

Chapter 13.25
TEMPORARY CONSTRUCTION DEWATERING

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13.25.010 Definitions.

A. As used in this chapter, the following terms have the meanings set forth below:

“Contaminated groundwater” means groundwater that is contaminated by the presence of man-made pollutants, including, but not limited to, gasoline, oil, solvents, pesticides, fertilizers, and other deleterious substances whose presence may cause drinking water to fail to meet state, federal, and local standards.

“Development project” means the private or public construction, remodeling, or repair of: buildings, structures, or utilities.

“Groundwater” means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

“Radius of influence” means the radial distance from the center of a wellbore to the point where there is no lowering of the water table or potentiometric surface (the edge of the cone of depression). This distance can be calculated: a) as an estimate within hydrological groundwater modeling analysis conducted prior to the onset TCD at one or more development project sites, and b) via field observations occurring once TCD activities commenced at one or more development project sites.

“Replacement water” means water purchased by the City Water Utility to offset drinking water supply that would have been produced by city water supply wells, had city water supply well production rates not been impaired by TCD activities.

“Temporary construction dewatering” or “TCD” means the placement of wells or other mechanisms in order to capture, pump, and remove groundwater from a development site in order to conduct excavation, construct underground building features, or utility systems.

“Temporary construction dewatering operating policy” means an administrative operating policy adopted by the City’s Technical Committee that details the requirements for submittals and the methodologies required for submittals, and detail the methodologies the City of Redmond will use during review and oversight of TCD activities.

“Waters of the State” as defined in WAC [173-226-030](#) and RCW [90.48.020](#) as hereafter amended. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.020 Purpose.

A. This chapter regulates temporary construction dewatering within the City of Redmond. The provisions of this chapter are intended to prevent, limit, and enable the City to respond to TCD activities which impair the City's ability to:

1. Deliver drinking water from the City water supply wells;
2. Safely convey and treat storm water runoff within the City's municipal separate storm water sewer system (MS4) and private storm water sewer systems; and
3. Manage the movement and disposal of contaminated groundwater in a manner that is in compliance with state and federal laws. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.030 Compliance with other city, state, federal regulations.

A. All temporary construction dewatering activities occurring within the City of Redmond must comply with this chapter and all other applicable City, State, and Federal regulations, including but not limited to the following:

1. The Federal Safe Drinking Water Act, [42](#) U.S.C. § [300f](#), et seq., as amended;
2. The Federal Clean Water Act, [33](#) U.S.C. § [1251](#), et seq., as amended;
3. The Washington State Model Toxics Control Act (MTCA), Chapter [70.105D](#) RCW, as amended;
4. The Washington State Environmental Policy Act (SEPA), Chapter [43.21C](#) RCW, as amended;

5. The City of Redmond Wellhead Protection Ordinance, Chapter [13.07](#) RMC, as amended; and
6. Water rights that have been granted to the City of Redmond by the State of Washington.

B. In the case of conflict, the regulations that are more protective of water quality shall prevail. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.040 Applicability.

A. This chapter applies to all development projects that require temporary construction dewatering and for which cannot be demonstrated that groundwater will be captured, pumped, or removed from the development site at a rate of less than 500 gallons per minute.

B. This chapter does not pertain to permanent dewatering of completed underground structures and does not authorize permanent dewatering within the City of Redmond. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.045 Temporary Construction Dewatering limitations.

A. Temporary construction dewatering activities shall be limited to the following within the Critical Aquifer Recharge Areas (defined in RZC 21.64.050.A):

1. The rate at which groundwater may be captured, pumped, or removed from the development site shall be limited to 5,500 gallons per minute or less; and

2. The duration of temporary construction dewatering at a site shall be limited to a maximum of one year, measured cumulatively from the first date of dewatering activity, and

3. The depth of temporary construction dewatering allowed below the seasonal high groundwater elevation shall be limited to a maximum depth of 9 feet.

B. If incentives are available within RZC that would allow development to be above ground and thereby avoid dewatering within the Critical Aquifer Recharge Area, then dewatering will be limited to elevator pits, crane footings, or utilities only.

13.25.050 Management of contaminated groundwater and water quality standards.

A. Temporary construction dewatering activities shall not cause contaminated groundwater to move across property boundaries and/or towards a City water supply well. Temporary construction dewatering activities shall also not accelerate the movement of contaminated groundwater towards a City water supply well.

B. Construction dewatering effluent discharged to Waters of the State shall meet Water Quality Standards for Surface Waters of the State of Washington (Chapter [173-201A](#) WAC) or MTCA Surface Water Standards.

