establishes procedures for future removal of out-of-service AC pipe if it conflicts with City infrastructure projects.
- Clarifies financial responsibilities: City pays for removal; County reimburses for disposal based on agreed unit rates.
- Ensures future coordination through design sharing, emergency response planning, and timely review.
- Supports regional infrastructure resilience through 2060.

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**
 - Agreement development: On-going
 - Council review: June 2025
 - Permit approval: TBD
- **Outreach Methods and Results:**
N/A
- **Feedback Summary:**
N/A

BUDGET IMPACT:

Total Cost:

No immediate cost. Future project-specific costs expected during City capital projects.

Approved in current biennial budget: ☐ Yes ☐ No ☒ N/A

Budget Offer Number:

N/A - Project-specific

Budget Priority:

Healthy and Sustainable / Reliable Infrastructure

Other budget impacts or additional costs: ☒ Yes ☐ No ☐ N/A

If yes, explain:

Future project budgets will allocate funds for removal of AC pipe where necessary. Reimbursement for disposal will follow terms in Exhibit B.

Funding source(s):

City Capital Improvement Program (CIP) budgets.

Budget/Funding Constraints:

County's reimbursement for disposal is capped per project and subject to mutual agreement and written authorization. Exhibit B outlines terms.

☒ **Additional budget details attached**

COUNCIL REVIEW:

Previous Contact(s)

| Date | Meeting | Requested Action |
|----------|--|---------------------|
| 6/3/2025 | Committee of the Whole - Planning and Public Works | Receive Information |

Proposed Upcoming Contact(s)

| Date | | Requested Action |
|------|----------------------------|------------------|
| N/A | None proposed at this time | N/A |

Time Constraints:

Execution of the Settlement Agreement is required prior to the issuance of civil construction permits for the Lake Hills and NW Lake Sammamish Sewer Upgrade Project. King County anticipates the Conditional Use Permit (LAND-20210-377) will be presented to the Redmond Hearing Examiner in **August 2025**, and the County has requested agreement execution in advance of that hearing to prevent delays in the permitting process.

ANTICIPATED RESULT IF NOT APPROVED:

Failure to execute the Agreement will delay County project permitting and leave unresolved legal and financial responsibilities for AC pipe conflicts, potentially affecting future City projects and infrastructure timelines.

ATTACHMENTS:

- Settlement Agreement Regarding Pipe Removal
- Exhibit A - Lake Hills Trunk Pipe Alignment
- Exhibit B - Asbestos Cement Pipe Removal Reimbursement Agreement
- Exhibit C - Federal Register/Vol. 84, No. 111/Monday, June 10, 2019/Notices, page 26854