

# Advisory Council on Aging and Disability Services

*Creating choices for elders and adults with disabilities in Seattle-King County*

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[www.adsadvisorycouncil.org](http://www.adsadvisorycouncil.org)

May 9, 2016

The Honorable Dow Constantine  
401 5<sup>th</sup> Ave. Suite 800  
Seattle, WA 98104

Ms. Lauren Smith  
Deputy Director for Regional Planning  
401 5<sup>th</sup> Ave. Suite 810  
Seattle, WA 98104

RE: Executive Recommended 2016 King County Comprehensive Plan

Dear Executive Constantine and Deputy Director Smith:

The Seattle-King County Advisory Council on Aging and Disability Services appreciates this opportunity to comment on the Executive Recommended 2016 King County Comprehensive Plan.

The Comprehensive Plan will serve as a guide for King County in responding to the needs of an increasingly diverse community, including residents of all ages and abilities, through the plan's emphasis on equity, social justice, and the social determinants of health; inclusion of a new chapter on Housing and Human Services; and policies that promote built and social environments that work for everyone. The County's commitment to serving older adults and people with disabilities is demonstrated by the Plan's support for and recognition of the following policies and programs:

- Sustainable neighborhoods that allow people to age in place (p 1-16–1-17)
- Affordable housing and diverse housing choices, including policies designed to address the impending severe shortage of affordable rental housing for low-income seniors (ch 4)
- Integration of service-enriched housing into community-based settings (ch 4)
- Affordable housing subsidy programs for older adults and people with behavioral health, cognitive, physical or developmental disabilities (policy H-152)
- Standards for healthy and accessible housing (policy H-166)
- Equitable transportation opportunities and amenities for seniors and people with disabilities (p 8-6; policy T-104)
- Consideration of equity impacts and benefits when planning, developing, and implementing transportation programs, projects, and services (policy T-104a)
- Workforce development programs to retrain economically displaced older workers (policy ED-301).

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In association with the Area Agency on Aging for Seattle-King County and sponsored by:

Co-sponsored by:



City of Seattle



United Way of King County



King County

Our review of the plan identified several opportunities to expand and strengthen this commitment, including:

- Add language to Chapters 3 and 7 acknowledging the value of rural lands, parks, open spaces, and cultural resources to older adults in promoting health, wellness, and connectedness to our natural and cultural heritage.
- Coordinate and align with other regional planning efforts, such as the Area Plan on Aging and King County and PSRC's Coordinated Transit-Human Services Transportation Plan.
- Maximize innovative approaches to solve the County's housing challenges by increasing the stock of housing that works for people of all ages and abilities.
- Continue to integrate health throughout all chapters of the Plan and conduct a Health Impact Analysis of the Plan to better account for the intersection between public health and growth management planning.

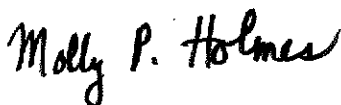
The need to plan and prepare for King County's aging population is acute:

- Individuals over the age of 60 will approach 25 percent of the total population by 2040.
- The fastest-growing segment of the total population is the oldest old – those 85 and over who are most in need of older adult services.
- Older populations living in south and east areas of King County are growing most rapidly.

This growth presents challenges, including ensuring that both the built environment and transportation systems are prepared to address the needs of older adults. However, the aging population also presents tremendous opportunities for King County. Older adults support their communities and families by providing care and resources, volunteering and making charitable contributions. Older adults in the workforce have a positive impact on productivity, economic development and other business outcomes. Communities that plan for and design safe and accessible communities that support people of all ages and abilities will be well positioned to benefit from these contributions.

Thank you again for this opportunity to comment on the 2016 King County Comprehensive Plan. We would be happy to respond to questions you may have about these comments or provide more information about issues facing older adults and people with disabilities. You may contact me directly at the email below, or through the staff liaison for our Advisory Council: Gigi Meinig, [gigi.meinig@seattle.gov](mailto:gigi.meinig@seattle.gov), 206-684-0652.

