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EXHIBIT E

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May 19, 2020

COMMUNITY & ECONOMIC DEVELOPMENT

Tanya Bowers, Chair  
City of Pasco Planning Commission  
525 N. Third Ave.  
Pasco, WA 99301

Dear Ms. Bowers:

Subject: Comments on Planning Commission Public Hearing Comprehensive Plan  
Amendment, Urban Growth Area (MF# CPA 2020-001)  
Via email: whiter@pasco-wa.gov

Thank you for the opportunity to comment on the Comprehensive Plan Amendment Urban Growth Area (MF# CPA 2020-001). Futurewise works throughout Washington State on the implementation of the Growth Management Act (GMA). We work with local communities to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests and water resources. We have members across Washington State including in the City of Pasco.

We have been following and commenting on the City of Pasco Urban Growth Area Expansion proposals since 2018. In our letter of August 31, 2018, to the Franklin County Planning Commission, CPA 2018-03, on the proposed City of Pasco UGA expansion, we discussed why Washington has Urban Growth Areas:

### To Save Taxpayers and Ratepayers Money

The Growth Management Act (GMA) requires urban growth areas and limits their size for many reasons. One of the most important is that compact Urban Growth Areas (UGAs) save taxpayers and ratepayers money. In a study published in a peer reviewed journal, John Carruthers and Gurminder Ulfarsson analyzed urban areas throughout the United States including Franklin County.<sup>1</sup> They found that the per capita costs of most public services declined with density and increased where urban areas were large.<sup>2</sup> **Compact urban growth areas save taxpayers and ratepayers money.** This study was published in a peer reviewed journal.

<sup>1</sup> John Carruthers and Gudmaundur Ulfarsson, *Urban Sprawl and the Cost of Public Services* 30 ENVIRONMENT AND PLANNING B: PLANNING AND DESIGN 503, 511 (2003). Enclosed with this letter.

<sup>2</sup> *Id.* at 518.



## To Conserve Water Long-Term

Compact urban growth areas also help conserve water long-term. Large lots and low densities increase water demand, increase leakage from water systems, and increase costs to water system customers.<sup>3</sup> So accommodating the same population in a right-sized UGA can reduce future water demands and costs.<sup>4</sup>

## To encourage growth in existing cities and towns and to protect farmland

Urban growth areas encourage housing growth in cities and protect rural and resource lands. To examine the effect of King County, Washington's urban growth areas on the timing of land development, Cunningham looked at real property data, property sales data, and geographic information systems (GIS) data. These records include 500,000 home sales and 163,000 parcels that had the potential to be developed from 1984 through 2001.<sup>5</sup> Cunningham concluded that "[t]his paper presents compelling evidence that the enactment of a growth boundary reduced development in designated rural areas and increased construction in urban areas, which suggests that the Growth Management Act is achieving its intended effect of concentrating housing growth."<sup>6</sup> He also concluded that by removing uncertainty as to the highest and best use of the land that it accelerated housing development in King County.<sup>7</sup> This study was published in a peer reviewed journal.

Reducing development in rural areas and natural resource lands can also have significant environmental benefits, such as protecting water quality and working farms and forests.

One of the most controversial issues related to urban growth areas is whether the restricted land supply causes increases in housing costs. Carruthers, in another peer reviewed study, examined the evidence for the Portland urban growth area and concluded that it was not increasing housing costs because the city's high-density zoning allowed the construction of an abundant housing supply.<sup>8</sup>

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<sup>3</sup> United States Environmental Protection Agency, *Growing Toward More Efficient Water Use: Linking Development, Infrastructure, and Drinking Water Policies* pp. 3 – 5 (EPA 230-R-06-001: January 2006). Accessed on Aug. 29, 2018 at: <https://www.epa.gov/smartgrowth/growing-toward-more-efficient-water-use>.

<sup>4</sup> *Id.* at p. 8.

<sup>5</sup> Christopher R. Cunningham, *Growth Controls, Real Options, and Land Development* 89 THE REVIEW OF ECONOMICS AND STATISTICS 343, 343 (2007).

<sup>6</sup> *Id.* at 356.