C. Construction dewatering effluent that is infiltrated into the ground must meet State Groundwater Quality Standards. (Ord. 2957 § 7 (part), 2019; Ord. 2831 § 2 (part), 2016).

13.25.060 Temporary construction dewatering feasibility study.

A. A Temporary Dewatering Feasibility Study is required for all construction projects that require temporary construction dewatering and for which it cannot be demonstrated that groundwater will be captured, pumped, or removed from the development site at a rate of less than 500 gallons per minute. A Temporary Construction Dewatering Feasibility Study shall be

submitted prior to construction as part of site planning and entitlement review processes. This feasibility study shall consist of a site specific hydrogeological and engineering analysis which details the potential dewatering-related impacts to the City water supply wells, to storm water conveyance and treatment systems, and on the potential movement of underground contaminants.

B. The feasibility study shall:

1. Include analysis of geotechnical project, and water quality considerations detailed in the Temporary Construction Dewatering Operating Policy adopted by the City's Technical Committee;
2. Be conducted using the procedures and methodologies identified in the Temporary Construction Dewatering Operating Policy adopted by the City's Technical Committee; and
3. Include a site-specific assessment of potential contamination, and identify any known contaminated sites located within the proposed TCD's radius of influence.

C. The City of Redmond shall review Temporary Construction Dewatering Feasibility Studies completed in accordance with the Temporary Construction Dewatering Operating Policy to determine if the City will allow proposed TCD activities to occur at a development project site. The City of Redmond retains the authority to condition, deny, or allow TCD activities at development projects based on this review.

D. Development Projects who have adequately identified and demonstrated that potential impacts to:

1. City water supply wells,
2. The City's storm water conveyance system,
3. *Repealed by Ord. 2957,*

4. Public or private storm water runoff treatment systems, and

5. The movement of contaminants across property boundaries and/or toward city water supply wells, or the acceleration of such movement where the same already exists are negligible or can be mitigated, will be allowed to conduct TCD contingent upon the successful completion of a Temporary Construction Dewatering Plan. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.070 Temporary construction dewatering plan.

A. A complete Temporary Construction Dewatering Plan shall include the information and items identified in the Temporary Dewatering Operating Policy.

B. The City of Redmond shall review Temporary Construction Dewatering Plans completed in accordance with the Temporary Construction Dewatering Operating Policy, to determine that the development project has addressed all potential impacts to City water supply wells, storm water conveyance and treatment systems, and the movement of contaminants. The City of Redmond retains the authority to add conditions and requirements to construction activities to the Civil Site Construction Permit. Private development projects shall not start TCD activities until the City of Redmond has granted the Civil Site Construction Permit. Temporary Construction Dewatering shall not begin at public capital improvement projects prior to approval of the site design by the City Engineer. Conditions and requirements shall be included with the development project construction contract as a special provision.

C. A Contamination Mitigation Plan shall be included as part of the Temporary Construction Dewatering Plan to address all contamination identified at the development site or within the

proposed TCD's radius of influence. Contamination Mitigation Plans shall include:

1. A hydrogeological evaluation of the potential movement of contaminants due to TCD at a specific site; and
2. All required information and actions detailed in the Temporary Construction Dewatering Operating Policy.

D. Conditions regulating the monitoring, mitigation, treatment, and disposal of contaminated groundwater shall be imposed on the development project. Acceptance of the applicant's Temporary Construction Dewatering Plan shall be contingent on the City of Redmond's satisfaction with proposed mitigation measures. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.080 TCD suspensions or revocation.

A. The Public Works Director or his/her designee may order the suspension of temporary construction dewatering for any of the following reasons:

1. Storm pipe capacity has been exceeded, resulting in an unacceptable increased risk of flooding.
2. City water supply wells are impacted to such an extent that one or more City water supply wells cannot produce specified minimum quantities of water to fulfill supply to water utility customers and the City or the City's wholesale water supplier has activated an emergency water response plan.
3. Violations of state surface water quality standards (Chapter [173-201A](#) WAC) when the TCD effluent discharges to surface Waters of the State.
4. Violations of state groundwater quality standards (Chapter [173-200](#) WAC) when the TCD effluent is infiltrated via dispersion back into a groundwater aquifer.

5. *Repealed by Ord. 2957.*

6. Storm water runoff treatment system has been impaired.

7. When otherwise deemed necessary by the Public Works Director to protect public safety, property, and natural environment.

B. Notice of suspension or revocation shall be given in writing by mailing or otherwise delivering a copy to the applicant or the applicant's onsite construction personnel. The suspension or revocation shall become effective immediately upon delivery or receipt and the applicant shall immediately cease all TCD activities. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.090 TCD effluent discharge.