Sincerely,



**Molly Holmes, Chair**

Seattle-King County Advisory Council for Aging & Disability Services  
[AdvisoryChair@AgeWiseKingCounty.org](mailto:AdvisoryChair@AgeWiseKingCounty.org)

Cc: King County Council Transportation, Economy, and Environment Committee Chair Rod Dembowski and Committee Members Claudia Balducci, Jeanne Kohl-Welles, Kathy Lambert, Joe McDermott, Dave Upthegrove, and Pete von Reichbauer

**From:** FRCV Friends of Rock Creek Valley [friendsofrockcreekvalley@gmail.com]

**Sent:** Wednesday, June 01, 2016 8:22 AM

**To:** Balducci, Claudia; Upthegrove, Dave; Kohl-Welles, Jeanne; McDermott, Joe; Lambert, Kathy; Gossett, Larry; von Reichbauer, Pete; Dunn, Reagan; Dembowski, Rod

**Cc:** [kcexec@kingcounty.gov](mailto:kcexec@kingcounty.gov); Smith, Lauren; Miller, Ivan; Vane, Linda; Goff, Tom; LaBrache, Lisa

**Subject:** Friends of Rock Valley Statement of Position: Reserve Silica Rural Mining Site Conversion Project

**To:** King County Councilmembers

**From:** Friends of Rock Creek Valley

**Re.: Reserve Silica, Reserve Rural Mining Site Conversion Project**

As the only community group to support the I-203 Mining Site Conversion Demonstration Project amendment in 2012, we would like to formally go on record as withdrawing that support. Further, we endorse the County Executive's proposal to drop this provision from the 2016 Comp Plan; and we unequivocally oppose the draft Reserve Rural Mining Site Conversion Project proposal currently being circulated by Reserve Silica Corporation, Frank C. Melfi, President.

The Mining Site Conversion Project not only utterly fails to meet the provisions under which we were willing to support the I-203 Amendment in 2012, but in our opinion, it in no way "demonstrates" either the intent or spirit of this last minute compromise amendment crafted by then Councilmember Larry Phillips in 2012.

Following extensive review, we believe this site to be totally inappropriate for the upzone and siting of a residential housing development. Aside from the numerous County Codes such an upzone and development would violate, the site has significant environmental and health hazards stemming from its use as an industrial mining and hazardous waste dump site. The potential risks to future residents on this site if the proposed Mining Site Conversion Project is allowed to proceed are real, and we believe that any entity approving or endorsing such development on this site, knowing the risks, could be subjecting themselves to future legal action for exposing residents to those risks.

While we agree the forestry potential of this property is not appealing to a large-scale “industrial” timber company (i.e., a Weyerhaeuser, Plum Creek, Hancock type investor), the reclamation of the site – that is, restoring its ability to sustain a viable forest with all the associated benefits of such a forest, within the Forest Production District – is highly feasible and economically practical. And such reclamation should be the minimum requirement of any reclamation effort, i.e., to return the site to its pre-mining condition to the maximum extent reasonable, and allowable given the hazardous waste mitigations on the site.

For the last 30 years this property has been continuously managed and operated by Reserve Industries, Inc. through their wholly owned subsidiaries, L-Bar Products, Inc. (1986-ca. 1990) and Reserve Silica Corporation (ca. 1990-present). Photo evidence demonstrates that as late as ca. 1985 much of the property supported well-stocked stands of timber. The decision to not manage the forest resources on portions of the property outside the silica sand strip mining areas since 1986 was a business decision made by the current owners of the property, i.e., Reserve Silica. As such, the fact that these portions of the property do not currently have commercially valuable timber stands is solely a consequence of the property owner’s actions or inactions, and in no way should these conditions justify rewarding the owner with an upzone and housing development because they now state it is too time consuming and costly to remedy their actions.

Additional comments addressing specific aspects of the Reserve Silica Rural Mining Site Conversion Project will be forthcoming once the final proposal is formally submitted for Council consideration. However, in the meantime, we would encourage Council Members and the County Executive to research the history, past legal actions and practices of the Reserve Industries organization, including its numerous subsidiaries, before committing to support this proposal.

Lastly, to reiterate: **The Friends of Rock Creek Valley STRONGLY OPPOSES any Mining Site Conversion/Demonstration Project plan to upzone and create a housing development on the Reserve Silica property in Ravensdale.**

Michael A. Brathovde, Acting Chair

Friends of Rock Creek Valley



## King County

### Rural Forest Commission

201 South Jackson Street, Suite 600  
Seattle, WA 98104-3855

206-296-8042 206-296-0192 Fax

June 1, 2016

*Nate Veranth*  
Chair  
Forest Landowner

*Bernie McKinney*  
Vice Chair  
Green River Coalition

*Andy Chittick*  
Forest Landowner

*Daryl Harper*  
Forest Landowner

*Amy LaBarge*  
Forest Ecologist

*Doug McClelland*  
Washington Department  
of Natural Resources

*Steven Mullen-Moses*  
Snoqualmie Indian Tribe

*Monica Paulson Priebe*  
Green River College

*Brandy Reed*  
King Conservation District

*Dick Ryon*  
Forester

*Doug Schindler*  
Mountains to Sound  
Greenway Trust

*Marti Schramm*  
Mt. Baker-Snoqualmie  
National Forest

*Grady Steere*  
Campbell Global

*Rex Thompson*  
Cascadia Pacific Group

The Honorable Rod Dembowski  
Chair, Transportation, Economy and Environment Committee, King County Council  
King County Courthouse  
516 Third Avenue, Room 1200  
Seattle, WA 98104