<sup>7</sup> *Id.* at 356 – 57.

<sup>8</sup> John I. Carruthers, *The Impacts of State Growth Management Programmes: A Comparative Analysis* 39 URBAN STUDIES 1959, 1976 (2002). Carruthers included Washington's GMA in his analysis but concluded that it was too early to tell if it was successful since it had only been in place for seven years in the data he analyzed, but he believed the GMA had promise if "consistently enforced." *Id.* at 1977.





To keep our existing cities and towns vibrant and economically desirable

**Urban growth areas help keep our existing cities and towns vibrant and economically desirable.** In a peer reviewed study, Dawkins and Nelson found that the city of Yakima's share of the metropolitan housing market increased after adoption of the GMA.<sup>9</sup> This and other measures showed that center cities in states with growth management laws attract greater shares of the metropolitan area's housing market than center cities in states without growth management aiding center city revitalization.<sup>10</sup> This reduces the tendency to move out of existing center cities such as the City of Pasco.

To encourage healthy lifestyles

**Urban growth areas promote healthy lifestyles.** Aytur, Rodriguez, Evenson, and Catellier conducted a statistical analysis of leisure and transportation-related physical activity in 63 large metropolitan statistical areas, including Seattle, Tacoma, and Spokane from 1990 to 2002.<sup>11</sup> Their peer reviewed study found a positive association between residents' leisure time physical activity and walking and bicycling to work and "strong" urban containment policies such as those in Washington State.<sup>12</sup>

Furthermore, in our August 2018 letter, we concurred with Franklin County and the Department of Commerce, that the expansion was oversized. We recommended that the UGA expansion request for 4500 acres be denied because the expansion would lead to the conversion of agricultural lands and adversely impact the operations and potential for expansion of the Tri-Cities Airport, negatively impacting the Tri-Cities economy. Our recommendations were that the gross acreage reflect a reasonable market supply factor, incorporate an estimate of the redevelopable land in the existing UGA, and include the full capacity of the West Pasco/Broadmoor Development Master Plan of over 8,000 housing units in the capacity calculations.<sup>13</sup>

Higher densities can improve protection for water quality[TT1]

In addition to the reasons for having UGAs explained in our August 2018 letter, we want to point out the connection between water quality and land use. Higher densities help protect water quality. The U.S. Environmental Protection Agency (EPA) modeled the impacts of lower density development covering a larger area compared to higher density development over a smaller area. The study concluded that:

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<sup>9</sup> Casey J. Dawkins & Arthur C. Nelson, *State Growth Management Programs and Central-City Revitalization*, 69 *Journal of the American Planning Association* 381, 386 (2003).

<sup>10</sup> *Id.* at 392 – 93 (2003).

<sup>11</sup> Semra A. Aytur, Daniel A. Rodriguez, Kelly R. Evenson, & Diane J. Catellier, *Urban Containment Policies and Physical Activity: A Time-Series Analysis of Metropolitan Areas, 1990–2002* 34 *AMERICAN JOURNAL OF PREVENTIVE MEDICINE* 320, 325 (2008).

<sup>12</sup> *Id.* at 330.

<sup>13</sup> *Summary of Request and Analysis* on CPA 2018-03 the proposed Pasco UGA expansion p. 4 footnote 6 (8/24/2018 version).



Higher densities may better protect water quality—especially at the lot and watershed levels. To accommodate the same number of houses, denser developments consume less land than lower density developments. Consuming less land means creating less impervious cover in the watershed. EPA believes that increasing development densities is one strategy communities can use to minimize regional water quality impacts.<sup>14</sup><sub>[A2]</sub>

Futurewise obtained a grant earlier this year for a public education program and riparian demonstration site in Pasco. We are coordinating with City staff, local tribes, the Army Corp of Engineers, Washington State Fish and Wildlife, neighboring schools and community organizations to demonstrate the connection between land use and water quality and the impact on water quality, habitat, and cultural resources. Current constraints on gatherings due to the Coronavirus has resulted in delaying local events and habitat restoration projects until 2021. We will keep you updated on this project.

