

# Wellhead Protection Zone Sounding Board

## Meeting #5 Summary



**Time:** Wednesday, December 13, 2017 (9:00 a.m. – 12:00 p.m.)  
**Location:** Redmond City Hall, Council Conference Room  
15670 NE 85<sup>th</sup> Street, Redmond, WA 98073

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### Attendees:

Sounding Board Members and Alternates	Organization
Joe Skewis	Prototron Circuits
Eric Ferguson	King County DNRP
Tom Markl	Nelson Legacy Group
Mike Johnson	Neighborhood representative
Clarke Jewell	Olympian Precast
Ken Nabors	Mac & Jack Brewery
Sophia Ressler	Puget Soundkeeper Alliance
Bart Phillips	OneRedmond

### Others in attendance:

- Amanda Balzer, City of Redmond, Project Manager
- Andy Rheume, City of Redmond, Senior Watershed Planner
- Gary Schimek, City of Redmond, Engineering Manager
- Sarah Brandt, EnviroIssues, Facilitator
- Liz Mack, EnviroIssues, Facilitation Support

### Summary:

#### Welcome, introductions, and overview

Sarah Brandt welcomed the Sounding Board members and thanked them for their participation. The members introduced themselves. Then, Sarah reviewed the meeting agenda.

Gary Schimek provided updates about other processes related to the groundwater modeling.

- **Low Impact Development Business Case:** The stakeholder group has ended, and the code changes are in the process of being implemented.
- **Temporary Construction Dewatering:** Next, the City will look at different dewatering scenarios related to constructing features like underground parking and basements, and how they impact water supply. The City plans to convene another stakeholder group to inform this process in 2018. The group will look at two bookend cases to explore the ranges of possible impacts from construction dewatering. This work will also align with a building form study and parking management effort in the Planning Department.

#### Proposed wellhead protection zones and buffers

Amanda will present a staff report to City Council in early January and would like to get feedback from the Sounding Board on the final recommendation. Amanda presented the Critical Aquifer Recharge Area

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(CARA) Zone 1, which includes the 6-month, 1-year, and 5-year time of travel zones plus the buffer to account for dewatering projects discussed at the previous meeting. Next, she presented the CARA Zone 2 boundary and the new parcels that would be impacted by this designation.

### CARA 2 Impacts

The City went through the source control records for the new parcels that are added to the CARA 2 region and do not think these parcels will have any financial impacts from the boundary change.

Discussion:

- Bart asked what types of businesses were located on the new parcels.
  - Amanda explained that they are storage facilities, office buildings, and auto repair shops. The businesses that may have an impact are already in compliance with the regulations for source control.
- Mike asked what requirements are in place for CARA 2 businesses?
  - Amanda said these businesses receive source control inspections and need to implement some best management practices (BMPs) outside of the building.

### CARA 1 Impacts

Amanda displayed a map showing the 77 new parcels that will be impacted by the CARA 1 boundary change. CARA 1 requires BMPs that occur within the building and prohibits some uses. The City is also considering prohibiting permanent dewatering for new developments in CARA 1. CARA 1 is the equivalent of Wellhead Protection Zones 1 and 2. These new parcels have a range of financial impacts described in the table below and the City would likely reimburse up to 75 percent of the cost.

Number of Sites	Financial impact
12	Less than \$1,000
4	Less than \$5,000
1	\$30,000

Discussion:

- Tom asked how the City came up with the cost estimates and noted that in the past they have underestimated the actual cost.
  - Amanda explained that's its hard to know the exact cost to each parcel without visiting the site. All parcels had some inspection records with the City or do not require inspection. The City looked at these records to see what was in place and estimated the cost based on what other businesses have paid for secondary containment.
- Bart asked if these estimates the city provided were one-time costs.
  - Amanda answered yes. The estimates are for one-time costs. There could be additional maintenance that is not captured in the estimate.

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- Tom asked how often the City inspects these businesses.
  - Amanda noted that the inspection frequency depends on the amount of hazardous material kept on site and generally ranges from annually to once every three years.
- Mike asked how redevelopment of parcels in this zone would be impacted.
  - Amanda said the properties that redevelop would need to be compliant with the current (updated) standards.
  - Tom noted that the financial impact of these zone changes could push some sites to redevelop.
  - Amanda added that it will probably take a year to get these changes in place and she does not anticipate an authorized work letter for sites that would fall under the Groundwater Protection Incentive program for several years. Some of these parcels may redevelop before then due to the light rail expansion.
- Bart asked when they City will notify the parcels of the potential change.
  - Amanda explained they are planning to notify all parcels in early 2018 prior to the code changes. They City will send out letters and go door-to-door to alert them of the public comment period.
- Joe asked if a parcel could use the 75 percent reimbursement towards redevelopment.
  - Amanda noted that the reimbursement can only be used for stormwater infiltration sytem retrofits the existing property in its current use.
- Bart asked why the City does not reimburse 100 percent.
  - Clark and Tom explained that when previous retrofits were required, impacted businesses negotiated with the City for a cost-sharing compromise. They also noted that these regulations are required on private property, but they have a public benefit.