Dear Councilmember Dembowski:

I write on behalf of the King County Rural Forest Commission (Commission) to comment on the Executive's proposal to strike Policy I-203(b) from the 2016 King County Comprehensive Plan (Comp Plan).

The Commission includes representatives from a variety of constituencies involved with forest land in King County, including private forest landowners, professional foresters, environmental organizations, the timber industry, affected Indian tribes, and governmental agencies. The Commission's purpose is to provide rural perspectives to King County decision-makers in the interest of preserving the forest land base and the viable practice of forestry in King County. With that in mind, we have reviewed Policy I-203(b) and support deleting it from the Comp Plan for the following reasons.

In our view, the Comp Plan is a critical tool that protects our unique Pacific Northwest quality of life by crafting a long-term vision for the growth and development of King County through a careful and deliberative process. It is for good reason that Policy I-203 generally requires that substantive changes to the Comp Plan and development regulations, and changes to the Urban Growth Area Boundary, be considered on the four-year, and not the annual, amendment cycle. The four-year cycle is necessary to sufficiently evaluate the potential impacts such changes may have on our environmental and economic interests. Our Forest Production District (FPD) is integral to both of these interests and, therefore, deserves vigilant protection.

Land in the FPD requires substantial separation and buffering from other lands to protect them from large operations that generate or involve noise, dust, light, glare, heavy machinery, and other comparable impacts and hazards. In addition, forest practices are implemented more efficiently, and therefore more viably, on larger, less fragmented tracts of forest lands. For these reasons, King County policy is clear

Councilmember Dembowski

June 1, 2016

Page 2

that mining sites surrounded by the FPD should be returned to forestry, and placed in the FPD, upon conversion of the mine. We support that policy.

We understand that some mining sites may not provide optimal conditions for growing timber and that landowners may prefer to convert such sites to residential use rather than make the investment necessary to rehabilitate the land for long-term forestry. But, in many cases, such suboptimal growing conditions are the direct result of the very extraction activities from which mine owners have already benefited. It seems that Policy I-203(b) may actually discourage good stewardship of mining sites by allowing landowners the more profitable option of residential conversion only when they have managed to degrade the site to the point that long-term forestry is no longer economically optimal.

We think that I-203(b) presents a direct threat to the forests of King County by allowing expedited review of proposals that deviate from King County policy by converting mining sites to residential use, rather than forestry, even when such sites are surrounded by the FPD. Such deviations would carry a high risk of fragmenting the FPD and introducing irregularity to its boundary. But, even if we accept the questionable proposition that such a proposal had merit, we see no reason that King County should deprive itself of the opportunity to give the proposal the same careful consideration it gives other proposals for substantive changes to the Comp Plan pursuant to Policy I-203.

Demonstration projects are not a new concept. In fact, King County Code (KCC) Ch. 21A.55 outlines the process for implementing such projects. Under current code, demonstration projects must be consistent with the King County Comprehensive Plan and must not require nor result in amendment of the comprehensive plan nor the comprehensive land use map. KCC 21A.55.030. Significantly, current code provides that “[d]emonstration projects shall be located in urban and/or rural areas which are deemed most suitable for the testing of the proposed alternative development regulations.” KCC 21A.55.010. Accordingly, it seems that Policy I-203(b) departs from current code and policy on a number of fronts: it expedites review of substantive policy decisions and focuses the impacts of these decisions outside the urban and rural areas, all to the probable detriment of our forests.

In 2012, we reviewed a proposal to rezone a mining site surrounded on three sides by the FPD from Mineral to the Rural zone. As it happens, that proposal touched on many of the same issues as Policy I-203(b) does today. In our letter to the Honorable Larry Gossett, dated October 17, 2012 (2012 Letter), we explained why that proposal should be rejected and find that much of our rationale then, is applicable here. That being the case, I have attached a copy of that letter for your reference.

For all of these reasons, including those set forth in our 2012 Letter, we find that Policy I-203(b) is flawed policy and should be stricken from the Comp Plan. Of course, the Commission is happy to discuss any of these issues with you or the King County Council if you would like.

