

From: [Amy Tower](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Sunday, July 5, 2020 9:02:02 PM

To All King County Councilmembers:

The Skyway community is 70% people of color, with 26% Black residents--the highest percentage in King County. This community has been advocating for its needs around transportation, housing, economic development, health, education, and more for nearly 30 years. The decades-long lack of investment and lack of movement by King County to act on the priorities the Skyway community has outlined--over and over--is systemic racism.

TO BRING EQUITY, HOUSING STABILITY, AND ECONOMIC OPPORTUNITY TO THE SKYWAY COMMUNITY, THE SKYWAY COALITION AND COMMUNITY MEMBERS REQUEST THAT KING COUNTY COUNCIL VOTE IN JULY TO:

- *Broaden the subarea plan to include more than land use and zoning changes by voting in favor of the Striking Amendment S2, in order to: 1) put aggressive anti-displacement strategies in place; and 2) build and execute a community-driven development plan by and for Black and POC who live here, not just for the land.

- *Allocate funding to high priority community needs in the upcoming biennial budget, with significant input from the community to prioritize the list.

ADDITIONAL DEMANDS:

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In Solidarity,
Amy Tower

From: [Laura Fortin](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Sunday, July 5, 2020 4:22:23 PM

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Respectfully,
Brian and Laura Fortin

From: [Charles Clemons](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Saturday, July 4, 2020 2:04:27 PM

To All King County Councilmembers:

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From: [Bryana Samuel](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Saturday, July 4, 2020 1:51:04 PM

To All King County Councilmembers:

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From: [Beth Hintz](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Saturday, July 4, 2020 9:41:41 AM

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Sincerely,
Beth Hintz
Skyway resident

From: [Kara Wiggert](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Saturday, July 4, 2020 12:21:09 AM

To All King County Councilmembers:

My name is Kara and I live in the Lakeridge neighborhood (98178). I live here with my 4 year old daughter and husband. It takes us only 10 minutes to walk to Skyway. I've been living in the Seattle area since 2006 in different parts of the city, slowly moving down to the south end of town. I have watched people get pushed out of their neighborhoods and I have seen the gentrification of neighborhoods as the businesses and corporations move in.

The Skyway neighborhood is unique. It is so diverse and we need to make sure the BIPOC communities are supported. Especially the black community. This community needs a safe place for people to gather and for culture to flourish. I also sometimes work at the Skyway Library and I know that is the only place for many of the kids to gather. There is nowhere else for them to go. Please read the message below and take action to help this community.

The Skyway community is 70% people of color, with 26% Black residents--the highest percentage in King County. This community has been advocating for its needs around transportation, housing, economic development, health, education, and more for nearly 30 years. The decades-long lack of investment and lack of movement by King County to act on the priorities the Skyway community has outlined--over and over--is systemic racism.

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Thanks for reading,

Kara Wiggert

From: [Daniel Whitney](#)
To: [Policy Staff, Council CompPlan](#)
Cc: [Robert Toolen](#)
Subject: R-1 designation for Trilogy Golf Course
Date: Friday, July 3, 2020 7:32:06 PM

Councilmember Kathy Lambert

I read your update to the new Comprehensive plan and am glad to see the amendments to eliminate certain uses. I did not see any mention of rezoning the golf course to R-1. This was discussed at the Zoom meeting and we are hopeful that this revision will be adopted. So I am worried when I see no mention of it in your recent update.

What assurance can you give Trilogy members that this revision will be part of the final plan?

Thank you.

Daniel Whitney

From: [Emily Childs](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Friday, July 3, 2020 7:04:03 PM

To All King County Councilmembers:

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From: [bonnie viar](#)
To: [Dembowski, Rod](#); [Zahilay, Girmay](#); [Lambert, Kathy](#); [Kohl-Welles, Jeanne](#); [Upthegrove, Dave](#); [Balducci, Claudia](#); [von Reichbauer, Pete](#); [McDermott, Joe](#); [Dunn, Reagan](#); [Policy Staff, Council CompPlan](#)
Cc: action@skywaycoalition.org
Subject: Invest in Skyway Now
Date: Friday, July 3, 2020 6:36:54 PM

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Respectfully,
Bonnie Viar
Skyway resident
206-799-7454

From: [Buck, Brian](#)
To: [Policy Staff, Council CompPlan](#)
Cc: [Posthumus, Barbara](#)
Subject: Comment Letter - Proposed Ordinance 2019-0413
Date: Thursday, July 2, 2020 3:02:12 PM
Attachments: [KCC_UPD replacement zoning comment_LWSD.pdf](#)

Greetings,

Please see the attached letter from the Lake Washington School District for your consideration regarding the Proposed Ordinance 2019-0413 – 2020 King County Comprehensive Plan and Replacement Zoning for Redmond Ridge and Redmond Ridge East.

Thank you for your time and consideration.

Sincerely,

Brian Buck

Executive Director, Support Services

Lake Washington School District

bbuck@lwsd.org | 425.936.1102

DISCLAIMER:

Lake Washington School District Confidentiality Notice: This email message, including any attachments, may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution of privileged information, including information protected by Family Educational Rights and Privacy Act (FERPA) or other provision of law, is prohibited. If you are not the intended recipient, please contact the sender by e-mail and destroy all copies of the original message.

July 2, 2020

Via email delivery: CouncilCompPlan@kingcounty.gov

King County Council
516 Third Ave, Room 1200
Seattle, WA 98104

RE: Proposed Ordinance 2019-0413 - 2020 King County Comprehensive Plan and Replacement Zoning for Redmond Ridge and Redmond Ridge East

Dear Chair Balducci and Members of the Council:

The Lake Washington School District (the “District”) submits the following comments regarding the proposed replacement zoning for the Redmond Ridge and Redmond Ridge East urban planned developments (the “UPDs”). The District owns property within the UPDs and operates Rosa Parks Elementary School, Ella Baker Elementary School, and Timberline Middle School on the District’s UPD property (the “Schools”). We urge the Council’s careful consideration of the UPD replacement zoning so that future uses are compatible with and assure continued safe and secure operation of the Schools.

The Schools serve the residents of the UPDs and the surrounding area. The two elementary schools are on property conveyed as a part of the original school mitigation for the UPDs. Timberline Middle School recently opened in the Redmond Ridge Business Park, following collaborative planning with King County. The UPDs are home to many children. As you know, this area is an urban reserve surrounded by protected rural lands. The area is very family friendly and therefore attracts many families with children. As a result, housing in this area generates more students per home for our schools than some other areas of our District. Our schools are walkable and are centers for the community.

We understand and appreciate that the Council needs to adopt replacement zoning in anticipation of expiration of the development agreements related to the UPDs. As you know, the 2020 Comprehensive Plan Midpoint Update Scope of Work directs the establishment of replacement zoning “consistent with the development patterns in [the development agreements] and reflecting current conditions in the area.” The District urges the Council in its review of Proposed Ordinance to pay careful attention to ensure that the direction in the scope is followed and also to provide, as may be needed, appropriate process for any use that has the potential to conflict with the safe and secure operation of the Schools.

We appreciate this opportunity to provide comment. Thank you.

Sincerely,



Brian Buck
Executive Director, Support Services

From: [Tim Trohimovich](#)
To: [Policy Staff, Council CompPlan](#); [Krekel-Zoppi, Leah](#); [Calderon, Angelica](#); [Compplan](#)
Subject: RE: Comments on 2020 Update to King County Comp Plan for July 7 2020 public hearing
Date: Thursday, July 2, 2020 1:30:21 PM
Attachments: [AFT FUT StateoftheStates excerpts.pdf](#)
[Solar Plan Collides With Farm Tradition in Pacific Northwest - The New York Times.pdf](#)

Dear Council and Staff:

Here are the enclosures.

Thanks again for considering them.

Tim Trohimovich
Director of Planning & Law
Futurewise
816 Second Ave., Suite 200
Seattle, WA 98104
tim@futurewise.org
(206) 343-0681 Ext. 102

From: [Tim Trohimovich](#)
Sent: Thursday, July 2, 2020 1:28 PM
To: CouncilCompPlan@kingcounty.gov; Leah.Krekel-Zoppi@kingcounty.gov;
Angelica.Calderon@kingcounty.gov; [Compplan](#)
Subject: Comments on 2020 Update to King County Comp Plan for July 7 2020 public hearing

Dear Council and Staff:

Enclosed please find Futurewise's comments on the proposed 2020 update to the 2016 King County Comprehensive Plan (Proposed Ordinance 2019-0413) and related documents for next Tuesday's public hearing. In another email we will provide you with the enclosures referred as being enclosed with this letter.

Thank you for considering our comments.

Tim Trohimovich
Director of Planning & Law
Futurewise
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Seattle, WA 98104
tim@futurewise.org
(206) 343-0681 Ext. 102



816 Second Ave, Suite 200, Seattle, WA 98104
p. (206) 343-0681
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July 2, 2020

The Honorable Claudia Balducci, Council Chair
The Honorable Rod Dembowski
The Honorable Reagan Dunn
The Honorable Jeanne Kohl-Welles
The Honorable Kathy Lambert
The Honorable Joe McDermott
The Honorable Pete von Reichbauer
The Honorable Dave Upthegrove
The Honorable Girmay Zahilay
King County Council
516 Third Ave, Room 1200
Seattle, Washington 98104

Dear Council Chair Balducci and Council Members Dembowski, Dunn, Kohl-Welles, Lambert, McDermott, von Reichbauer, Upthegrove, and Zahilay:

Subject: Comments on the proposed 2020 update to the 2016 King County Comprehensive Plan (Proposed Ordinance 2019-0413) and related documents.

Send via email to: CouncilCompPlan@kingcounty.gov; Leah.Krekel-Zoppi@kingcounty.gov; Angelica.Calderon@kingcounty.gov; compplan@kingcounty.gov

Thank you for the opportunity to comment on the proposed 2020 update to the 2016 King County Comprehensive Plan and associated development regulations. Futurewise strongly supports the update including the fossil fuel facilities policies and regulations. The update and especially these policies and regulations are necessary to address the ongoing global climate catastrophe. We do have some suggestions to strengthen the updates to the comprehensive plan and development regulations and concerns related to some of the amendments included below.

Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests, and water resources. Futurewise has members and supporters throughout Washington State including King County.

This letter will first summarize our comments and recommendations. We then explain the comments and recommendations in more detail.

Summary of the Comments and Recommendations

- The Snoqualmie Interchange UGA study should not be included in the comprehensive plan update. The last time this amendment was considered and wisely rejected by the County Council



Snoqualmie appealed that decision. The Growth Management Hearings Board concluded that the denial of the UGA expansion was consistent with the Growth Management Act (GMA).¹ Please see page 13 of this letter for more information.

- The Pacific Raceways properties should not be rezoned and the allowed uses should not be expanded. These proposals were not included in the workplan approved by the County Council, the public has not had an adequate opportunity to comment, and there has not been an adequate environmental review. Please see page 26 of this letter for more information.
- Futurewise does not recommend adopting the amendments to policies R-512 and R-513 and repealing policy R-515 for industrial uses or amending or adopting other policies that would expand industrial uses outside of existing industrial locations. These amendments will reduce protections for county residents and the environment. Please see page 5 of this letter for more information.
- Futurewise supports streamlining regulations to encourage more accessory dwelling units (ADUs) in the urban growth area. We are concerned that the changes in the Proposed Ordinance 2019-0413 S2 will encourage larger less affordable units and also encourage code violations. We recommend that those changes not be adopted. Please see page 17 of this letter for more information.
- Futurewise recommends that the policies and regulations for the Four-to-One program not be weakened. The program has worked because it has clear standards and protections for nearby property owners in the rural area and the County from excessive costs. The proposed amendments undermine the standards and protections. Please see page 4, page 13, and page 14 of this letter for more information.
- While Futurewise supports the expansion of zones in which renewable energy generation facilities are allowed, protections are necessary for lands designated Agricultural and Forest so that the renewable energy generation facility uses do not convert agricultural or forest lands to other uses. Please see page 17 of this letter for more information.
- Futurewise strongly supports the comprehensive plan narrative and policy amendments calling for increased equity. These will lead to increased equality in land use decision making.
- Futurewise strongly supports the amendments to remove coal, oil, and gas from County identified mineral land resource lands and to prohibit and adequately regulate fossil fuel uses. This will help reduce greenhouse gas pollution and the global climate crisis. Please see pages 6 and 16 of this letter for more information.
- We support improved policies R-652, R-655, and R-656 to better protect Agricultural lands. This will support the agricultural industry. Please see page 7 of this letter for more information.
- Futurewise strongly supports proposed policies 215bb, 215bbb, and E-420. Sea level rise is accelerating and buildings need to be protected from increased flooding. Measures are also

¹ *City of Snoqualmie v. King County (Snoqualmie II)*, CPSRGMHB Case No. 13-3-0002, Corrected Final Decision and Order (Oct. 29, 2014), at 2 of 60 accessed on June 30, 2020 at: <http://www.gmhb.wa.gov/Global/RenderPDF?source=casedocument&id=3671>.

needed to protect the environment from the negative impacts of sea level rise. We suggest additional regulations to accomplish these important objectives. We also suggest that the County take a more comprehensive approach to adapting to sea level rise and its adverse impacts modeled on the process California's coastal counties and cities use. Please see page 8 and 20 of this letter for more information.

