

CHAPTER 15.06**CRITICAL AQUIFER RECHARGE AREAS****SECTIONS:**

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15.06.010 CRITICAL AQUIFER RECHARGE AREAS—CLASSIFICATION AND DESIGNATION.

Critical aquifer recharge areas (CARAs) are those areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2), as it now exists or may be hereinafter amended.

(a) Classification: Lands shall be classified as having either a high, moderate, or low susceptibility as determined by local conditions and the criteria provided in WAC 365-190-100, as it now exists or may hereafter amended.

(b) Designation: All lands classified as having moderate to high susceptibility are hereby designated as critical aquifer recharge areas. Critical aquifer recharge areas in Benton County include:

(1) Areas with high susceptibility:

(i) All floodplains and floodways for all rivers, creeks and wetlands mapped by local, state, and federal agencies; or

(ii) Areas of high groundwater identified by the Benton Franklin Health District where there exists inadequate depth to groundwater for the placement of a waste drainfield.

(2) Areas with moderate susceptibility:

(i) Any areas with both of the following characteristics: Hydrologic A soils as identified in the Natural Resource Conservation Service Benton County Soil Survey and irrigated lands;

(ii) Designated wellhead protection areas. Includes Group A public water supply wells and those Group B wells with a wellhead protection plan filed with the Benton Franklin Health District;

(iii) Areas within one hundred (100) feet of all irrigation district main canals (one hundred (100) feet from edge of canal); or

(iv) Areas with alluvial soils.

[Ord. 609 (2018) § 37]

15.06.020 MAPPING OF CRITICAL AQUIFER RECHARGE AREAS.

(a) The approximate location and extent of critical areas are displayed on various inventory maps available at the Planning Department. These maps will be updated as inventories are completed in compliance with the requirements of the Growth Management Act, and additional maps may be added as appropriate. Benton County's critical areas maps depict the approximate location and extent of known critical aquifer recharge areas, and are hereby adopted.

(1) These maps are to be used as a guide for the County, project applicants, and/or property owners, and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

[Ord. 609 (2018) § 38]

15.06.030 ACTIVITIES REQUIRING A CRITICAL AREA REPORT.

(a) Critical area reports are required for the following activities and similar activities as determined by the Planning Administrator when these activities are proposed to be located in a critical aquifer recharge area:

(1) Biosolids land application;

(2) Critical material handling, generating, or use;

(3) Dairy operation;

- (4) Feedlot or livestock/animal operation;
- (5) Landfill;
- (6) Mining and/or gravel pits;
- (7) Sanitary waste discharge;
- (8) Wood treatment facilities;
- (9) Storage, processing, or disposal of radioactive substances;
- (10) Above ground storage tanks, subject to WAC 173-303-640 as it now exists or may be hereinafter amended;
- (11) Below ground storage tanks, subject to WAC 173-360 as it now exists or may be hereinafter amended;
- (12) Hazardous waste generator (such as Boat or Motor Vehicle Repair Shops);
- (13) Junk yards and salvage yards;
- (14) Waste water application to land surface;
- (15) Commercial fertilizer storage;
- (16) Injection wells;
- (17) Sawmill;
- (18) Solid waste handling and recycling facility;
- (19) Cement and/or concrete plants;
- (20) Machine shops;
- (21) Chemical treatment and disposal facility; or
- (22) Any activities, particularly municipal, industrial, and commercial that involve the collection and storage of substances that, in sufficient quantity during an accidental or intentional release, would result in the impairment of the aquifer water to be used as potable drinking water liquids shall be regulated by this chapter.

[Ord. 609 (2018) § 39]

15.06.040 CRITICAL AREA REPORT-ADDITIONAL REQUIREMENTS FOR CRITICAL AQUIFER RECHARGE AREAS.

In addition to the general critical area report requirements of BCC 15.02.190, critical area reports for critical aquifer recharge areas must meet the requirements of this section.

(a) Preparation by a Qualified Professional. A critical area report for critical aquifer recharge areas shall be prepared by a qualified professional who has training and experience in preparing hydrogeological reports. A qualified professional shall meet the standard specified in BCC 15.02.070(57).

(b) Area Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for critical aquifer recharge areas:

(1) A detailed narrative describing the project, including, but not limited to, associated grading and filling, structures, utilities, and those activities, practices, materials, or chemicals that have a potential to adversely affect the quantity or quality of underlying aquifers;

(2) Site plan indicating the location of all proposed improvements and aquifer recharge areas;

(3) A hydrogeological evaluation that includes at a minimum, a description and/or evaluation of the following:

(i) Site location, topography, drainage and surface water bodies;

(ii) Soils and geologic units underlying the site;

(iii) Groundwater characteristics of the area, including flow direction, gradient, and existing groundwater quality;

(iv) Location and characteristics of wells and springs within 300 feet of the perimeter of the property;

(v) Evaluation of existing on-site groundwater recharge;

(vi) Evaluation of the potential impact of the proposed development on groundwater quality, both short and long term, based on an assessment of the cumulative impacts of

the proposal in combination with existing and potential future land use activities; and

(vii) A proposed mitigation plan.

[Ord. 609 (2018) § 40]

15.06.050 PERFORMANCE STANDARDS-GENERAL REQUIREMENTS.

(a) Activities may only be permitted in a critical aquifer recharge area if the applicant can show that the proposed activity will not cause contaminants to enter the aquifer and that the proposed activity will not adversely affect the recharging of the aquifer.

(b) Proposed groundwater uses must provide evidence that the proposed water source is physically and legally available and meets drinking water standards.

(c) Groundwater uses, withdrawals, and recharge must be consistent with RCW 90.44.050 and with applicable rules adopted pursuant to RCW 90.22 and 90.54 when making decisions under RCW 19.27.097 and RCW 58.17.110.

[Ord. 609 (2018) § 41]

15.06.060 SEVERABILITY. If any provision of this Chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the Chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 609 (2018) § 64]

15.06.070 EFFECTIVE DATE This Chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 609 (2018) § 65]