Councilmember Dembowski

June 1, 2016

Page 3

Thank you for considering the recommendations of the Rural Forest Commission. Please let me know if we can be of further assistance.

Sincerely,



Nate R. Veranth, Chair  
King County Rural Forest Commission

Attachment

cc: King County Rural Forest Commission members  
The Honorable Dow Constantine, King County Executive  
King County Councilmembers  
    ATTN: Anne Noris, Clerk of the Council  
        Carolyn Busch, Chief of Staff  
Carrie S. Cihak, Chief of Policy Development, Policy and Strategic Initiatives, King  
County Executive Office  
Christie True, Director, King County Department of Natural Resources and Parks  
(DNRP)  
Bob Burns, Deputy Director, DNRP  
Mark Isaacson, Division Director, Water and Land Resources Division (WLRD),  
DNRP  
John Taylor, Assistant Division Director, WLRD, DNRP



## King County

### Rural Forest Commission

201 South Jackson Street, Suite 600  
Seattle, WA 98104-3855

206-296-8042 206-296-0192 Fax

October 17, 2012

*John Chaney*  
Chair  
Forest Landowner

*Doug McClelland*  
Vice Chair  
Washington Department  
of Natural Resources

*Ron Paul Baum*  
Forest Landowner

*Jim Franzel*  
Mt. Baker/Snoqualmie  
National Forest

*Daryl Harper*  
Forest Landowner

*Bernie McKinney*  
Middle Green River Coalition

*Sandy Miller*  
Forest Landowner

*Brandy Reed*  
King Conservation District

*Dick Ryon*  
North Bend resident

*Doug Schindler*  
Mountains to Sound  
Greenway Trust

*Cindy Spiry*  
Snoqualmie Indian Tribe

*Rex Thompson*  
Cascadia Pacific Group

*Nate Veranth*  
Forest Landowner

The Honorable Larry Gossett  
Chair, King County Council  
516 Third Avenue, Room 1200  
Seattle, WA 98104

Dear Councilmember Gossett:

I am writing on behalf of the King County Rural Forest Commission (Commission) to comment on the Council's proposed amendments to the 2012 Comprehensive Plan. The Commission briefed the Transportation, Economy and Environment Committee on Comprehensive Plan issues related to forestry during the summer. In general, we are pleased that the Council not only has supported the Executive's proposed policy changes related to forestry and forest-based businesses, but in its Striking Amendments have recognized the value of forestry technical assistance to small forest landowners.

The purpose of this letter is twofold. First, at the end of our briefing to the TrEE Committee, Councilmember Hague asked questions related to the timber industry that we will respond to here. Second, a proposal to rezone the Reserve Silica property from Mining to Rural has now returned for consideration by the Council and warrants a response from the Commission. The Commission recommends that this proposal, M5a-Reserve Silica Map Amendment, be rejected and that the Council support the Executive's proposal to rezone the Reserve Silica mine to Forest.

First, here are Councilmember Hague's questions and our responses:

#### **1) Where is the economic value for forestry right now?**

Forestry is an active, viable economic activity in King County now and in the foreseeable future. Timber markets, while they fluctuate, are a significant source of income for forestland owners. Timber harvest volumes in King County have been increasing for the last several years and in 2011 were valued at over \$30 million. In addition, we see potential long term markets for ecosystem services such as water supply, stormwater management and carbon sequestration. There are also potential markets for a variety of commodities such as mitigation banking, forest recreation concessions and non-timber forest products.

#### **2) What you would do with soils that are not conditioned for good growth of harvestable timber?**

A variety of organic amendments including biosolids compost have been shown to improve the properties of highly disturbed soils, including mine sites. For



example, biosolids compost has been used in King County for years in a program to reclaim and revegetate old logging roads where there is little or no topsoil remaining. In addition, biosolids compost and other organic amendments are widely known to improve soil properties and the success of revegetation efforts on mine tailings, which present considerably harsher conditions than logging roads. ([Bergeron and Henry](#), 2005) The County has pilot projects and research currently underway to test new approaches to the use of biosolids in soil remediation.

### **3) What can be done in situations where property owners do not wish to manage their land for timber harvest?**

The King County Comprehensive Plan and Code provide for more than 48 land use activities other than forest management that provide business opportunities in the Forest Zone. Many of these are commonly associated with forest land uses, such as wood products manufacturing, biomass processing, non-timber forest product sales and log storage. Furthermore, diverse uses unrelated to timber such as campgrounds, RV parks, agriculture, hydroelectric generation and mining are also allowed uses within the Forest Zone.