- We appreciate that the comprehensive plan has clarified that new permit-exempt-wells must be consistent with state law and the adopted instream flow rules. We recommend adopting a policy prohibiting transferring agricultural water to support residential development. This will protect salmon habitat and the agricultural industry. Please see page 11 of this letter for more information.
- We support updating the plat ingress and egress requirements to provide two ways out in areas at a high risk of wildfires. This will make it more likely residents and fire fighters can safely evacuate during wildfires. Please see page 11 of this letter for more information.
- Futurewise strongly supports Action 18 the greenhouse gas mitigation and adaptation study. Washington is not on track to meet the 2020 greenhouse gas reduction requirement of 90.0 million metric tons (MMT).² We need to do more work to help meet the state emission reduction requirements and to protect people and property from the changes global climate change is causing. Action 18 will help address these needs. Please see page 13 of this letter for more information.
- The amendment in Section 19 allowing “freight-rail dependent uses” in railroad rights of way is impractical and illegal and must be denied. Please see page 15 of this letter for more information.
- The winery, brewery, and distillery amendments in Sections 46 and 47 should not be readopted until the SEPA review required by the *Friends of Sammamish Valley* decision is completed. Please see page 19 of this letter for more information.
- Require case-by-case determinations of landslide buffers based on the actual risk to development to better protect people and property. Please see page 21 of this letter for more information.
- Adopt better regulations to protect aquifers and existing wells from saltwater contamination. This will protect drinking water supplies on Vashon and Maury Islands. Please see page 25 of this letter for more information.

² State of Washington Department of Ecology, *Washington State Greenhouse Gas Emissions Inventory: 1990-2015: Report to the Legislature* p. vii & p. 1 (Publication 18-02-043: Dec. 2018) accessed on June 8, 2020 at: <https://fortress.wa.gov/ecy/publications/documents/1802043.pdf>.” Evan Bush, *Washington’s greenhouse-gas emissions continue to trend higher in latest inventory* *Seattle Times* (Nov. 19, 2019) accessed on June 8, 2020 at: <https://www.seattletimes.com/seattle-news/environment/washingtons-greenhouse-gas-emissions-continue-to-trend-higher-in-latest-inventory/>.

Comments on the 2020 Update to 2016 King County Comprehensive Plan and 2017 Vashon-Maury Island Community Service Area Subarea Plan (June 5, 2020) Attachment A to Proposed Ordinance 2019-0413

Futurewise strongly supports the comprehensive plan narrative and policy amendments calling for increased equity.

In numerous areas of the comprehensive plan narrative, policies, and the draft amendments call for increased equity. These amends build on the current equity policies and we strongly support the amendments.

Do not weaken the standards for the Four-to-One Program. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 11 to 15

King County has a strong tradition of leadership on urban growth areas (UGAs). King County had a UGA before they were required and has responsibly managed the County's UGAs. Futurewise appreciates the County's strong leadership on this important issue.

Futurewise believes the Four-to-One program benefits from clear standards and rules. In particular, we are opposed to changing the ratios between the land protected and the land included in the UGAs as the proposed amendments to Policy U-185 would allow. The current standards, which require four units of land protected for every unit of land added to the urban growth area in most circumstances, assures the public that there is a significant public benefit to balance the costs of expanding the UGA.

The Washington State Supreme Court has held that "a county's UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by [the State of Washington Office of Financial Management] OFM, plus a reasonable land market supply factor."³ The Four-to-One program allows urban growth area expansions regardless of whether the land is needed to accommodate the urban growth projections the County has selected from the OFM population projection range. This has been accepted in the past because the County has criteria and ratios that Four-to-One UGA expansions shall comply with. Changing the criteria and ratios from mandatory to advisory does not comply with the GMA.⁴

We are also skeptical that the edge of the UGA is a good location for affordable housing. Affordable housing is best located near transit and jobs, not on land newly added to the UGA distant from

³ *Thurston Cty. v. W. Washington Growth Mgmt. Hearings Bd.*, 164 Wn.2d 329, 352, 190 P.3d 38, 49 (2008).

⁴ RCW 36.70A.110; RCW 36.70A.115(1); *Thurston Cty. v. W. Washington Growth Mgmt. Hearings Bd.*, 164 Wn.2d 329, 352, 190 P.3d 38, 49 (2008).

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both. So we also opposing using the Four-to-One program to procure affordable housing as the amendments to Policy U-185 would allow.

Futurewise is opposed to amending Policy U-187 and K.C.C. 20.18.180 to change the open space criteria from requirements to factors that must be “considered.” This would allow Four-to-One amendments that do not comply with all, or perhaps any, of the criteria in Policy U-187 and K.C.C. 20.18.180.

Futurewise opposes amending Policy U-189 to allow rural roads to serve land in added to the UGA by the Four-to-One program. The increased traffic from the UGAs added through the Four-to-One program increases road maintenance costs without adding tax base to maintain the road and increases impacts on property owners and residents in rural areas and on agricultural and forest lands. This is the case for land added to the urban growth area through the Four-to-One program since it will ultimately be annexed to reduce public service burdens on King County. So we recommend the amendment proposed to Policy U-189 that would provide that “the County may allow roads to be located outside of the urban portion of the development to protect critical areas or for other ecological benefit” not be adopted.

As the County Council is well aware, unincorporated urban areas increase costs to the County for public services including road maintenance, law enforcement, and other public facilities and services the county provides. Proposed Policy U-190a originally required that Four-to-One UGA expansions could only be developed after they were annexed by the adjacent city. Once land is developed; it can be difficult to annex the land to cities and towns. We recommend that proposed Policy U-190a not be amended to only call for striving to conclude an interlocal agreement. That will increase long-term costs for King County.

Futurewise supports limiting industrial zoning to existing sites to protect rural character and the rural environment, but opposes the amendments to Policies R-512, R-513, and R-515. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 22 and 23

Futurewise supports limiting industrial zoning to existing industrial sites to protect rural character and the environment. It is also difficult to provide the public facilities and services many of these uses need in the rural area and the rural areas are poorly suited to most industrial development.

However, the S-2 amendments to policy R-512 on page 22 is contrary to this policy direction and will not protect rural property owners and the environment. We recommend they not be made. Similarly, we recommend that the Executive Recommended amendments to policy R-513 on pages 22 and 23 not be made for the same reasons. We also recommend that policy R-515 on page 23 not be eliminated for the same reasons.

Futurewise strongly supports the amendments to remove coal, oil, and gas from County identified mineral land resource lands and to prohibit and adequately regulate these uses. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 24 and 25, page 37, pages 64 to 72, and pages 101 to 102

As King County knows due to its leadership in addressing the global climate crisis, our world only has until 2030, ten years, to achieve substantial reductions in greenhouse gas pollution to avoid the worst impacts of the global climate crisis.⁵ Opening or reopening coal mines and oil and gas wells is incompatible with the necessary reductions. Given that we need to substantially reduce greenhouse gas pollution by 2030 and be at zero net emissions by 2050, none of these minerals has long-term commercial significance.⁶ There is just no role for new oil, gas, or coal production. For this reason, we strongly support the amendments removing coal mining as a mineral resource activity in the comprehensive plans and regulations to prohibit these uses.

We also strongly support the policies calling for adequate regulation of fossil fuel uses. Here are a few examples. Futurewise strongly support the requirement for a life cycle analysis of greenhouse gas emissions in proposed policy F-344f along with the other provision of that policy such as consultation with the public, surrounding property owners, and with Indian Tribes and Nations. This will better respond to the ongoing climate emergency and better protect people, property, and treaty rights. We also support proposed policy R-693's prohibition on new or expanded coal mines. Again, this is necessary to respond to the ongoing climate emergency.

We also recommend that the County adopt a policy directing new development to use electricity and alternative energy sources rather than heating oil, natural gas, liquified natural gas, or other fossil fuels. With the recent legislation requiring electricity in Washington to become carbon neutral, electricity is the energy source with the lowest level of greenhouse gas pollution along with carbon pollution free alternative energy sources. King County should have a policy calling for the use of those fuels and discouraging the use of fossil fuels. This policy should then be implemented through development regulations.

⁵ IPCC, 2018: *Summary for Policymakers. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty* p. 12 [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. In Press. Last accessed on June 29, 2020 at: <https://www.ipcc.ch/sr15/chapter/spm/> and enclosed in a separate email accompanying Futurewise's July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: "SR15_SPM_version_report_LR.pdf."

⁶ *Id.*

Futurewise strongly supports the amendments to improve the enforcement of forest practice regulations in the Rural Area. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version page 26

Complying with the Forest Practices Act supports rural economies, protects salmon and other fish and wildlife habitats, and can help sequester carbon helping to mitigate the global climate catastrophe. For these reasons Futurewise supports proposed Policy R-632.

Futurewise supports improved policies R-652, R-655, and R-656 to better protect working farms. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 27 through 29

We support improved policies R-652, R-655, and R-656 which will better protect Agricultural lands. The Washington State Supreme Court has held that counties are “required to assure the conservation of agricultural lands and to assure that the use of adjacent lands does not interfere with their continued use for the production of food or agricultural products.”⁷ In the *Soccer Fields* decision the Washington Supreme Court held that “[i]n order to constitute an innovative zoning technique [authorized by RCW 36.70A.177] consistent with the overall meaning of the Act, a development regulation must satisfy the Act’s mandate to conserve agricultural lands for the maintenance and enhancement of the agricultural industry.”⁸ Outdoor recreational facilities failed this test and cannot be allowed on agricultural lands because they will remove “designated agricultural land from its availability for agricultural production.”⁹

In the *Lewis County* decision, the State Supreme Court built on the *Soccer Fields* decision and upheld a Growth Management Hearings Board (Board) decision that the “County’s ordinance allowing residential subdivisions and other non-farm uses within designated agricultural lands undermined the GMA conservation requirement.”¹⁰ In addition to residential subdivisions, the illegal uses were public facilities; public and semipublic buildings, structures, and uses; and schools, shops, and airports.¹¹

In the *Kittitas County* decision, the state Supreme Court again upheld a Board decision finding that a variety of conditional uses allowed on agricultural lands of long-term commercial significance violated the GMA. The conditional uses violated the GMA because “the County has no protections in place to protect agricultural land from harmful conditional uses.”¹² The conditional uses that

⁷ *King Cty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd. (Soccer Fields)*, 142 Wn.2d 543, 556, 14 P.3d 133, 140 (2000) emphasis in original.

⁸ *Soccer Fields*, 142 Wn.2d at 560, 14 P.3d at 142.

⁹ *Soccer Fields*, 142 Wn.2d at 562, 14 P.3d at 143.

¹⁰ *Lewis Cty. v. W. Washington Growth Mgmt. Hearings Bd.*, 157 Wn.2d 488, 509, 139 P.3d 1096, 1106 (2006).

¹¹ *Lewis Cty.*, 157 Wn.2d at 507, 526 – 27; 139 P.3d at 1105, 1114 – 15.