### Groundwater Protection Incentive Program Pilot Project

Amanda explained that some of these sites (group 1) have already participated in a Groundwater Protection Incentive Program pilot project. EnviroIssues will reach out to sites in group 1 to hear how the pilot project went and document recommendations. The City will review these recommendations as they determine how to approach group 2. The table below shows the breakdown of group 1 and 2.

Group	Sites Impacted	Financial Impact	Notes
Group 1	3	\$100,000 - \$500,000	<ul style="list-style-type: none"> <li>• 75% reimbursement possible</li> <li>• All 3 sites likely to redevelop prior to site improvement requirements</li> </ul>
Group 2	24	\$100,000 - \$200,000	<ul style="list-style-type: none"> <li>• 60% reimbursement possible</li> <li>• Change to program under development – anticipate significant reduction in financial impacts.</li> </ul>

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### Discussion:

- Tom asked if the expenditures will be affordable to the businesses and noted that many businesses are struggling to afford the costs of doing business in Redmond. OneRedmond has also been discussing the importance of retaining historic businesses.
  - Amanda noted that at this point, they don't know the specific details of the sites in group 2 and anticipate significant changes from the pilot program that would likely reduce the cost to the property owner.
  - Amanda said she will also pass along these concerns to those who are working on this stormwater component.
  
- Mike asked what the difference is between the two groups.
  - Amanda clarified that group 1 is higher risk than group 2. Both groups infiltrate stormwater. Group 1 is generally industrial and group 2 tends to be parking lots as opposed to businesses that have industrial uses or handle significant quantities of hazardous materials. Group 2 is largely focused on source control and could include activities such as more frequent street sweeping.

### Recommendation

Sarah asked the group if they had any concerns with the CARA 1 and 2 approaches and the current recommendation.

### Discussion:

- Clark said he was comfortable with CARA 2 but had concerns about the cost versus benefit for the newly impacted CARA 1 businesses. He noted there may also be some ongoing maintenance and lost productivity costs associated with these changes. He added that there is a risk that businesses who are not landowners may be forced out by the landowner due to this cost.
  
- Mike noted that the expansion of CARA 1 is due primarily to construction dewatering, which is a benefit to those specific developments and is impacting the cost of other businesses in the area. He asked if it would be possible to have a fee on temporary construction dewatering to mitigate its impacts. He added that the boundaries seem reasonable from a technical and risk management standpoint, but he is uncomfortable adding costs to the businesses.
  - Tom noted that the dewatering is a temporary impact, but the businesses are required to develop a long-term system, which may be inequitable for a developer to pay to maintain. He also noted that developers currently pay two to four times more fees in Redmond than Kirkland or Bellevue, so increasing this could hurt Redmond's competitiveness in the region. The City may need to take a close look at its revenue structure.

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- Joe suggested that there could be a compromise. For example, the City could only charge additional fees to those going two levels below ground, which has a bigger dewatering impact.
- Clark agreed that businesses should be compensated if the only reason they're facing new requirements is due to construction dewatering.
- Tom stated that additional regulations will add costs that will have to be covered somewhere, noting that much of the development is happening because the City is encouraging new residential housing.
- Bart predicted that dewatering will decrease at some point soon due to slowing growth, and suggested that the City fund 100 percent of the business costs knowing that the business will have to cover the operating and maintenance cost.
- Amanda noted that so far, these costs have been covered by water utility rates.
- Bart asked if the City has looked at ways to change dewatering practices to reduce impacts.
  - Amanda replied that changing timing can change the impacts, but there aren't currently feasible alternatives to dewatering. She noted that the City is about to see several simultaneous dewatering projects including one of the largest pumping volumes yet seen. These projects will provide new insight into dewatering impacts, and could help inform dewatering policies.
  - Bart recommended building in flexibility so the City can incorporate this new information. He cautioned that once a new zone is drawn, however, it can be hard to adjust it based on new information.

