

Chapter 14.265
Critical Aquifer Recharge Areas

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14.265.010 Designation

- A. Areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2) are hereby designated critical areas and shall be subject to the provisions of this chapter.
- B. The city is not currently aware of any critical aquifer recharge area in its jurisdiction. However, upon discovery of scientific data attesting to the existence of a critical aquifer recharge area, the City will apply the Critical Areas Code to said area.

14.265.020 Exemptions

In addition to the developments listed in SMC 14.255.060, the following developments shall be exempt from this chapter:

- A. Construction of structures, improvements, and additions of less than 2,500 square feet of total site impervious surface area, which do not increase the risk to the critical area from hazardous substances.
- B. Development of parks, recreation facilities, or conservation areas that do not increase the risk to the critical area from hazardous substances.

14.265.030 Critical Area Reports

- A. In addition to the requirements of SMC 14.255.120, critical area reports for critical aquifer recharge areas shall include a hydro geologic assessment.
- B. Level 1 (basic) hydro geologic assessments shall be prepared for all critical aquifer recharge areas and shall include the following information:

- 1. Available information regarding geology and hydrogeology of the site, including permeability of the unsaturated zone;
- 2. Ground water depth, flow direction, and gradient based on available information;
- 3. Available data on wells and springs within 1,300 feet;
- 4. Location of other critical areas, including surface waters, within 1,300 feet; and
- 5. Best management practices proposed to be utilized.

- C. A Level 2 (more detailed) hydro geologic assessment shall be prepared in compliance with the following:

- 1. A Level 2 hydro geologic assessment shall be prepared for the following activities:
 - a. Activities that divert, alter, or reduce the flow of surface or ground waters, or otherwise reduce the recharging of the aquifer;
 - b. The use of hazardous substances,

- other than household chemicals used according to the directions specified on the packaging;
 - c. Injection wells; and
 - d. Any other activity determined by the City Planner as being likely to have an adverse impact on ground water quality or quantity.
- 2. A Level 2 Hydro geologic assessment shall include the following information:
 - a. Historic water quality data for the area to be affected by the proposed development;
 - b. Ground water monitoring plan;
 - c. Potential effects on water quality and quantity of nearby wells and water bodies; and
 - d. Analysis of equipment or structures that could fail and regular inspection, repair, and replacement necessary to prevent such failure.
- B. Underground facilities for storing hazardous substances shall be designed to prevent releases due to corrosion or structural failure for the operational life of the tank.
- C. Above-ground facilities for storing hazardous substances shall be designed to prevent accidental release, shall have a primary containment enclosing or underlying the tank, and shall have a secondary containment built into the tank structure or consisting of an external dike.
- D. Vehicle repair and servicing shall be conducted over impermeable pads, within a covered structure capable of withstanding normal weather conditions. Chemicals shall be stored in a manner that protects them from weather and provides containment should leaks occur. Dry wells are prohibited.
- E. Application of household pesticides, herbicides, and fertilizers shall not exceed times and rates specified on the packaging.
- F. Surface percolation or injection of reclaimed water shall conform to adopted water and sewer comprehensive plans, pursuant to RCW 90.46.080(1), RCW 90.46.010(10), and RCW90.46.042.
- G. The uses listed below shall be conditioned as necessary to protect critical aquifer recharge areas in accordance with the applicable state and federal regulations and to the extent that a City approval is required for said uses.

14.265.040 Substantive Requirements

In addition to the substantive requirements of SMC 14.255.120, the following requirements shall apply to critical aquifer recharge areas:

- A. Proposed developments shall not cause contaminants to enter the aquifer or significantly reduce the recharging of the aquifer and shall comply with the water source protection requirements and recommendations of the U.S. Environmental Protection Agency, Washington State Department of Health, and county health department.

Statutes, Regulations, and Guidance Regarding Groundwater-Impacting Activities

Activity	Statute – Regulation – Guidance
Above Ground Storage Tanks	Chapter 173-303-640 WAC
Animal Feedlots	Chapter 173-216 WAC, Chapter 173-220 WAC
Automobile Washers	Chapter 173-216 WAC, Best Management Practices for Vehicle and Equipment Discharges (Washington Department of Ecology WQ-R-95-56)
Below Ground Storage Tanks	Chapter 173-360 WAC
Chemical Treatment Storage and Disposal Facilities	Chapter 173-303-182 WAC
Hazardous Waste Generator	Chapter 173-303 WAC (<i>Boat Repair Shops, Biological Research Facility, Dry Cleaners, Furniture Stripping, Motor Vehicle Service Garages, Photographic Processing, Printing and Publishing Shops, etc.</i>)
Injection Wells	Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC
Junk Yards and Salvage Yards	Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Vehicles Recycler Facilities (Washington Department of Ecology 94-146)
Oil and Gas Drilling	Chapter 332-12-450 WAC, Chapter 173-218 WAC
On-Site Sewage Systems (Large Scale)	Chapter 173-240 WAC
On-Site Sewage Systems (< 14,500 gal/day)	Chapter 246-272 WAC, Local Health Ordinances
Pesticide Storage and Use	Chapter 15.54 RCW, Chapter 17.21 RCW
Sawmills	Chapter 173-303 WAC, Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (Washington Department of Ecology, 95-53)
Solid Waste Handling and Recycling Facilities	Chapter 173-304 WAC
Surface Mining	Chapter 332-18-015 WAC
Waste Water Application to Land Surface	Chapter 173-216 WAC, Chapter 173-200 WAC, Washington Department of Ecology Land Application Guidelines, Best Management Practices for Irrigated Agriculture

14.265.050 Prohibited Activities and Uses

The following activities and uses are prohibited in critical aquifer recharge areas (based on *Guidance Document for the Establishment of Critical Aquifer Recharge Area Ordinances*, by WDOE, Publication #97-30):

- A. Landfills and solid waste transfer stations, including landfills for hazardous waste, municipal solid waste, special waste, wood waste and inert and demolition waste;
- B. Underground injection wells: Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;
- C. Mining of metals, hard rock, sand, and gravel;
- D. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces;
- E. Creosote or asphalt manufacturing;
- F. Storage, processing, or disposal of hazardous, chemical, or radioactive substances;
- G. Electroplating;
- H. Class 1A or 1B flammable liquids manufacturing as defined by the Uniform Fire Code;
- I. Conversion of heating systems to fuel oil;
- J. New petroleum product pipelines;
- K. Activities that would significantly reduce the recharge to aquifers currently or potentially used for potable water; and
- L. Activities that would significantly reduce base flow to a regulated stream. (Ord. 2083, 2005)