¹² *Kittitas Cty. v. E. Washington Growth Mgmt. Hearings Bd.*, 172 Wn.2d 172, 155, 256 P.3d 1193, 1206 (2011).

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violated the GMA included “kennels, day care centers, community clubhouses, governmental uses essential to residential neighborhoods, and schools with no limiting criteria or standards.”¹³

Based on this line of cases, public, private, and semi-public uses cannot be located on agricultural lands of long-term commercial significance including the King County Agricultural Production Districts. We support the proposed measures to improve policies R-652, R-655, and R-656 to carry out this requirement.

We also support the improvements to R-656 for offsetting the conversion of agricultural lands to other uses. This will help maintain King County’s agricultural land base and maintain opportunities to grow safe local food.

Futurewise supports policy R-664 to support innovative technologies to process dairy and other livestock wastes in Agriculture and Rural designations. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version page 29

The safe disposal of livestock wastes is an important need in some agricultural operations. Supporting innovative solutions can aid those operations and the environment. So Futurewise supports Policy R-664.

Futurewise strongly supports proposed policies 215bb, 215bbb, and E-420, however we also recommend that County take a comprehensive approach to addressing sea level rise and strengthen policy 215bb. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 50 – 51

Sea level rise is a real problem that is happening now. Sea level is rising and floods and erosion are increasing. In 2012 the National Research Council concluded that global sea level had risen by about seven inches in the 20th Century.¹⁴ A recent analysis of sea-level measurements for tide-gage stations, including the Seattle tide-gauge, shows that sea level rise is accelerating.¹⁵ The Virginia Institute of

¹³ *Kittitas County Conservation v. Kittitas County*, EWGMHB Case No. 07-1-0015, Final Decision Order (March 21, 2008), at 21, 2008 WL 1766717, at *13.

¹⁴ National Research Council, *Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* p. 23, p. 156, p. 96, p. 102 (2012) last accessed on Feb. 5, 2020 at: <https://www.nap.edu/download/13389> and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “13389.pdf.”

¹⁵ William and Mary Virginia Institute of Marine Science, *Seattle, Washington Sea-Level Report Card* accessed on Feb. 5, 2020 at: <https://www.vims.edu/research/products/slrc/localities/sewa/index.php> and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “2020-02-05 Seattle Sea-Level Report Card.pdf;” William and Mary Virginia Institute of Marine Science, *U.S. West Coast Sea-Level Trends & Processes Trend Values for 2019* accessed on Feb. 5, 2020 at: https://www.vims.edu/research/products/slrc/compare/west_coast/index.php and enclosed on the data CD included

Marine Science (VIMS) “emeritus professor John Boon, says ‘the key message from the 2019 report cards is a clear trend toward acceleration in rates of sea-level rise at 25 of our 32 tide-gauge stations. Acceleration can be a game changer in terms of impacts and planning, so we really need to pay heed to these patterns.’

“VIMS marine scientist Molly Mitchell says ‘seeing acceleration at so many of our stations suggests that—when we look at the multiple sea-level scenarios that NOAA puts out based on global models—we may be moving towards the higher projections.’”¹⁶

The report *Projected Sea Level Rise for Washington State – A 2018 Assessment* projects that for a low greenhouse gas emission scenario there is a 50 percent probability that sea level rise will reach or exceed 1.9 feet by 2100 for the area on the east side Vashon Island and on Maury Island.¹⁷ *Projected Sea Level Rise for Washington State – A 2018 Assessment* projects that for a higher emission scenario there is a 50 percent probability that sea level rise will reach or exceed 2.4 feet by 2100 for the area on the east side Vashon Island and on Maury Island.¹⁸ Projections are available for all of the marine shorelines in King County. The general extent of the projected sea level rise currently projected for coastal waters can be seen on the NOAA Office for Coastal Management Digitalcoast Sea Level Rise Viewer available at: <https://coast.noaa.gov/digitalcoast/tools/slr.html>.

Projected sea level rise will substantially increase flooding. As Ecology writes, “[s]ea level rise and storm surge[s] will increase the frequency and severity of flooding, erosion, and seawater intrusion—thus increasing risks to vulnerable communities, infrastructure, and coastal ecosystems.”¹⁹ Not only

with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “2020-02-05 US West Coast Sea-Level Trends.pdf.”

¹⁶ David Malmquist, *Sea-level report cards: 2019 data adds to trend in acceleration* Virginia Institute of Marine Science website (Jan. 30, 2020) accessed on Feb. 5, 2020 at: https://www.vims.edu/newsandevents/topstories/2020/slr_2019.php and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “2020-02-05 2019 data adds to sea level rise acceleration trend.pdf.”

¹⁷ *Relative Sea Level Projections For RCP 4.5 For the Coastal Area Near: 47.4N, 122.4W* last accessed on Feb. 5, 2020 July 30, 2019 at: <http://www.wacoastalnetwork.com/wcrp-documents.html> and enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: “Copy of RSLProjections_Lat47.4N_Long122.4W.” The methodology used for these projections is available in Miller, I.M., Morgan, H., Mauger, G., Newton, T., Weldon, R., Schmidt, D., Welch, M., Grossman, E., *Projected Sea Level Rise for Washington State – A 2018 Assessment* (A collaboration of Washington Sea Grant, University of Washington Climate Impacts Group, Oregon State University, University of Washington, and US Geological Survey. Prepared for the Washington Coastal Resilience Project: 2018) and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “SLR-Report-Miller-et-al-2018.pdf.”

¹⁸ *Relative Sea Level Projections For RCP 8.5 For the Coastal Area Near: 47.4N, 122.4W* last accessed on July 30, 2019 at: <http://www.wacoastalnetwork.com/wcrp-documents.html> and enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename; “Copy of RSLProjections_Lat47.4N_Long122.4W.”

¹⁹ State of Washington Department of Ecology, *Preparing for a Changing Climate Washington State’s Integrated Climate Response Strategy* p. 90 (Publication No. 12-01-004: April 2012) last accessed on Feb. 5, 2020 at: <https://fortress.wa.gov/ecy/publications/publications/1201004.pdf> and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “1201004.pdf.”

our marine shorelines will be impacted, as Ecology writes “[m]ore frequent extreme storms are likely to cause river and coastal flooding, leading to increased injuries and loss of life.”²⁰

For these reasons, Futurewise strongly supports the adoption and implementation of land use regulations that increase residential and business resiliency as called for by proposed policy E-215bb. However, policy E-215bb formerly said that the County shall implement these regulations. The Second striker changes “shall” to “should,” making implementation of these regulations more discretionary and less likely. This change is not an adequate response to the seriousness of the threat facing King County property owners. We recommend that Policy E-215bb be changed back to “shall.” We also recommend that Policy E-215bb be changed back to “science” rather than substituting the word “information” in the phrase “best available...” Decisions on climate change mitigation and adaption should be based on science. We also support proposed policy E-215bbb which calls on the County to evaluate information on sea level rise as part of the eight-year comprehensive plan updates.

In addition, we suggest that the County take a more comprehensive approach to adapting to sea level rise and its adverse impacts modeled on the process California’s coastal counties and cities use. The process includes six steps.²¹

1. Determine the range of sea level rise projections relevant to King County’s marine shorelines. The California Coastal Commission recommends analyzing intermediate and long-term projections because “development constructed today is likely to remain in place over the next 75-100 years, or longer.”²²
2. Identify potential physical sea level rise impacts in King County’s marine shorelines.
3. Assess potential risks from sea level rise to coastal resources and development.
4. Identify adaptation strategies to minimize risks. The *California Coastal Commission Sea Level Rise Policy Guidance* includes recommended adaptation strategies to consider.²³
5. Adopt an updated comprehensive plan and development regulations including an updated shoreline master program incorporating the selected adaption strategies.
6. Implement the updated comprehensive plan and development regulations and monitor and revise as needed. Because the scientific data on sea level rise is evolving, the California Coastal Commission recommends modifying “the current and future hazard areas on a five to ten year basis or as necessary to allow for the incorporation of new sea level rise science, monitoring results, and information on coastal conditions.”²⁴

²⁰ *Id.* at p. 17.

²¹ *California Coastal Commission Sea Level Rise Policy Guidance: Interpretive Guidelines for Addressing Sea Level Rise in Local Coastal Programs and Coastal Development Permits* pp. 69 – 95 (Nov. 7, 2018) last accessed on Feb. 10, 2020 at: <https://www.coastal.ca.gov/climate/slrguidance.html> and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “0_Full_2018AdoptedSLRGuidanceUpdate.pdf.”

²² *Id.* at p. 74.

²³ *Id.* at pp. 121 – 162.

²⁴ *Id.* at p. 94.

We appreciate that the narrative on new permit-exempt-wells and recommend adoption of policies and regulations requiring permit-exempt wells to be consistent with state law and the applicable instream flow rules and we recommend adopting a policy prohibiting transferring agricultural water to support residential development. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 51 and 62 – 64

We appreciate and support the language addressing permit-exempt wells and minimum instream flows and recognizing that the use of permit exempt wells must be consistent with the state water codes and the instream flow rules. This will help address the increase in wells in King County which is reducing instream flows, reducing instream habitat, increasing temperatures, and reducing dissolved oxygen levels.²⁵ The adverse impacts of development on instream flows is one of the reasons that RCW 36.70A.590 requires in part that “[d]evelopment regulations must ensure that proposed water uses are consistent with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW when making decisions under RCW 19.27.097 and 58.17.110.” The rules adopted pursuant to chapters 90.22 and 90.54 RCW are the instream flow rules. Therefore, we recommend the adoption of policies and regulations to maintain instream flows and to clearly require that wells, including permit-exempt wells, must be consistent with the instream flow rules.

King County has a well-earned reputation for conserving agricultural land. Maintaining working farms and ranches requires water. We recommend that King County adopt a comprehensive plan policy and development regulations prohibiting the transfer of agricultural water to allow residential development. These policies and regulations are well within the County’s authority to conserve agricultural land and regulate subdivisions and other forms of residential development.

Futurewise supports Action 12: Update Plat Ingress/Egress Requirements. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version page 97.

We strongly support updating the plat ingress and egress requirements. Two ways out from residential development is an important public safety measure, particularly in areas subject to wildfires and other natural hazards.²⁶ From 1980 through 2012, 332 wildfires occurred in King

²⁵ 2016 *State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 111 last accessed on Feb. 5, 2020 at: <https://nwifc.org/publications/state-of-our-watersheds/> and cited pages enclosed in separate emails accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget.

²⁶ FEMA U.S. Fire Administration, *Wildfires: Protect Yourself and Your Community* p. *1 (Oct. 2017) last accessed on Feb. 5, 2020 at: https://www.usfa.fema.gov/downloads/pdf/publications/wildfires_protect_yourself_and_your_community.pdf

County.²⁷ “The Washington Department of Natural Resources and its federal and local partners have determined that six areas in King County are at a high risk to wildfire: Black Diamond/Green River, Carnation, Cumberland, Kanaskat/Selleck, Lake Retreat/Rock Creek, North Bend and Snoqualmie Pass.”²⁸ We recommend that the study require two ways out for all short and long subdivisions, land divisions, and developments in these areas.

Require new subdivisions and developments at a high risk of wildfire to incorporate the Firewise principles.

For those areas at a high risk of wildfire, the County should adopt policies and regulations requiring new developments to incorporate the Firewise principles, or an equivalent set of techniques, in addition to two ways out.²⁹ This will better protect people and property from the growing hazard of wildfires.

Futurewise strongly supports Action 18: Greenhouse Gas Mitigation. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 101 – 102.

Futurewise strongly supports Action 18. More work is needed to both mitigate, or reduce, greenhouse gas emissions and to adapt to the new world being created by the global climate crisis. Washington is not on track to meet the 2020 greenhouse gas reduction requirement of 90.0 million metric tons (MMT).³⁰ The 2017 emissions were 97.5 MMT.³¹ Failing to meet these targets will increase the adverse impacts on King County including increased storm water runoff and flooding due to more intense storms, increased demands for water, reduced water availability in the summer and fall due to a reduction in water stored as snow in the spring and summer, sea level rise, and the acidification of Puget Sound.³² More work mitigating and adapting to the global climate catastrophe is essential. We strongly support Action 18.