A. TCD effluent shall be allowed to be discharged to the City's storm water conveyance system; provided, that the City's storm water engineering staff is able to verify that:

1. The effluent meets appropriate state water quality standards for dispersion into the surface Waters of the State;
2. Effluent discharge rates do not exceed those designated within the Temporary Construction Dewatering Plan; and
3. All other conditions stipulated in the Temporary Construction Dewatering Plan have been satisfied.
4. Effluent discharge does not impair storm water treatment systems. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.100 Replacement of drinking water supply.

A. The Public Works Director or his/her designees shall determine if TCD activities at one or more developments are impacting a City water supply well. The following considerations shall be used to make this declaration of impact: Reduced expected instantaneous City water supply well production rate, water level within the City water supply well while pumping, time of year, and potential contamination or other factor to degrade the quality of potable water produced by the City water supply well. The evaluation of considerations leading to a determination of impact shall occur in accordance with the procedures and methodology detailed in the Temporary Construction Dewatering Operating Policy.

B. The Public Works Director or his/her designees may, at their discretion, allow TCD activities to reduce the instantaneous and annual rates of withdrawal if regional drinking water supply is available for purchase from Cascade Water Alliance. It is presumed that if regional drinking water supply is not available for purchase, the regional water shortage plan has been activated.

C. Development projects whose TCD activities have been determined to be solely or partly impacting the City of Redmond Water Utility's production of the drinking water at a specific supply well shall either:

1. Cease TCD activities; or
2. With the Public Works Director's consent, pay the City's costs of purchasing replacement supply, if available, from the City's water purveyor as a condition for continued operation of TCD activities. The Public Works Director may require the applicant to deposit sufficient funds with the City to defray the cost of purchasing replacement water for the duration of the TCD activities impact to supply well production prior to

allowing the TCD activities to continue. (Ord. 2957 § 7 (part), 2019; Ord. 2831 § 2 (part), 2016).

13.25.110 Administrative fees.

A. The Public Works Director shall have the authority to impose administrative fees for the review of the Temporary Construction Dewatering Feasibility Studies and Temporary Construction Dewatering Plans required by this chapter in order to recoup the City's costs of conducting the reviews. The administrative fees provided in this subsection shall be collected at the time the Temporary Construction Dewatering Feasibility Study and Temporary Construction Dewatering Plan is submitted and the City shall not be obligated to review the Study or Plan until the review fee is paid.

B. The Public Works Director shall have the authority to impose an administrative fee in order to recoup the City's costs of inspection and monitoring during the implementation of Temporary Construction Dewatering Plans. Inspection and monitoring fees shall be paid at the time of construction permit issuance and the City shall not be obligated to issue permits until the administrative fees are paid.

C. The Public Works Director shall have the authority to impose an administrative fee on the purchase of replacement water from the City's regional water supplier under this chapter in order to recoup the City's costs of processing requests for such water. The administrative fees to be paid under this subsection shall be paid at the same time as the cost of the replacement water and shall be in addition to the cost of the water itself.

D. The Public Works Director shall have the authority to require development permit applicants to pay the cost of any outside technical assistance necessary to review and resolve issues and disputes regarding technical issues relating to Temporary

Construction Dewatering Feasibility Studies and Temporary Construction Dewatering Plans. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

13.25.120 Appeals.

A. The development project applicant and any party of record may appeal a decision of the City to approve, deny, or condition a Temporary Construction Dewatering Feasibility Study or Temporary Construction Dewatering Plan under this chapter. The appeal shall be made by appealing the decision on the underlying permit to which the Study or the Plan pertains and shall follow the procedures for appealing the underlying permit set forth in the Redmond Zoning Code.

B. The development project permit holder may appeal a decision by the Public Works Director to suspend or revoke permission for Temporary Construction Dewatering activities. The appeal shall be to the Hearing Examiner and shall follow the procedure set forth in the Redmond Zoning Code for the appeal of Type I permit decisions. The filing of an appeal shall not stay the Public Works Director's order to cease Temporary Construction Dewatering Activities, but the Public Works Director may, but shall not be obligated to, allow Temporary Construction Dewatering activities to continue during the pendency of an appeal if the same can be done consistent with the public health, safety, and welfare.

C. All appeals under this section shall be made on forms established under the Redmond Zoning Code and accompanied by any applicable appeal fee. No appeal shall be considered filed or complete until any applicable appeal fee is paid. (Ord. 2957 § 7 (part), 2019: Ord. 2831 § 2 (part), 2016).

The Redmond Municipal Code is current through Ordinance 3073, passed December 7, 2021.

Disclaimer: The city clerk's office has the official version of the Redmond Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

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