### Environmental Impact Statement

Also attached is a copy of Futurewise’s letter of November 8, 2018, to Rick White, Community & Economic Development Director. In this letter, we supported the City of Pasco’s Determination of Significance and the development of an environmental impact statement (EIS) to consider the impacts of the Comprehensive Plan and Urban Growth Area expansion on the built and natural environment. Now that the Draft Environmental Impact Statement materials are available, we look forward to reviewing them and providing more detailed comment in June. When using a combined SEPA and GMA process the Final EIS must be done at the same time as the adoption of the GMA. WAC 197-11-230(5) provides that “[w]hen a draft integration GMA document includes a draft EIS, the final EIS and the adoption of the GMA document may occur together, notwithstanding the requirements of WAC 197-11-460(5).”

### Accommodating Future Growth


Futurewise recognizes that Pasco is one of the fastest growing cities, per capita, in the state and we strongly support Pasco’s work to explore opportunities to expand development within the existing UGA, including but not limited to, actions eligible for support under HB 1923. As Pasco moves forward with this comprehensive plan update we hope you will consider actions such as:

- Allowing more homes in existing neighborhoods through backyard cottages, duplexes, triplexes, and courtyard apartments.
- Retrofitting existing neighborhoods to be more walkable and have the densities and mix of zoning to support local businesses and more frequent transit in order to promote environmental and community health benefits and reduces traffic congestion.

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<sup>14</sup> United States Environmental Protection Agency, *Protecting Water Resources with Higher-Density Development* p. 1 (EPA 231-R-06-001 Jan. 2006). Accessed on May 18, 2020 at: <https://www.epa.gov/smartgrowth/protecting-water-resources-higher-density-development>.



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- Making zoning changes, paired with proper infrastructure like sidewalks, that facilitate opportunities for restaurant and retail uses that are comfortably and safely accessible by walking and biking from nearby homes.
  - Creating opportunities for townhouse and apartment zoning integrated throughout the city on quiet, slow moving residential streets that are safer for children rather than limiting these uses to the edges of major arterials and the area adjacent to the airport flight path.
  - Identifying a path to annexation of the existing 'donut hole' of unincorporated areas inside the city boundaries. We would like to offer our support in advocacy with the state to address barriers and costs related to annexing the 'donut hole' communities. These challenges are similar to those faced by unincorporated urban areas across the state.
  - Reinvesting in historic downtown Pasco.

Additionally, we hope you will address our areas of concern such as:

- We are concerned about the size of a 3,400-acre UGA expansion but need to review the land capacity analysis to determine if it is still too large like the 2018 proposal.
- We are concerned about the loss of agricultural land of long-term commercial significance and if an expansion is needed, the city should consider alternatives expanding onto rural, non-agricultural land.
- We are concerned about the UGA expansion at the end of in the airport and under the flight path both because of its impact on airport operations and future expansion capacity and because of the impact on future residents living below the flight path.
- If an urban growth expansion is needed, determine how public facilities and services will be provided and funded. Will they be addressed in the updated transportation, capital facility, and utility elements?[TT3] Will taxpayers in existing Pasco neighborhoods end up subsidizing the public facilities and services in these new neighborhoods?

We appreciate the opportunity to continue to provide comments and feedback on these important long-term community planning efforts. If you have questions, please contact Alison Cable at, 206-343-0681 x114 or email: [alison@futurewise.org](mailto:alison@futurewise.org).

Very Truly Yours,



Alison Cable  
**Tri-Cities Program Manager**



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p. (206) 343-0681  
futurewise.org



August 31, 2018

Mr. Claude Pierret, Chairperson  
Franklin County Planning Commission  
502 W. Boeing  
Pasco, Washington 99301

Dear Chair Pierret and Planning Commissioners:

**Subject: Comments on CPA 2018-03, the proposed City of Pasco UGA expansion.**

Sent via email to: [planning@co.franklin.wa.us](mailto:planning@co.franklin.wa.us); [rgilley@co.franklin.wa.us](mailto:rgilley@co.franklin.wa.us); [nstickney@ahbl.com](mailto:nstickney@ahbl.com)

Thank you for the opportunity to comment on CPA 2018-03 the proposed City of Pasco urban growth area (UGA) expansion. Futurewise recommends that the proposed City of Pasco UGA expansion be denied for three independent reasons: the expansion is oversized and, perhaps, unneeded, the expansion will lead to the conversion of agricultural lands with adverse impacts on the Franklin County economy, and the expansion will adversely impact the operations and potential for expansion of the Tri-Cities Airport again adversely impacting the county economy. Our concerns are detailed below after we discuss why Washington State has UGAs.