²⁷ Tetra Tech, *King County Regional Hazard Mitigation Plan Update Volume 1: Planning-Area-Wide Elements* p. 17-4 (Nov. 2014) last accessed on Feb. 5, 2020 at: <https://www.kingcounty.gov/depts/emergency-management/emergency-management-professionals/regional-hazard-mitigation-plan.aspx>.

²⁸ *Id.* at 17-8. These areas are mapped at p. 17-9.

²⁹ National Fire Protection Association, Firewise Toolkit accessed on Feb. 5, 2020 at: <https://www.nfpa.org/-/media/Files/Firewise/Toolkit/FirewiseToolkit.ashx?la=en> and enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: “FirewiseToolkit.”

³⁰ State of Washington Department of Ecology, *Washington State Greenhouse Gas Emissions Inventory: 1990-2015: Report to the Legislature* p. vii & p. 1 (Publication 18-02-043: Dec. 2018) accessed on June 8, 2020 at: <https://fortress.wa.gov/ecy/publications/documents/1802043.pdf>;” Evan Bush, *Washington’s greenhouse-gas emissions continue to trend higher in latest inventory* *Seattle Times* (Nov. 19, 2019) accessed on June 8, 2020 at: <https://www.seattletimes.com/seattle-news/environment/washingtons-greenhouse-gas-emissions-continue-to-trend-higher-in-latest-inventory/>.

³¹ State of Washington Department of Ecology, *2017 greenhouse gas data* webpage accessed on June 8, 2020 at: <https://ecology.wa.gov/Air-Climate/Climate-change/Greenhouse-gases/2017-greenhouse-gas-data>.

³² State of Washington Department of Ecology, *Climate change and the environment* webpage accessed on June 30, 2020 at: <https://ecology.wa.gov/Air-Climate/Climate-change/Climate-change-the-environment>.

Futurewise strongly supports Action GMPC-1: Develop a Countywide Plan to Move Remaining Unincorporated Urban Potential Annexation Areas Toward Annexation. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version pages 103 – 104.

Cities are best able to serve urban areas long-term. They have more financial tools and provide a broader array of urban services. Futurewise supports Action GMPC-1 because it will save the County money and provide better services for urban areas.

Futurewise opposes Action GMPC-2: Review the Four-to-One Program. Please see the 2020 Update to King County Comprehensive Plan (June 5, 2020) Redline version page 104

The wise saying that if it is not broke, do not fix it applies well to Action GMPC-2. The Four-to-One program works well and the County Executive proposed the needed improvements. Those improvements should be adopted. Another study is not needed.

The Snoqualmie Interchange Study should not be included in this update

Expanding the City of Snoqualmie to the interchange has been studied many times before and rejected for sound policy reasons. The last time this amendment was considered and wisely rejected by the County Council the City of Snoqualmie appealed the Council's decision. The Growth Management Hearings Board concluded that "Snoqualmie did not carry its burden of showing the County's action violated RCW 36.70A.110(2) in revision of the Countywide Planning Policies, update of development regulations, or denial of the Snoqualmie I-90 UGA expansion."³³ While our world has undergone tremendous changes since the County Council's 2012 decision, none of those changes justify paving over the Snoqualmie I-90 interchange or considering this amendment again.

Raging River Quarry Area Map Amendment

Futurewise recommends that the County Council not add another map amendment, the Raging River Quarry Area Map Amendment, that was not part of the scope of work to the 2016 King County Comprehensive Plan Midpoint update during a global pandemic when public participation is limited for the foreseeable future.³⁴ We recommend that the Raging River Quarry Area Map Amendment be postponed to the next periodic comprehensive plan update which the Growth Management Act currently requires the County to complete by June 30, 2024.

³³ *City of Snoqualmie v. King County (Snoqualmie II)*, CPSRGMHB Case No. 13-3-0002, Corrected Final Decision and Order (Oct. 29, 2014), at 2 of 60. Futurewise and the City of Seattle wrote friend of the court briefs support the King County Council's decision to deny the UGA expansion. *Id.* at 2 of 60.

³⁴ *Id.*

Comments on the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan 2020 (KCCP Striking Amendment S2 6/5/20)

Futurewise strongly supports amending King County Code (K.C.C.) 20.18.180 to provide that lands zoned Forest (F) or Mineral (M) are not eligible for the four to one program and opposes amendments to weaken K.C.C. 20.18.170 and K.C.C. 20.18.180. Please see Sections 14 and 15 of Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan on pages 56 – 63

The four to one program allows additions to the King County urban growth area in return for the permanent conservation of land. Adding Forest and Mineral zoned land to the urban growth area puts these natural resource lands at risk of conversion, which is contrary to the purpose of the zones. We agree this land should not be eligible for the four to one program and we support this amendment.

However, Futurewise is opposed to changes the ratios between the land protected and the land included in the urban growth areas as the proposed amendments to K.C.C. 20.18.180 would allow. The current standards, which require four units of land protected for every unit of land added to the urban growth area in most circumstances, assures the public that there is a significant public benefit to balance the costs of expanding the urban growth area. The amendment to Section 15 and K.C.C. 20.18.180D would allow a lower ratio, less than four to one, “if the open space portion of the proposal includes the protection of a property that is eligible as a high conservation value property in accordance with Section 897 of the King County Charter.” The King County Charter in Section 897 provides that the inventory of “High Conservation Value Properties” “shall include only properties in which the county has a real property interest.” So to be eligible to be a high conservation value property, the property must be owned by King County. Therefore, the Four-to-One program is not needed to protect those properties and it make no sense to allow them to be included in a Four-to-One UGA expansion. We oppose this amendment.

We are also skeptical that the edge of the urban growth area (UGA) is a good location for affordable housing. Affordable housing is best located near transit and jobs, not on land newly added to the UGA distant from both. So we also opposing using the Four-to-One program to procure affordable housing.

Futurewise is opposed to amending K.C.C. 20.18.180E to change the open space criteria from requirements to factors that must be “considered.” This would allow Four-to-One amendments that do not comply with all of the criteria in Policy U-187 and K.C.C. 20.18.180.

Futurewise opposes amending K.C.C. 20.18.180A.6 and 7 to allow rural roads to serve land in added to the UGA by the Four-to-One program. The increased traffic from the urban growth areas added

under the Four-to-One program increases road maintenance costs without adding tax base to maintain the road and increases impacts on property owners and residents in rural areas and on agricultural and forest lands. This is the case for land added to the UGA through the Four-to-One program since it will ultimately be annexed to reduce public service burdens on King County. So we recommend the amendment proposed to K.C.C. 20.18.180A.7 that provides that “the County may allow roads to be located outside of the urban portion of the development to protect critical areas or for other ecological benefit” not be adopted.

As the County Council is well aware, unincorporated urban areas increase costs to the County for public services including road maintenance, law enforcement, and other public facilities and services the county provides. The proposed amendments to K.C.C. 20.18.170D, E, and F originally required that Four-to-One urban growth area expansions could only be developed after they were annexed by the adjacent city or town. Once land is developed; it can be difficult to annex the land to cities and towns. We recommend that K.C.C. 20.18.170D, E, and F not be amendment to allow Four-to-One developments in unincorporated King County outside an incorporated city or town. That will increase long-term costs for King County.

The Washington State Supreme Court has held that “a county’s UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by OFM, plus a reasonable land market supply factor.”³⁵ The Four-to-One program allows UGA expansions regardless of whether the land is needed to accommodate the urban growth projections the County has selected from the OFM population projection range. This has been accepted in the past because the County has criteria and ratios that Four-to-One UGA expansions shall comply with. Changing the criteria and ratios from mandatory to advisory does not comply with the GMA.³⁶

The amendment in Section 19 allowing “freight-rail dependent uses” in railroad rights of way is impractical and illegal and must be denied. Please see the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 Section 19 on pages 74 and 75

Section 19 proposes to amend King County’s development regulations to delete from the uses allowed within railroad rights-of-way “facilities accessory to and used directly for the delivery and distribution of services to abutting property” and add “freight-rail dependent uses.” Freight-rail dependent uses have a specific meaning under the Growth Management Act. RCW 36.70A.030(11) provides that:

(11) “Freight rail dependent uses” means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad. Such facilities are both urban and rural development for purposes of this chapter. “Freight rail

³⁵ *Thurston Cty. v. W. Washington Growth Mgmt. Hearings Bd.*, 164 Wn.2d 329, 352, 190 P.3d 38, 49 (2008).

³⁶ RCW 36.70A.110; RCW 36.70A.115(1); *Thurston Cty. v. W. Washington Growth Mgmt. Hearings Bd.*, 164 Wn.2d 329, 352, 190 P.3d 38, 49 (2008).

dependent uses” does not include buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of coal, liquefied natural gas, or “crude oil” as defined in RCW 90.56.010.

Note that this definition is both broader and narrower than “facilities accessory to and used directly for the delivery and distribution of services to abutting property.” It is narrower because freight rail dependent uses are only allowed adjacent to short line railroads, not other kinds of railroads. It is broader because it allows buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods. Under the amendments, if a short line railroad passes through agricultural, forest, or rural lands in King County, that right of way could be used as an auto parts distribution facility or any sort of warehouse or distribution facility as long as it uses the short line railroad no matter the adverse impact of the warehouse or distribution facility on farmland, forest land, or rural areas. Of course, none of these uses can take place on mainline railroad rights of way whether they are in an urban growth area used for warehousing and manufacturing or not. Further, if a use adjacent to siding within a mainline railroad right-of-way in urban King County needs a crane to lift containers or parts off railroad cars and into a factory, the crane would no longer be allowed in the railroad right-of-way if the amendment in Section 20 passes.

In addition to these problems, RCW 36.70A.060(1)(a) and (1)(e) and RCW 36.70A.108(2) limit the counties that can allow freight rail dependent uses to Clark and Okanogan Counties and the cities in those counties. Therefore, it is illegal for King County to authorize freight rail dependent uses in addition to the problems mentioned above. We recommend that the amendment in Section 19 be denied.

Futurewise strongly supports the amendments to prohibit and adequately regulate fossil fuel uses. Please see the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan Sections 34, 35, 36, 37, and 38 on pages 83 through 85, Section 43 on page 87, Section 45 on pages 96 – 103, Section 47 on pages 125 – 147, and Sections 54 through 63 on pages 173 – 187

As King County knows due to its leadership in helping to solve the global climate crisis, our world only has until 2030, ten years, to achieve substantial reductions in greenhouse gas pollution to avoid the worst impacts of the global climate crisis.³⁷ Opening or reopening coal mines and oil and gas wells are incompatible with the necessary reductions. Given that we need to substantially reduce greenhouse gas pollution by 2030 and be at zero net emissions by 2050, none of these minerals has long-term commercial significance.³⁸ There is just no role for new oil, gas, or coal production or

³⁷ IPCC, 2018: *Summary for Policymakers. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty* p. 12 [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. In Press.

³⁸ *Id.*

distribution. For this reason, we strongly support the amendments prohibiting coal mining and fossil fuel production and distribution other than as part of a waste processing or a remediation activity.