#### **Commission response to M5a-Reserve Silica Map Amendment**

During the Commission's review of the Comprehensive Plan issues, King County staff briefed us on proposed rezone of the Reserve Silica property. The Commission has heard from the property owners, received and reviewed new property reports from the owners and heard from the Friends of Rock Creek Valley. Our initial advice to the Executive and Council was that if mining were no longer the use and the predominate zoning and land use on adjacent properties was forestry, then it was appropriate to designate the property as Forest. After reviewing the owner's additional information, the Commission has not chosen to change that advice.

In coming to this conclusion we considered the case made by Reserve Silica for changing the zoning to Rural to allow for a clustered residential development in the future. We have the following comments on the proposal and its supporting documents.

#### **Expense of reclamation**

The International Forestry Consultants and Gordon Bradley reports to the Reserve Silica owners conclude that it would be prohibitively expensive to restore soil productivity to the level required for timber production on the site. Some, but not all, parts of the site are affected. Both reports appear to assume that restoration of the affected forest land would be too expensive as a forest investment, without providing analyses of potential restoration methods and alternatives along with related economic analyses and cost estimates. From our perspective, the cost of reclamation should be viewed as a cost of mining. Since these lands were originally mostly timbered, it is reasonable to assume that mining activities were the main cause of soil productivity decline. The mining operation, not the future owners of the property, should bear the responsibility and costs for restoring site and soil productivity to pre-mining values.

### **Health and safety**

The Commission has concerns regarding remediation of potentially harmful compounds or materials on the site, including but not limited to cement kiln dust and coal tailings. The Gordon Bradley report points to “significant liabilities” present on the site: open mines, buried coal and cement tailings and test mine pits throughout the forest. The ultimate purpose of the proposed rezone is to make way for a clustered suburban residential development associated with an open space with the potential for recreational use. If there is any possibility of risk to health and safety from the mining operations, then clearly residential development or recreational use of the land is inappropriate.

### **Land use policies**

Because of its location within the Forest Production District the Reserve Silica site should be zoned Forest. King County policy is clear that when zoning changes are being considered for mining sites the new land use and zoning should be compatible with the surrounding properties. The Reserve Silica mine is bordered on three sides by Forest-zoned properties and on the north by the County’s Black Diamond Natural Area.

A combination of site, soil and climatic characteristics are important criteria for designating Forest zoning, but equally important is the size of contiguous ownerships and compatible land uses. Ownership within the Forest Zone usually require abundant separation from owners of smaller parcels who require protection from large operations which generate noise, dust, light and glare. Restricting the amount of residential and commercial development within and adjacent to the Forest zone helps protect the integrity and viability of forests and those that rely on them.

### **Precedent**

The argument that the Reserve Silica site is now not suitable for growing timber is an admission of poor planning and execution of a comprehensive reclamation plan required in the permitting documents for the mining operation. It is insufficient reason to set a precedent of moving the Forest Zone to accommodate poor planning by a permittee. If the Council approves the Reserve Silica amendment in its present form, a serious precedent may be set. It would open the door for any forest or agricultural owner to pursue practices that degrade site productivity while extracting value, and then move to rezone to rural or urban development intensity. This would reward damaging actions that are entirely within the owner’s control.

### **Conclusion**

Reserve Silica is planning for the eventual conclusion of their extraction operations. No doubt they have earned every hard dollar ever made on this site. It was a tough and vital business. They have a reputation as a good employer within the region, providing family wage jobs, and giving families a chance to settle in the community.

In our view, this land has economic potential if zoned Forest. There are dozens of alternative land uses available to the Reserve Silica. Some are unique. Some are exclusive from other zones. Parts of the site are currently appropriate for commercial timber use.

Larry Gossett  
October 17, 2012  
Page 4

We find the Reserve Silica request for a rezone from Mining to Rural is not warranted and should be rejected.

Thank you for considering the recommendations of the Rural Forest Commission. Please do not hesitate to contact us if we can be of additional assistance.

Sincerely,



John Chaney  
Chair, King County Rural Forest Commission

cc: King County Councilmembers  
    ATTN: Michael Woywod, Chief of Staff  
          Anne Noris, Clerk of the Council  
Kendall Moore, Legislative Analyst, Transportation, Economy and Environment  
    Committee  
Christie True, Director, Department of Natural Resources and Parks (DNRP)  
Mark Isaacson, Division Director, Water and Land Resources Division (WLRD),  
    DNRP  
Paul Reitenbach, Comprehensive Plan Update Manager, Department of Development  
    and Environmental Services  
King County Rural Forest Commission Members