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 supporters throughout Washington State including Franklin County.

## Why does Washington have Urban Growth Areas?

### To Save Taxpayers and Ratepayers Money

The Growth Management Act (GMA) requires urban growth areas and limits their size for many reasons. One of the most important is that compact urban growth areas (UGAs) save taxpayers and ratepayers money. In a study published in a peer reviewed journal, John Carruthers and Gudmaundur Ulfarsson analyzed urban areas throughout the United States including Franklin County.<sup>1</sup> They found that the per capita costs of most public services declined with density and increased where urban areas were large.<sup>2</sup> **Compact urban growth areas save taxpayers and ratepayers money.** This study was published in a peer reviewed journal.

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## **To Conserve Water Long-Term**

Compact urban growth areas also help conserve water long-term. Large lots and low densities increase water demand, increase leakage from water systems, and increase costs to water system customers.<sup>3</sup> So accommodating the same population in a right-sized UGA can reduce future water demands and costs.<sup>4</sup>

## **To encourage growth in existing cities and towns and to protect farmland**

Urban growth areas encourage housing growth in cities and protect rural and resource lands. To examine the effect of King County, Washington's urban growth areas on the timing of land development, Cunningham looked at real property data, property sales data, and geographic information systems (GIS) data. These records include 500,000 home sales and 163,000 parcels that had the potential to be developed from 1984 through 2001.<sup>5</sup> Cunningham concluded that "[t]his paper presents compelling evidence that the enactment of a growth boundary reduced development in designated rural areas and increased construction in urban areas, which suggests that the Growth Management Act is achieving its intended effect of concentrating housing growth."<sup>6</sup> He also concluded that by removing uncertainty as to the highest and best use of the land that it accelerated housing development in King County.<sup>7</sup> This study was published in a peer reviewed journal.

Reducing development in rural areas and natural resource lands can also have significant environmental benefits, such as protecting water quality and working farms and forests.

One of the most controversial issues related to urban growth areas is whether the restricted land supply causes increases in housing costs. Carruthers, in another peer reviewed study, examined the evidence for the Portland urban growth area and concluded that it was not increasing housing costs because the city's high-density zoning allowed the construction of an abundant housing supply.<sup>8</sup>

## **To keep our existing cities and towns vibrant and economically desirable**

### **Urban growth areas help keep our existing cities and towns vibrant and economically desirable.**

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<sup>4</sup> *Id.* at p. 8.

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than center cities in states without growth management aiding center city revitalization.<sup>10</sup> This reduces the tendency to move out of existing center cities such as the City of Pasco.

## To encourage healthy lifestyles

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## We agree the proposed UGA expansion is oversized and so should be denied

The Washington State Supreme Court has held that an "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."<sup>13</sup> We agree with County staff that the UGA expansion is oversized.<sup>14</sup> We also suggest four modifications to the capacity analysis so that it is consistent with the GMA.

First, we suggest the dedications from the gross acreage be limited to a market supply factor. The courts and Growth Management Hearings Board have held that deductions beyond a market factor violate the GMA. As the Growth Management Hearings Board wrote "if the Legislature had wished for cities and counties to utilize such a variety of factors to adjust the available land supply ... it would have amended the GMA accordingly. ... This, the Legislature did not do and, therefore, by the GMA's own terms, a UGA may be adjusted only to reflect a reasonable land market supply factor."<sup>15</sup> In addition to the 20 percent market factor, the capacity estimates use a "[s]pecial 20 percent reduction to the 'low density' category ..."<sup>16</sup> This deduction in addition to the market factor is inconsistent with the GMA.