Renewable Energy Generation Facilities on Agricultural, A-10 or A-35 zones, and the Forest zone should be limited to facilities that do not convert agricultural or forest lands to other uses. Please see Section 48 on page 147 of the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan

While Futurewise strongly supports allowing renewable energy generation facilities in King County, some of these uses can convert hundreds of acres of agricultural or forest lands to nonagricultural and nonforestry uses.³⁹ The American Farmland Trust’s *Farms Under Threat: The State of the States* report identified poorly planned energy developments as a threat to maintaining our agricultural land base.⁴⁰ Well planned energy developments, wind facilities with small footprints, solar energy facilities on farm houses and agricultural buildings, and waste to energy facilities can both generate clean energy and bring needed incomes to farms and ranches. So we recommend that renewable energy generation facilities on Agricultural, A-10 or A-35 acre minimum lot size zones, and the Forest zone be limited to uses that will not convert more than two acres of farmland or 2.5 percent of the farmland whichever is less. This can be accomplished by a special condition added to the A and F zoning columns in Section 48 and K.C.C. 21A.08.100A and under the “development conditions” in K.C.C. 21A.08.100B. This is necessary to comply with the Washington State Supreme Court holding that the GMA requires counties “to assure the conservation of agricultural lands and to assure that the use of adjacent lands does not interfere with their continued use for the production of food or agricultural products.”⁴¹

Allow attached and internal Accessory Dwelling Units (ADUs) and accessory living quarters without requiring that they be counted towards the maximum allowed residential density. Only allow freestanding ADUs, accessory living quarters, and guest houses outside of urban growth areas if they meet the minimum lot size and density requirements or are in Rural Towns. Do not allow unheated space. Please see Section 44 of Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan on pages 87 – 96

³⁹ Kirk Johnson, *Solar Plan Collides With Farm Tradition in Pacific Northwest* The New York Times p. 1 (July 11, 2018) enclosed with this letter and accessed on July 1, 2020 at: <https://www.nytimes.com/2018/07/11/us/washington-state-rural-solar-economy.html>.

⁴⁰ Julia Freedgood, Mitch Hunter, Jennifer Dempsey, and Ann Sorensen, *Farms Under Threat: The State of the States* p. 15 (Washington, DC: American Farmland Trust, 2020) cited pages enclosed in a separate email and accessed on July 1, 2020 at: https://s30428.pcdn.co/wp-content/uploads/sites/2/2020/05/AFT_FUT_StateoftheStates.pdf with the filename: “AFT_FUT_StateoftheStates excerpts.PDF.”

⁴¹ *King Cty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd. (Soccer Fields)*, 142 Wn.2d 543, 556, 14 P.3d 133, 140 (2000) emphasis in original.

Futurewise supports allowing internal and attached accessory dwelling units (ADUs) and accessory living quarters in urban growth areas and rural areas without requiring that they be counted towards the maximum allowed residential density. These are ADUs and accessory living quarters located inside or attached to a house or in an accessory building, such as a garage, located close to the house. Detached or freestanding ADUs and accessory living quarters outside urban growth areas and Rural Towns must count towards and must comply with the maximum allowed density.⁴² Detached or freestanding refers to separate dwelling units constructed on the same lot a primary dwelling. A county should analyze existing conditions, future projections, the need for ADUs, the impacts of future ADUs on public facilities and services, and the impacts of future ADUs on shorelines, critical areas, and resource lands before adopting development regulations that authorize ADUs outside of urban growth areas.⁴³

Allowing freestanding ADUs and guest houses in the rural area or on natural resource lands without requiring that they meet the minimum lot size and density requirements effectively doubles the allowed rural density. The very limited water in rural King County makes this doubling unwise.⁴⁴ Allowing detached ADUs and guest houses without requiring that they meet the minimum lot size and density requirements in the rural area or on natural resource lands will not protect surface and ground water quality and quantity as the Growth Management Act requires in RCW 36.70A.070(1) and (5)(c)(iv).

The increased impervious surfaces allowed by freestanding ADUs and guest houses will also harm water quality. Research by the University of Washington in the Puget Sound lowlands has shown that when total impervious surfaces exceed five to 10 percent and forest cover declines below 65 percent of the basin, then salmon habitat in streams and rivers is adversely affected.⁴⁵ This will violate RCW 36.70A.070(1) and (5)(c)(iv) of the GMA.

⁴² *Pierce County Neighborhood Association v. Pierce County* (PNA II), CPSGMHB Case No. 95-3-0071, Final Decision and Order (March 20, 1996), at *18 – 19 accessed on Feb. 5, 2020 at:

<http://www.gmhba.wa.gov/Global/RenderPDF?source=casedocument&id=1923>; *Friends of the San Juans, Lynn Babrych and Joe Symons, et al. v. San Juan County*, WWGMHB Case No. 03-2-0003c Corrected Final Decision and Order and Compliance Order p.*1, 2003 WL 1950153 p. *1 (April 17, 2003). “The Thurston County Superior Court upheld the Board's ruling regarding the requirement that a freestanding ADU must be counted as a dwelling unit for the purposes of calculating density on a resource parcel. See *Friends of the San Juans v. Western Washington Hearings Board*, Thurston County Cause No. 03-2-00672-3 (January 9, 2004) at 10 and 11.” *Friends of the San Juans, Lynn Babrych and Joe Symons v. San Juan County*, WWGMHB Case No. 03-2-0003c, Compliance Order 2005 (July 21, 2005), at 12 of 22, 2005 WL 2288088, at 7 last accessed on Feb. 5, 2020 at: <http://www.gmhba.wa.gov/Global/RenderPDF?source=casedocument&id=277>

⁴³ *Friends of the San Juans, Lynn Babrych and Joe Symons, et al., v. San Juan County*, WWGMHB Case No.: 03-2-0003c Corrected Final Decision and Order and Compliance Order p.*1, 2003 WL 1950153, at *1 (April 17, 2003).

⁴⁴ 2016 *State of Our Watersheds: A Report by the Treaty Tribes in Western Washington* p. 111.

⁴⁵ Christopher W. May, Richard R. Horner, James R. Karr, Brian W. Mar, Eugene B. Welch, *The Cumulative Effects of Urbanization on Small Streams in the Puget Sound Lowland Ecoregion* pp. 19 – 20 of 26 (University of Washington, Seattle Washington) and enclosed in a separate email accompanying Futurewise's July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: “chrisrdp.pdf.” This report was identified as best available science in Washington State Office of Community Development. *Citations of Best Available Science for Designating and Protecting Critical Areas* p. 17 (March 2002) accessed on Feb. 5, 2020 at: <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwiMgKWj2dLeAhViLH0KHXfdBBQFjAAegQICBAC&url=https%3A%2F%2Fwww.ezview.wa.gov%2FDesktopModules%2FDocuments2%2FView.aspx%3FtabID%3D36890%26alias%3D1949%26mid%3D68545%26ItemID%3D4092&usq=AOvVaw0UCCoZh>

The regulation in K.C.C. 21A.08.030B7a.(2)(b) may intend to limit freestanding ADUs to those that meet the density requirements. However, the regulations are unclear and we recommend that K.C.C. 21A.08.030B.7.a.(2)(b) be modified to read as follows to clarify this intent. Our recommended addition is double underlined and our recommended deletion is double struck through.

(b) the lot must meet the minimum lot area and density for the applicable zone if located in the rural area but not in a rural town ~~or on natural resource lands~~, except that if one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is two and one-half acres or greater;

Futurewise supports increasing flexibility and locational opportunities for accessory dwelling units and accessory living quarters in urban growth areas. However, Section 44 of Proposed Ordinance 2019-0413, on page 91, increases the allowed floor area for accessory dwelling units by 1,000 square feet of unheated floor area and 1,500 square feet of unheated floor area if a transferable development right is obtained. Section 44 of Proposed Ordinance 2019-0413, on page 93, increases the allowed floor area for accessory dwelling units and accessory living quarters by 1,000 square feet of unheated floor area. In our climate, unheated floor space is of limited use. After the floor area is built, it will be easy to convert the floor area to heated space violating the King County development regulations. If the County Council believes larger accessory dwelling units should be allowed, the best solution is to just allow larger accessory dwelling units in the UGAs. This would ensure the space is safe and usable and not encourage code violations. Allowing large areas of unheated space will just encourage code violations and, since the heating systems will be uninspected, potential fire hazards from unapproved wiring and heating systems.

The winery, brewery, and distillery amendments in Sections 46 and 47 should not be readopted until the SEPA review required by the *Friends of Sammamish Valley* decision is completed. Please see Section 46 of Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan on pages 103 – 24 and Section 47 on page 142

The Growth Management Hearings Board concluded that the adoption of the winery, brewery, and distillery ordinance, Ordinance 19030, violated the Washington State Environmental Policy Act (SEPA) and is invalid.⁴⁶ The SEPA review for Proposed Ordinance 2019-0413 is not sufficient to comply with the SEPA for these amendments. The winery, brewery, and distillery amendments in Proposed Ordinance 2019-0413 should not be adopted until an adequate SEPA review has been conducted.

[WjqD2uPnyKdnsnY](#). A copy of this report was enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: “GMS-BAS-Citations-Final.pdf.”

⁴⁶ *FOSV, et al. v. King County*, Central Puget Sound Region Growth Management Hearings Board (CPSRGMHB) Case No. 20-3-0004c, Order on Dispositive Motions (May 26, 2020) at 5 – 24 of 29 accessed on July 1, 2020 at: <http://www.gmhba.wa.gov/Global/RenderPDF?source=casedocument&id=6904>.

We support the sea level rise requirements, but also recommend additional measures to minimize the adverse impacts of sea level rise. Please see Section 65 on pages 187 – 189 of the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan

Sea level rise is a real problem that is happening now.⁴⁷ And sea level rise is accelerating.⁴⁸ Projected sea level rise will substantially increase flooding. As Ecology writes, “[s]ea level rise and storm surge[s] will increase the frequency and severity of flooding, erosion, and seawater intrusion—thus increasing risks to vulnerable communities, infrastructure, and coastal ecosystems.”⁴⁹ Not only our marine shorelines will be impacted, as Ecology writes “[m]ore frequent extreme storms are likely to cause river and coastal flooding, leading to increased injuries and loss of life.”⁵⁰

Sea level rise will have an impact beyond rising seas, floods, and storm surges. The National Research Council wrote that:

Rising sea levels and increasing wave heights will exacerbate coastal erosion and shoreline retreat in all geomorphic environments along the west coast. Projections of future cliff and bluff retreat are limited by sparse data in Oregon and Washington and by a high degree of geomorphic variability along the coast. Projections using only historic rates of cliff erosion predict 10–30 meters [33 to 98 feet] or more of retreat along the west coast by 2100. An increase in the rate of sea-level rise combined with larger waves could significantly increase these rates. Future retreat of beaches will depend on the rate of sea-level rise and, to a lesser extent, the amount of sediment input and loss.⁵¹

A recent paper estimated that “[a]nalysis with a simple bluff erosion model suggests that predicted rates of sea-level rise have the potential to increase bluff erosion rates by up to 0.1 m/yr [meter a year] by the year 2050.”⁵² This translates to four additional inches of bluff erosion a year.

⁴⁷ National Research Council, *Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* p. 23, p. 156, p. 96, p. 102 (2012); *Relative Sea Level Projections For RCP 4.5 For the Coastal Area Near: 47.4N, 122.4W*; *Relative Sea Level Projections For RCP 8.5 For the Coastal Area Near: 47.4N, 122.4W*. David Malmquist, *Sea-level report cards: 2019 data adds to trend in acceleration* Virginia Institute of Marine Science website (Jan. 30, 2020).

⁴⁸ William and Mary Virginia Institute of Marine Science, *U.S. West Coast Sea-Level Trends & Processes Trend Values for 2019*.

⁴⁹ State of Washington Department of Ecology, *Preparing for a Changing Climate Washington State’s Integrated Climate Response Strategy* p. 90 (Publication No. 12-01-004: April 2012).

⁵⁰ *Id.* at p. 17.

⁵¹ National Research Council, *Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* p. 135 (2012).

⁵² George M. Kaminsky, Heather M. Baron, Amanda Hacking, Diana McCandless, David S. Parks, *Mapping and Monitoring Bluff Erosion with Boat-based LIDAR and the Development of a Sediment Budget and Erosion Model for the Elwha and Dungeness Littoral Cells, Clallam County, Washington* p. 3 last accessed on Jan. 10, 2020 at: http://www.coastalwatershedinstitute.org/Final%20Report_Clallam%20County%20Bluffs%202014_Final%20revised.pdf.

Unless wetlands and shoreline vegetation can migrate landward, their area and ecological functions will decline.⁵³ If development regulations are not updated to address the need for vegetation to migrate landward in feasible locations, wetlands and shoreline vegetation will decline. This loss of shoreline vegetation will harm the environment. It will also deprive marine shorelines of the vegetation that protects property from erosion and storm damage by modifying soils and accreting sediment.⁵⁴ This will increase damage to upland properties.