### **Other code / policy changes being considered**

Amanda explained that the City is also looking to change some of their regulations to better align with neighboring jurisdictions. These changes will only impact new developments and include prohibiting new mining, golf courses, cemeteries, and wrecking yards. Existing uses would be allowed to continue to operate. They would also increase standards for new fueling stations and determine where reclaimed water use is appropriate.

### **Discussion:**

- Bart asked Amanda to explain the changes that could reduce costs to group 2.
  - Amanda said that group 2 will mostly be focused on BMPs to reduce site risk and not rebuilding stormwater infiltration.

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- Bart suggested making sure the costs are accurately described when presented publicly. Starting conversations with costs that are likely too high could create unnecessary anxiety.
- Amanda noted that right now, she felt it best to estimate costs according to current regulations since the City Council hasn't adopted the changes yet, but she can make sure that is explained when these costs are presented.

Amanda explained that the City would also like to get feedback on additional proposed code changes impacting existing businesses. The biggest code change is to require vehicle fueling improvements, which would impact 14 to 21 sites. Amanda said the City will do stakeholder involvement with these impacted businesses in the near future.

### Discussion:

- Tom asked if the City will share this cost with the businesses.
  - Amanda answered that the cost will need to be further evaluated.
- Bart suggested the City focus on monitoring and cover this expense for businesses newly impacted.
- Amanda noted that the City could require upgrades when underground storage tanks are replaced (at the end of their useful lives of 30 years).
  - Tom cautioned that this could cause property owners to delay replacements.
- Bart recommended the City try to incentivize behavior and not just regulate it.
- Amanda noted that this group includes towing yards where wrecked vehicles are stored on gravel lots. This risk can be mitigated by putting in impervious surfaces where those vehicles are kept.
  - Andy noted they could write the policy to require wrecked vehicles to be stored on impervious surface to distinguish between impounded vehicles and wrecked vehicles.
- Amanda added that these are changes that are not associated with the zone boundary, but instead with policy. They will not go before council until early 2019, so there is still time to refine these.

### Next Steps

Amanda reviewed the schedule:

Q1 2018	Council staff report
Q1 2018	SEPA public comments (zoning changes)
Q2/3 2018	Planning Commission
Q1 2019	Council adoption, including the policy changes for the zones

Andy noted that the public can always contact the Council or attend Council sessions to give public comment. Input is not restricted to SEPA comment periods.

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Sarah explained that the team will develop a memo of the group's key feedback. She will send that out next week and it will include a map of the final proposed zones and the technical memo.

### Participant Feedback

Sarah asked the group for feedback on the stakeholder process, as the City is looking to continue similar forums in the future. The following comments were provided:

#### Process strengths / benefits:

- This process was a good way to get feedback from a range of perspectives including those who may be impacted.
  
- Number and timing of meetings:
  - It was the right number of meetings; however, it was difficult to catch up if you missed a meeting.
  - The team did a good job scheduling meetings that worked for almost everyone. Using a poll to check availability was a great approach.
  - The schedule seemed to be driven by the pace of the group as opposed to a council deadline which is an improvement from past efforts.
  
- Technical detail:
  - The City demonstrated good foresight when they decided to collect the data that went into the model.
  - The technical foundation was really important and was presented at an understandable level.
  
- General process:
  - This was a big improvement over past outreach efforts. The group felt listened to and that the issues they raised were being addressed. The City did a good job of working with this group to find an answer.
  - Everyone felt respected and comfortable sharing in this group.
  - The guiding principles helped outline the goals and keep things productive.
  - This process was very valuable and is recommended for future issues.
  - Everyone would participate in this format again.
  - The staff were very patient and willing to go through the process.

#### Process improvements to consider:

- A phone-in option could be beneficial for future groups, especially those traveling from other cities.
- Be careful to when saying this group represented constituencies; it really represented points of view but did not speak for whole groups / sectors.

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- The time between meetings was long and made it difficult to remember discussions from prior meeting. It would have been helpful to have a recap of previous discussions at the start of each meeting. Offering a call between meetings for those who couldn't attend would also have helped with continuity.

### Engaging others in the process:

- Many constituents were not interested in this project because they are not directly impacted. It would be helpful to know who will be impacted and target outreach to them.
- It would have been good to include a fueling station representative in this group, given that this perspective could be impacted.

### **Wrap up**

The following action items and questions were also captured for further discussion:

- Amanda and Sarah will update the memo and send something out next week.
- The City will keep this group informed about key milestones and other initiatives related to this project.