



**MEMO TO:** Planning and Public Works Committee of the Whole

**FROM:** Amanda Balzer, Public Works

**DATE:** March 12, 2019

**SUBJECT:** Wellhead Protection Code Permanent Regulations

- I. PURPOSE** ☐ For Info Only ☐ Potential Agenda Item ☒ Scheduled for Council Action

This briefing summarizes proposed Wellhead Protection Code Permanent Regulations in anticipation of a Council Study Session on March 26, 2019.

**II. RECOMMENDATION**

Provide Council Study Session briefing on March 26, 2019 in anticipation of possible adoption of Wellhead Protection Code Permanent Regulations on April 16, 2019.

**III. DEPARTMENT CONTACTS**

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**IV. DESCRIPTION/BACKGROUND**

**Permanent Regulations**

The proposed Wellhead Protection Code Permanent Regulations were developed to address existing and potential future impacts to Redmond's aquifer and protect the groundwater component of Redmond's drinking water supply into the foreseeable future. The permanent regulations include amendments to the Redmond Municipal Code (RMC), Redmond Zoning Code (RZC) and Redmond Comprehensive Plan (RCP). The permanent regulations will also replace an interim ordinance (associated with reclaimed water use) and include a new User Fee schedule associated with cost recovery.

The permanent regulations and their impacts may be summarized according to the following three broad categories:

- Critical Aquifer Regulatory Area (CARA) map updates;
- Business impacts; and
- Development impacts.

The updated CARA maps are included as Attachments A and B.

## **Process to Develop Wellhead Protection Code Regulations**

The proposed Wellhead Protection Code Permanent Regulations were developed using the following key process elements that span from technical analysis through policy development:

- Groundwater computer modeling;
- Critical Aquifer Recharge Area (CARA) map updates;
- Business impact assessment;
- Development impact assessment;
- Interim Ordinance development (based upon State rule change); and
- New User Fee development

A process diagram illustrating the overall development of the Permanent Regulations is included as Attachment C. Robust stakeholder engagement was incorporated and embedded through each step of the process.

### **Key Process Elements**

#### **Groundwater Model Development & CARA Map Updates**

- A new groundwater model was developed to replace the existing model.
- The model was used to evaluate changes to Wellhead Protection Zones (now called Critical Aquifer Recharge Areas) based upon improved model capabilities and a robust field data set.
- Stakeholders participated in the review of model inputs and outputs and then the development of the updated CARA maps.

#### **Business & Development Impact Assessment**

- Stakeholders identified a level of service expectation for groundwater protection at the ‘cautiously proactive’ level.
- The business and development impact assessments focused on issues including: temporary construction dewatering, groundwater monitoring, and fueling facilities.
- Stakeholders participated in a detailed gap analysis that compared the existing language in the Redmond Municipal Code, Redmond Zoning Code, and Redmond Comprehensive Plan to the desired “cautiously proactive” level of service.

#### **Interim Ordinance**

- Interim Wellhead Protection Code Regulations were adopted by Council on January 15, 2018 to protect the City’s aquifer from the potential risk of reclaimed water due to a Washington State Reclaimed Water Rule change; a CARA map

established boundaries around the CARA and the use of reclaimed water in the CARA was prohibited.

- Council extended the interim regulations to June 26, 2019 to provide additional time for final stakeholder engagement and to allow staff to finalize the complete packet of proposed permanent regulations.
- The permanent regulations update the CARA map adopted as part of the interim ordinance to include both CARA I and CARA II boundaries.
- The reclaimed water prohibitions have been modified to also include recycled water and allow use that is discharged to sanitary.

#### User Fee Amendment

- The Temporary Construction Dewatering Operating Policy (Policy) was implemented in June 2016 following the adoption of RMC 13.25.
- The Policy defines methods for evaluation and cost recovery from the loss of supply well production.
- The proposed changes allow for full cost recovery from the impacts of temporary construction dewatering due to the loss of production from the lowering of the groundwater table.

#### Council Process to-date

The following table documents the more recent dates when Council was informed about Wellhead Protection Code updates.

Date	Action / Committee Presentation
04/25/2017	Study Session – Stakeholder Engagement
09/26/2017	Study Session – Groundwater Model Results
01/02/2018	Staff Report – CARA Development and Stakeholder Process
01/16/2018	Approve Interim Ordinance
01/15/2019	Extend Interim Ordinance

#### V. TIME CONSTRAINTS

Interim Ordinance 2947, prohibiting the use of reclaimed water in the Redmond Critical Aquifer Recharge Areas, expires on June 26, 2019. Adoption of proposed code changes with permanent regulations will replace the interim ordinance regulations.

#### VI. LIST OF ATTACHMENTS

Attachment A: RZC Map 64.6

Attachment B: RZC Map 64.10

Attachment C: Process Diagram