We appreciate that the sea level rise requirements will provide increased protection for structures by elevating the structures and well casings. These requirements are well supported by the science and Futurewise supports them. We also recommend that new lots and new buildings be located outside the area of likely sea level rise where possible. These requirements will provide better protection for buildings and people and will also allow wetlands and marine vegetation to migrate as the sea level rises. We recommend the following new regulations be added to Section 65 on page 189.

H. New lots shall be designed and located so that the buildable area is outside the area likely to be inundated by sea level rise in 2100 and outside of the area in which wetlands and aquatic vegetation will likely migrate during that time.

I. Where lots are large enough, new structures and buildings shall be located so that they are outside the area likely to be inundated by sea level rise in 2100 and outside of the area in which wetlands and aquatic vegetation will likely migrate during that time.

Require case-by-case determinations of landslide buffers based on the risk to the proposed development. Please see Section 68 on pages 193 – 195 of the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan

The March 22, 2014, Oso landslide “claimed the lives of 43 people, making it the deadliest landslide event in United States history. Of the approximately 10 individuals who were struck by the landslide and survived, several sustained serious injuries.”⁵⁵ So properly designating geologically hazardous areas and protecting people from geological hazards is very important.

⁵³ Christopher Craft, Jonathan Clough, Jeff Ehman, Samantha Joye, Richard Park, Steve Pennings, Hongyu Guo, and Megan Machmuller, *Forecasting the effects of accelerated sea-level rise on tidal marsh ecosystem services* FRONT ECOL ENVIRON 2009; 7, doi:10.1890/070219 p. *6 last accessed on Feb. 5, 2020 at:

<http://nsmn1.uh.edu/steve/CV/Publications/Craft%20et%20al%202009.pdf> and enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: “Craft et al 2009.pdf.”

⁵⁴ R. A. Feagin, S. M. Lozada-Bernard, T. M. Ravens, I. Möller, K. M. Yeagei, A. H. Baird and David H. Thomas, *Does Vegetation Prevent Wave Erosion of Salt Marsh Edges?* 106 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA pp. 10110-10111 (Jun. 23, 2009) last accessed on Feb. 5, 2020 at:

<http://www.pnas.org/content/106/25/10109.full> and enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename: “10109.full.pdf.”

⁵⁵ Jeffrey R. Keaton, Joseph Wartman, Scott Anderson, Jean Benoît, John deLaChapelle, Robert Gilbert, David R. Montgomery, *The 22 March 2014 Oso Landslide, Snohomish County, Washington* p. 1 (Geotechnical Extreme Events Reconnaissance (GEER): July 22, 2014) last accessed on Jan. 23, 2020 at:

Homeowner's insurance does not cover the damage from landslides. "Insurance coverage for landslides is uncommon. It is almost never a standard coverage and is difficult to purchase inexpensively as a policy endorsement."⁵⁶

None of the Oso victims' homes were covered by insurance for landslide hazards.⁵⁷ And that is common when homes are damaged by landslides.⁵⁸ For example, on March 14, 2011, a landslide damaged the home of Rich and Pat Lord.⁵⁹ This damage required the homeowners to abandon their home on Norma Beach Road near Edmonds, Washington. Because their homeowner's insurance did not cover landslides, they lost their home.⁶⁰ This loss of what may be a family's largest financial asset is common when homes are damaged or destroyed by landslides or other geological hazards.

Landslide buyouts are rare and when they occur the property owner often only recovers pennies on the dollar. The property owners bought out after the Aldercrest-Banyon landslide in Kelso, Washington destroyed their homes received 30 cents on the dollar.⁶¹ This underlines why preventing development in geologically hazardous areas is just plain ordinary consumer protection.

Landslides in King County and Western Washington can run out long distances. The 1949 Tacoma Narrows Landslide, in Tacoma "failed catastrophically along steep" 300 feet high bluffs and ran out 1,500 feet into Puget Sound.⁶² This is five times the bluff height. The 2014 Oso slide ran out for over

http://www.geerassociation.org/index.php/component/geer_reports/?view=geerreports&layout=build&id=30 and enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "GEER_Oso_Landslide_Report.pdf." If the American territories are included, then the Oso landslide is the second deadliest landslide in American history. R.M. Iverson, D.L. George, K. Allstadt, *Landslide mobility and hazards: implications of the Oso disaster* 412 EARTH AND PLANETARY SCIENCE LETTERS 197, 198 (2015). The Geological Society of America gave an award to *The 22 March 2014 Oso Landslide, Snohomish County, Washington*. Hannah Hickey, Joseph Wartman, David Montgomery honored for Oso landslide report p. 1 (July 15, 2016) enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "GEER Oso Report Receives Award.pdf."

⁵⁶ Robert L. Schuster & Lynn M. Highland, *The Third Hans Cloos Lecture: Urban landslides: socioeconomic impacts and overview of mitigative strategies* 66 BULLETIN OF ENGINEERING GEOLOGY AND THE ENVIRONMENT 1, p. 22 (2007) last accessed on Jan. 23, 2020 at:

https://www.researchgate.net/publication/225794820_The_Third_Hans_Cloos_Lecture_Urban_landslides_socioeconomic_impacts_and_overview_of_mitigative_strategies.

⁵⁷ Sanjay Bhatt, *Slide erased their homes, but maybe not their loans* *The Seattle Times* (April 2, 2014) last accessed on Jan. 6, 2020 at: http://old.seattletimes.com/html/latestnews/2023278858_mudslidedefinancialxml.html.

⁵⁸ *Id.*

⁵⁹ Ian Terry, *Abandoned and trashed after mudslide, Edmonds house now for sale* *The Herald* (Feb. 11, 2015). The house is for sale after the bank who held the Lord's mortgage took ownership of the home. *Id.* last accessed on Jan. 6, 2020 at: <http://www.heraldnet.com/article/20150211/NEWS01/150219829>.

⁶⁰ *Id.* at p. *6.

⁶¹ Isabelle Sarikhan, *Sliding Thought Blog, Washington's Landslide Blog* Landslide of the Week – Aldercrest Banyon Landslide July 29, 2009 last accessed on Feb. 6, 2020 at: <https://slidingthought.wordpress.com/2009/07/29/landslide-of-the-week-aldercrest-banyon-landslide/>.

⁶² Alan F. Chleborad, *Modeling and Analysis of the 1949 Narrows Landslide, Tacoma, Washington* xxxi ENVIRONMENTAL AND ENGINEERING GEOSCIENCE 305 p. 305 (1994) last accessed on Feb. 6, 2020 at: <https://pubs.geoscienceworld.org/aeg/eeg/article-abstract/xxxi/3/305/137520/modeling-and-analysis-of-the-1949->

a mile (5,500 feet) even through the slope height was 600 feet.⁶³ This was nine times the slope height. Recent research shows that long runout landslides are more common than had been realized.⁶⁴ This research documents that over the past 2000 years, the average landslide frequency of long runout landslides in the area near the Oso landslide is one landslide every 140 years.⁶⁵ The landslides ran out from 656 feet to the 6,561 feet of the 2014 landslide.⁶⁶ The 2013 Ledge-wood-Bonair Landslide on Whidbey Island extended approximately 300 feet into Puget Sound.⁶⁷ In a study of shallow landslides along Puget Sound from Seattle to Everett, the average runout length was 197.5 feet (60.2 m) and the maximum runout length was 771 feet (235 m).⁶⁸ So limiting landslide buffers to 75 feet as K.C.C. 21A.24.310B.2. does if a critical area report is not submitted will not adequately protect people and property. Further, as the long runout distances documented above show, limiting the requirement for a critical area report to steep slope hazard areas that extend into the coastal high hazard areas or the sea level rise risk areas will also not protect people or property.

[narrows?redirectedFrom=fulltext](#) and cited page enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "Modeling and Analysis of the 1949 Narrows Landslide, Tacoma, WA _ Environmental and Engineering Geoscience.pdf" Environmental & Engineering Geoscience is a peer-reviewed journal. Environmental & Engineering Geoscience Complete Author Instructions p. 1 of 6 (May 8, 2012) enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "Environmental & Engineering Geoscience Author Instructions/pdf."

⁶³ Jeffrey R. Keaton, Joseph Wartman, Scott Anderson, Jean Benoit, John deLaChapelle, Robert Gilbert, David R. Montgomery, *The 22 March 2014 Oso Landslide, Snohomish County, Washington* p. 56 & p. 144 (Geotechnical Extreme Events Reconnaissance (GEER): July 22, 2014).

⁶⁴ Sean R. LaHusen, Alison R. Duvall, Adam M. Booth, and David R. Montgomery, *Surface roughness dating of long-runout landslides near Oso, Washington (USA), reveals persistent postglacial hillslope instability* GEOLOGY pp. *2 – 3, published online on 22 December 2015 as doi:10.1130/G37267.1 and enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "G37267.1.full.pdf"; Geological Society of America (GSA) Data Repository 2016029, *Data repository for: Surface roughness dating of long-runout landslides near Oso, WA reveals persistent postglacial hillslope instability* p. 4 and enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "2016029.pdf." Geology is a peer-reviewed scientific journal. Geology – Prep webpage accessed on Jan. 23, 2018 at:

<http://www.geosociety.org/GSA/Publications/Journals/Geology/GSA/Pubs/geology/home.aspx#overview> and enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "Geology – Prep.pdf."

⁶⁵ Sean R. LaHusen, Alison R. Duvall, Adam M. Booth, and David R. Montgomery, *Surface roughness dating of long-runout landslides near Oso, Washington (USA), reveals persistent postglacial hillslope instability* GEOLOGY p. *2, published online on 22 December 2015 as doi:10.1130/G37267.1.

⁶⁶ Geological Society of America (GSA) Data Repository 2016029, *Data repository for: Surface roughness dating of long-runout landslides near Oso, WA reveals persistent postglacial hillslope instability* p. 4.

⁶⁷ Stephen Slaughter, Isabelle Sarikhan, Michael Polenz, and Tim Walsh, *Quick Report for the Ledge-wood-Bonair Landslide, Whidbey Island, Island County, Washington* pp. 3 – 4 (Washington State Department of Natural Resources, Division of Geology and Earth Resources: March 28, 2013) last accessed on Feb. 6, 2020 at:

http://www.dnr.wa.gov/publications/ger_qr_whidbey_island_landslide_2013.pdf.

⁶⁸ Edwin L. Harp, John A. Michael, and William T. Laprade, *Shallow-Landslide Hazard Map of Seattle, Washington* p. 17 (U.S. Geological Survey Open-File Report 2006–1139: 2006) accessed on Feb. 6, 2020 at:

<http://pubs.usgs.gov/of/2006/1139/> and enclosed on the data CD included with the paper version of Futurewise's letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: "of06-1139_508.pdf."

The Joint SR 530 Landslide Commission recommends identifying “[c]ritical area buffer widths based on site specific geotechnical studies” as an “innovative development regulation[]” that counties and cities should adopt.⁶⁹ So we recommend that all properties that may be adversely impacted by a steep slope hazard should have their buffers based on a critical areas report for that site. Construction should not be allowed in buffer areas. In addition, homes are often used for more than fifty years often lasting for 100 or more,⁷⁰ so the analysis should include sea level rise impacts for at least 100 years. These standards are necessary to protect King County families and their largest investment, their homes.

Some argue that adopting landslide buffers that reflect actual runout data would consume too much land. The Washington Geological Survey inventoried known landslides in the western two-thirds of King County, including the part of Bothell in Snohomish County. The survey identified 2,838 landslides and 1,251 landslide fans covering approximately 4.3 percent of the study area.⁷¹ The survey identified a high landslide density along Puget Sound bluffs, river corridors, and in the upland areas of the Cascade Range.⁷² While these landslides pose a significant risk to life and property,⁷³ the landslides and their buffers do not occupy a large enough area to affect the land available for development.

⁶⁹ The SR 530 Landslide Commission, *Final Report* p. 31 (Dec. 15, 2014) accessed on Feb. 6, 2020 at: http://www.governor.wa.gov/sites/default/files/documents/SR530LC_Final_Report.pdf and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “SR530LC_Final_Report.pdf.”

⁷⁰ The U.S. Census Bureau reports that as of 2018, almost 11 percent of the housing units in King County were built in 1939 or earlier. Those housing units are now a minimum of 81 years old. U.S. Census Bureau, American Community Survey Year Structure Built Table ID: B25034 enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “2020-02-06 Year Structure Built King Co WA 2018.pdf.”

⁷¹ Katherine A. Mickelson, Kara E. Jacobacci, Trevor A. Contreras, William N. Gallin, and Stephen L. Slaughter, *Landslide Inventory of Western King County*, Washington p. 4 (Washington Geological Survey Report of Investigations 41: Jan. 2019) accessed on Feb. 6, 2019 at: <https://www.dnr.wa.gov/news/dnr-publishes-inventory-king-county-landslides> and enclosed on the data CD included with the paper version of Futurewise’s letter to the King County Council Mobility and Environment Committee members (Feb. 26, 2019) with the filename: “ger_ri41_western_king_county_landslide_inventory_pamphlet.pdf.”

⁷² *Id.* at p. 5.

⁷³ *Id.* at p. 1.

Adopt better regulations to protect aquifers and existing wells from saltwater contamination. Please see Section 69 on pages 195 – 201 of the Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan

We appreciate that proposed K.C.C. 21A.24.316G does not allow new groundwater wells within a coastal high hazard area. We also appreciate that proposed K.C.C. 21A.24.316G requires testing of wells within the sea level rise risk area for seawater intrusion and requires the Seattle-King County department of public health to recommend appropriate measures if the test shows that seawater is infiltrating into the aquifer.

However, these measures do not address the serious threat facing the drinking water supplies on Vashon and Maury Islands. All of Vashon and Maury Islands have the potential for wells to be contaminated by salt water, not just the coastal high hazard area.⁷⁴ Salt water intrusion can worsen until wells “must be abandoned due to contaminated, unusable water.”⁷⁵ Salt water intrusion is often worsened by over-pumping an aquifer.⁷⁶ The Western Washington Growth Management Hearings Board has held that Growth Management Act requires counties to designate vulnerable seawater intrusion areas as critical aquifer recharge areas.⁷⁷ The Board also held that counties must adopt development regulations “to protect aquifers used for potable water from further seawater degradation.”⁷⁸

We recommend that the update include policies and regulations consistent with Ecology’s saltwater intrusion policies to protect aquifers and wells from saltwater contamination. The County should also establish a program to monitor the results of the initial chloride concentration tests, the annual

⁷⁴ State of Washington Department of Ecology Water Resources Program, *Focus on Water Availability Kitsap Watershed, WRLA 15* p. 5 (Publication Number: 11-11-020, Nov. 2016) last accessed on Feb. 6, 2020 at: <https://test-fortress.wa.gov/ecy/publications/documents/1111020.pdf> and enclosed in a separate email accompanying Futurewise’s July 31, 2019, letter to King County Performance, Strategy and Budget with the filename “1111020.pdf.”

⁷⁵ Emily B. Tibbott, *Seawater Intrusion Control in Coastal Washington: Department of Ecology Policy and Practice* p. 7 (United States Environmental Protection Agency Region 10, Office of Ground Water: Aug. 1992, EPA 910/9-92-023) last accessed on Feb. 14, 2020 at: <http://nepis.epa.gov/Exe/ZyNET.exe/200060G4.TXT?ZyActionD=ZyDocument&Client=EPA&Index=1991+Thru+1994&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C91thru94%5CTxt%5C00000004%5C200060G4.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=p%7Cf&DefSeekPage=x&SearchBack=ZyActionI.&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL#>.

⁷⁶ *Id.*

⁷⁷ *Olympic Environmental Council v. Jefferson County*, Western Washington Growth Management Hearings Board (WWGMHB) Case No. 01-2-0015, Final Decision and Order (Jan. 10, 2002), at *8 & *16 motion for reconsideration denied *Olympic Environmental Council v. Jefferson County*, WWGMHB Case No. 01-2-0015, Order Denying Motion for Reconsideration (Feb. 8, 2002), at *3, last accessed on July 31, 2019 at: <http://www.gmhb.wa.gov/search/case>.

⁷⁸ *Olympic Environmental Council v. Jefferson County*, WWGMHB Case No. 01-2-0015, Final Decision and Order (Jan. 10, 2002), at *15.

chloride concentration tests, and the volumes of water pumped. The County should compare the volumes pumped with recharge estimates. Based on this and other available data, the County should periodically review and update its regulations to prevent increases in saltwater intrusion.

Comments on Attachment D to Proposed Ordinance 2019-0413 Amendment 9: Pacific Raceways

The 2020 comprehensive plan update is a “midpoint update” to the 2016 King County Comprehensive Plan. Midpoint updates are limited to the work plan developed by the County Council and the County Executive and approved by the County Council.⁷⁹ The approved work plan does not include amendments to the Pacific Raceways.⁸⁰ This is especially the case for a comprehensive plan amendment from Rural Area to Industrial and rezone. The zoning amendment also removes existing P-suffix conditions limiting the use to racetrack uses and including protections for neighbors. In its place, a new P-suffix condition is adopted expanding the allowed uses to including racetrack uses, racetrack or automotive industry uses consistent with the state designations on projects of statewide significance and innovative partnership zones, uses that could benefit from colocation with an existing racetrack, and development, testing, manufacturing and distribution of new technology in the automotive industry. These are big changes.

Amendments to this area have typically generated a great deal of community interest. Adding the Pacific Raceways amendments and greatly expanded allowed uses which were not included in the work plan to the 2020 update during a global pandemic is not consistent with the high standard for public involvement that King County commonly achieves in its comprehensive plan updates. We recommend that the Pacific Raceways Area Map Amendment and P-suffix amendments be postponed to the next periodic comprehensive plan update which the Growth Management Act currently requires King County to complete by June 30, 2024.

In addition, we are concerned that the substance of the amendments will undo protections that were promised to the community in earlier comprehensive plan and zoning amendments but have not yet been implemented. Those amendments should not be adopted. For the same reason, the amendment to Attachment J to Proposed Ordinance 2019-0413 should also not be adopted.

Finally, the Washington State Environmental Policy (SEPA) review was not sufficient to adequately analyze the environmental impacts of these amendments. Amendment 9: Pacific Raceways and the amendment to Attachment J to Proposed Ordinance 2019-0413 should not be adopted.

Thank you for considering our comments. If you require additional information, please contact me at telephone 206-343-0681 Ext. 102 and email: tim@futurewise.org.

⁷⁹ Proposed Ordinance 2019-0413 – 2020 Comprehensive Plan Update – Redline of S2 to Executive’s Transmitted Plan p. 4.

⁸⁰ King County Attachment A to Motion 15329 King County Comprehensive Plan 2020 Midpoint Update Scope of Work pp. 1 – 5 (Feb. 27, 2019) accessed on May 18, 2020 at: <https://www.kingcounty.gov/~media/Council/documents/CompPlan/2020/legislation/Motion15329.ashx?la=en>.

King County Council

RE: Comments on the 2020 Update to the King County Comprehensive Plan (June 5, 2020)

July 2, 2020

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Very Truly Yours,

A handwritten signature in blue ink, consisting of two large, stylized 'S' or 'E' shaped loops, one above the other.

Tim Trohimovich, AICP

Director of Planning and Law

Enclosures

Acknowledgments

This work would not have been possible without Conservation Science Partners (CSP), who provided the technical mapping capabilities for Farms Under Threat. CSP is a nonprofit scientific collective established to meet the analytical and research needs of diverse stakeholders in conservation projects. More information is available online at www.csp-inc.org.

Special thanks to USDA's Natural Resources Conservation Service (NRCS), which shared data and technical support, reviewed reports, and provided financial assistance through the AFT-NRCS Contribution Agreements 68-3A75-14-214 and 68-3A75-18-005. In particular, thank you to Mike Robotham and Patrick Flanagan for technical guidance and advice, and to Jimmy Bramblett, Diane Gelburd and Mary Podoll for serving on our Advisory Committee.

Heartfelt appreciation to the rest of our Advisory Committee—Chester Arnold, Jill Clark, Bob Egerton, Dick Esseks, Jerry Hatfield, Megan Horst, Libby Jones, Mark Lapping, Mike McGrath, Jim Moseley, and David Rouse—for their insight, expertise, guidance, and advice. Our gratitude also goes out to John Piotti and the Board of Directors of American Farmland Trust, for their support and guidance.

This work also would not have been possible without the intellectual rigor and hard work of current and former American Farmland Trust staff who played significant roles in researching, reviewing, map making, copy editing, challenging our thinking, and so much more: Kelsy Allan, Laura Barley, Don Buckloh, Cris Coffin, Kayla Donovan, Megan Faller, Kirsten Ferguson, Beth Fraser, Ben Kurtzman, Kate Rossiter, Ed Thompson, Bob Wagner, and a small army of interns. Notably, Ryan Murphy was the primary author of the maps presented in this report. Finally, honorary AFT family member, Kip Kolesinskis, was a steadfast source of reliable information.

We are grateful for and humbled by the dedication and professionalism of state agency staff who work to protect farmland and ranchland for agriculture. They provided information and insights, answered countless questions, and remain passionate about the positive impact of their programs.

Finally, we would like to thank our graphic designer, Carrie Lenard, for transforming so much detailed information into an attractive and enticing report.





Executive Summary

***Farms Under Threat: The State of the States* paints a striking picture of America’s agricultural landscape—and the threats facing working farms and ranches in every state.**

Between 2001 and 2016, 11 million acres of farmland and ranchland were converted to urban and highly developed land use (4.1 million acres) or low-density residential land use (nearly 7 million acres). That’s equal to all the U.S. farmland devoted to fruit, nut, and vegetable production in 2017—or 2,000 acres a day paved over, built up, and converted to uses that threaten the future of agriculture.

This assault on our working farms and ranches occurred despite the Great Recession, plummeting housing starts, and declining population growth. While every state has taken steps to protect their agricultural land base, they all could—and must—do more.

For 40 years, American Farmland Trust (AFT) has used high-quality research to demonstrate the need to protect farmland and ranchland—and to provide solutions. From our game-changing [Farming on the Edge](#) reports to our seminal book, [Saving American Farmland: What Works](#), we have informed and inspired farmers and ranchers, legislators and planners, land trusts and conservationists across the United States.

In 2016, AFT launched the *Farms Under Threat* initiative to update our research for the 21st century. Working in partnership with CSP, we are harnessing the latest technological advancements to accurately document the extent, diversity, location, and quality of agricultural land in the continental United States—as well as the threats to this land from expanding commercial, industrial, and residential development. At the same time, we are conducting extensive policy research to assess states’ policy solutions to respond to the threats.

Our first report, [Farms Under Threat: The State of America’s Farmland](#), was released in May 2018. It provided the most scientific, detailed, and up-to-date spatial analysis of agricultural lands and development patterns available for the continental United States. AFT has now dug deeper with *The State of the States*. Our new spatial analyses incorporate updated datasets and refined methods, allowing us to map agricultural land at the state, county, and even sub-county levels. At the same time, we conducted an extensive analysis of six state policy responses to the forces that lead to agricultural land conversion: development pressure, weakened farm viability, and the challenges of transferring land to a new generation. Linking our spatial findings to policy solutions will help advocates and decision-makers plan for and protect their valued agricultural resources for future generations.

Every State Converted High Quality Farmland

Our findings provide unprecedented insights into the status and fate of American farmland. From 2001 to 2016, 11 million acres of agricultural land were paved over, fragmented, or converted to uses that jeopardize agriculture, curtailing sustainable food production, economic opportunities, and the environmental benefits afforded by well-managed farmland and ranchland.

Our pioneering analysis of low-density residential (LDR) land use is the first nationwide attempt to spatially identify the impacts of large-lot housing development on the agricultural land base. Filling a critical knowledge gap left by previous spatial assessments, it finds that LDR paves the way to urban and highly developed (UHD) land use: between 2001 and 2016, agricultural land in LDR areas was 23 times more likely to be urbanized than other agricultural land. Whereas UHD development is closely tied to population growth, LDR expansion is not: only five out of the top 12 states for LDR are in the top 12 for population growth, thus likely due to weak land use regulations.

Compounding these impacts, 4.4 million acres of Nationally Significant land were converted to UHD and LDR land uses—an area nearly the size of New Jersey. AFT developed the Nationally Significant farmland designation to identify the most productive, versatile, and resilient (PVR) land for sustainable food and crop production.

The United States is home to 10 percent of the planet's arable soils—the most of any country on Earth. Yet even here, in what appears to be a vast agricultural landscape, only 18 percent of the continental U.S. is Nationally Significant land. As we face growing demand for high quality food and environmental protection along with increasingly complex challenges from epidemics, extreme weather, and market disruptions, it is especially important to protect the land best suited to intensive food and crop production, including fruits, nuts, vegetables, and staple grains.

PHOTO: Rebecca Drobis



How States Have Responded to Threats to Their Agricultural Land Base

AFT created an Agricultural Land Protection Scorecard to show how states have—or have not—responded to the threats of agricultural land conversion. We assessed six policy tools commonly used to protect farmland, support agricultural viability, and provide access to land:

- Purchase of agricultural conservation easements (PACE) programs (aka Purchase of Development Rights) that permanently protect working farmland and ranchland,
- Land use planning policies that manage growth and stabilize the land base,
- Property tax relief for agricultural land that improves farm and ranch profitability,
- Agricultural district programs that encourage landowners to form areas to protect farmland,
- Farm Link programs that connect land seekers with landowners who want their land to stay in agriculture, and
- State leasing programs that make state-owned land available to farmers and ranchers.

The results of the Scorecard show that every state has taken steps to retain land for agriculture, but all could

do more. All 50 have enacted property tax relief and laws enabling local governments to plan and adopt land use policies to offset development pressure on agricultural land. Nearly every state has a program to lease state-owned land for farming and ranching and more than half have PACE programs. Some have gone further with innovative programs to address agricultural viability and facilitate land transfer. Yet only New Jersey and Virginia have adopted the full suite of the programs we examined. And while Oregon stood out for its high score in planning, no state earned a perfect score for a single policy, much less a full suite of policies.

We found coordination is key—especially between state and local governments. The leading states for high-policy response linked multiple programs and created frameworks to harness local efforts. They enacted complementary efforts, using PACE programs to permanently save a supply of land for future generations and land use planning to curb conversion. But because it often is not visible, states have not yet recognized or responded to the impacts of LDR on agriculture. Addressing the threat and potential opportunities of LDR is a critical challenge for the coming decades.

21st Century Threats

American farmland provides food security, economic prosperity, and environmental quality. Yet all of these benefits are threatened by 21st century trends, including poorly planned development, weakening agricultural viability, an aging farm population, and climate change. On their own, each of these threats is troubling; together they point to the need for immediate public action.

Food Security

Food is affordable to most people in the United States, ranking third behind housing and transportation in typical household expenditures.³⁴ Indeed, in 2018, Americans spent less than 10 percent of their disposable incomes on food.³⁵ Still 11.1 percent (14.3 million) of U.S. households were food insecure in 2018 and households with children had a substantially higher rate of food insecurity (13.9 percent) than those without.³⁶

Poorly planned housing, energy, and transportation development threaten to destroy the land we use to grow our food—especially fruits, vegetables, and nuts. Yet while agriculture faces increasing pressures and challenges, consumers' expectations for plentiful, high-quality food are increasing. This includes demand for environmentally, ethically, and locally sourced products identified as humane, ecologically friendly, fair trade, organic, or GMO free.³⁷

Part of this trend is toward “local” food, a sector expanding so quickly it is catching up to decades of strong growth in demand for organics.³⁸ We define “local” broadly to mean short supply chains within states or regions where farmers often perform value-added functions, from storing and packaging, to marketing, distribution, and promotion.³⁹ Only partly based on geography, our definition is values-based, emphasizing transparency, ecological farming practices, and connection between growers and eaters.

Including direct-to-consumer (DTC) and intermediated sales,⁵ most local food is produced on small farms near metropolitan areas,⁴⁰ farms that our analyses show are increasingly threatened.

Food in the Path of Development

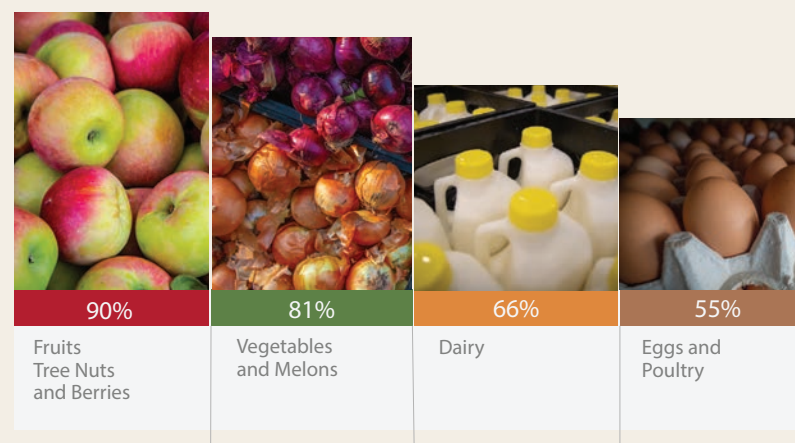


Figure 2. Percentage of U.S. production by market value of select food types that are produced in metro or metro-influenced counties, 2017.

Source: USDA National Agricultural Statistics Service, 2017 Census of Agriculture.

Solar Plan Collides With Farm Tradition in Pacific Northwest

By Kirk Johnson

July 11, 2018

ELLENSBURG, Wash. — When a company from Seattle came calling, wanting to lease some land on Jeff and Jackie Brunson's 1,000-acre hay and oat farm for a solar energy project, they jumped at the idea, and the prospect of receiving regular rent checks.

They did not anticipate the blowback — snarky texts, phone calls from neighbors, and county meetings where support for solar was scant.

Critics said the project would remove too much land from agricultural production in central Washington. If approved by regulators, it would be one of the biggest solar generators ever built in the state, with five large arrays spread around the county, covering around 250 acres with sun-sucking panels.

Ms. Brunson said the critics should mind their own business and respect property rights.

"They want the romance of watching you farm," Ms. Brunson, 59, said. "They move into their little piece of heaven, their little three acres, or their little 20 acres, and they don't want any other changes around them."

"It really makes me angry," she added. "They don't have to pay the bills."

A collision is underway in Kittitas County, a rural area on the eastern slopes of the Cascade Range southeast of Seattle, between a treasured past and a fast-arriving but uncertain future.

Old divisions of geography are part of it. The political power in Washington State, and the agenda for renewable energy and much else, comes from the liberal urban expanse around Seattle, and many people in conservative rural places east of the Cascades, like Kittitas County, chafe at the imbalance. A highly competitive congressional race for an open House seat is sharpening and heightening those tensions, as candidates of both parties vie for voters in a district that defines the state's east-west divide.

Solar energy is now laying bare those tensions. So is population growth. Kittitas grew faster last year in percentage terms than any other county in the state, including the booming area around Seattle. The county seat of Ellensburg, population 20,000, has been one of the 10 fastest growing small cities in the nation for the past two years, census figures show, fueled by retirees and long-distance commuters priced out of the Seattle area.



Jackie Brunson said she was angered by the negative reaction from some neighbors after she and her husband agreed to lease part of their oat and hay farm for a solar project. Ruth Fremson/The New York Times

But business growth in Kittitas County has not kept up, and the local unemployment rate, 4.8 percent, is higher than it was a year ago. On top of that, there is a housing squeeze. Central Washington University in Ellensburg broke enrollment records last fall with more than 12,000 students, many of whom flooded the community in search of apartments because of a shortage of rooms on campus. Home prices and rents have spiraled, bringing about a small but painful rise in homelessness and new pressure on families like that of Ayanna and Ben Nelson, who are struggling.

“For us, a lot of options have turned into not many options,” said Ms. Nelson, 39, who has been looking for a bigger home for her family of six. With prices rising faster than Mr. Nelson’s salary as an engineering tech worker, the Nelsons say they may have to leave the state for cost reasons. “We don’t want to go, but just not sure if we can stay,” Ms. Nelson said.

Tensions over the growing population and shifting economy were already high two years ago when the solar project first came along. Fault lines quickly emerged. The area’s chamber of commerce, for example, endorsed the project, while the county board of commissioners supported a moratorium on commercial solar projects on prime farmland.

Opponents of the solar project have a shorthand line of attack: Seattle is pushing this.

“The wind farms aren’t located in the greater Seattle area, the wolves aren’t located in the greater Seattle area, the grizzly bear expansion isn’t slated for the Greater Seattle area, and the solar farms aren’t there either,” said Paul Jewell, a former county commissioner, ticking off highly debated initiatives that government officials have considered in recent years.

“They’re all in the rural areas,” said Mr. Jewell, who opposes the solar project. “And so there’s really a disconnect there — they say ‘yes,’ and we bear the burden. They say ‘yes,’ and we pay the price.”

Geography aside, conservatives and liberals have lined up on both sides of the solar question. Ronald Slater, a retired contractor and a supporter of President Trump, was so eager to get solar panels on his land that he handed out business cards at a recent county meeting. Carla Tacher, who manages a fruit and vegetable stand outside Ellensburg and said she leans toward Democrats, said that more renewable energy — far easier to produce in the sunnier weather east of the Cascades than in the western half of the state — is crucial for the global climate.

“I’m all for it,” Ms. Tacher said.

Broader political questions are on the horizon in November, when voters in Kittitas County will pick a successor to Dave Reichert, a seven-term Republican who is retiring. The county is a conservative anchor of the Eighth Congressional District, which extends west to more liberal suburbs of Seattle. Mr. Reichert, a right-of-center moderate on most issues, won the district in 2016 with significant support in Kittitas. But Hillary Clinton carried the district in the presidential race, as Barack Obama did in 2008 and 2012, so both parties see the House seat as winnable — and crucial to their control of the next Congress.

A Republican named Dino Rossi, who ran twice for governor, is his party’s likely nominee, with a big fund-raising lead and an endorsement from the Washington State Farm Bureau, a powerful group that lobbies at the state capital on agricultural issues.



Ellensburg, the seat of Kittitas County in a traditionally agricultural part of the state, is experiencing rapid population growth and a housing squeeze. Ruth Fremson/The New York Times

The Democrats have a more crowded field in their Aug. 7 primary. All are newcomers to elected office, including two doctors — Kim Schrier, a pediatrician, and Shannon Hader, a former executive at the federal Centers for Disease Control and Prevention. A former prosecutor, Jason Ritterer, has made growing up in Ellensburg part of his pitch to win a divided district, but Ms. Schrier has raised more money than Mr. Ritterer and has gained the endorsement of Emily’s List, the fund-raising group that focuses on advancing Democratic women in politics.

In Washington State, the geography of energy — from the hydropower projects of the 1930s through the nuclear energy era a generation later — has always been tangled up with state politics.

In Ellensburg, a state agency called the Energy Facility Site Evaluation Council, created in 1970, is considering the application for the solar project. The council has authority to override local opinion — crucial in the nuclear era, when few communities were eager to volunteer — and to send its recommendations about energy projects to Gov. Jay Inslee, a Democrat, who has the final word. No federal approvals or congressional action is required, so the solar issue has not emerged as an issue so far among the candidates in the Eighth District race.

With a decision on the solar project expected as early as August, Mr. Inslee could affect local attitudes heading toward November, even though the project itself won't be on the ballot.

His predecessor as governor, Christine Gregoire, also a Democrat, approved a wind energy project in Kittitas that many locals opposed — a decision that some people here never forgot or forgave her for making. The spinning rotor blades that now line the foothills were a first skirmish line in the battle over who controls the county's future, opponents of the solar farm said.

Ms. Gregoire's Republican opponent in both of her elections, whom she defeated narrowly each time, was none other than Mr. Rossi, the front-runner now for the nomination in the Eighth District.

The Brunsons, the family whose farmland is being sought for the solar project, said they were fans of Mr. Rossi then and are already committed again.

"Dino is our man," Ms. Brunson said.