It is also unneeded since the 20 percent market factor is at the high end of what the available data supports. Market factors are not required, but the GMA allows the county to use a "reasonable" market factor.<sup>17</sup> What a market factor does is allow a county to make an urban growth area larger than it needs to be. To determine their market factor, Snohomish County hired The Gilmore Research Group to survey owners with developable land and asked them the relevant question when determining a market factor: if they would develop their land in the next twenty years. This survey found that "[a]bout 21% of all

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<sup>10</sup> *Id.* at 392 – 93 (2003).

<sup>11</sup> Semra A. Aytur, Daniel A. Rodriguez, Kelly R. Evenson, & Diane J. Catellier, *Urban Containment Policies and Physical Activity: A Time-Series Analysis of Metropolitan Areas, 1990–2002* 34 AMERICAN JOURNAL OF PREVENTIVE MEDICINE 320, 325 (2008).

<sup>12</sup> *Id.* at 330.

<sup>13</sup> *Thurston Cty. v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008). *See* RCW 36.70A.110 and RCW 36.70A.115 which limit the size of UGAs.

<sup>14</sup> *Summary of Request and Analysis* on CPA 2018-03 the proposed Pasco UGA expansion p. 16 (8/24/2018 version).

<sup>15</sup> *Petree v. Whatcom County*, Western Washington Growth Management Hearings Board (WWGMHB) Case No. 08-2-0021c, Final Decision and Order (Oct. 13, 2008), at 30 of 78, 2008 WL 4949257, at \*18.

<sup>16</sup> *Summary of Request and Analysis* on CPA 2018-03 the proposed Pasco UGA expansion p. 4 (8/24/2018 version).

<sup>17</sup> *Thurston County v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008).







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respondents indicated that they would be unlikely or very unlikely to have their parcels developed in the next 20 years.”<sup>18</sup> “A lower percentage of owners of vacant land (17%) compared to the owners of partially used or redevelopable properties (23%) percent indicated that it would be unlikely or very unlikely that their parcels would be available for development anytime within the next 20 years.”<sup>19</sup>

The capacity estimates “calculated future growth based on development of vacant residential land. Redevelopment of under-developed sites was not considered.”<sup>20</sup> So, for vacant land, the Gilmore Research Group survey would support a 17 percent market factor since the capacity estimate only looked at vacant land.

Futurewise’s second recommended modification would be to incorporate an estimate of the redevelopable land in the existing UGA. WAC 365-196-310(3)(f) provides that “[c]ounties and cities should develop and evaluate urban growth area proposals with the purpose of accommodating projected urban growth through infill and redevelopment within existing municipal boundaries or urban areas.” WAC 365-196-310(4)(b)(ii) provides that in “determining the need for urban growth areas expansions to accommodate projected population and employment growth” counties and cities should prepare a land capacity analysis that includes “a projection of the additional urban population and employment growth that may occur on the available residential, commercial and industrial land base. The projection should consider the portion of population and employment growth which may occur through redevelopment of previously developed urban areas during the twenty-year planning period.” Consistent with these regulations, estimates used to size UGAs must include redevelopable land. The capacity estimate “calculated future growth based on development of vacant residential land. Redevelopment of under-developed sites was not considered.”<sup>21</sup> We recommend the Franklin County not move forward with the UGA expansion proposals until the City of Pasco estimates the redevelopment capacity of the existing UGA.

Futurewise’s third recommended modification is to include vacant and redevelopable platted land within the existing UGA in the estimates of developable land. In calculating development capacity the capacity estimates determined the gross amount of land available for development and then deducted a market factor and other deductions.<sup>22</sup> “The gross amount of land in each residential land use category is equal to that which is not “platted,” owned by the school district for future school development, used as parklands, located within the Broadmoor Planning Area, or already developed ...”<sup>23</sup> Like excluding redevelopable land, excluding platted land that is vacant or redevelopable undercounts the capacity in the existing UGA and is inconsistent with the GMA requirement that the size of the “UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by the OFM, plus a reasonable land market supply factor.”<sup>24</sup> So again, we recommend the Franklin County not move forward with the UGA expansion proposals until the City of Pasco estimates the capacity of the platted lands.

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<sup>18</sup> The Gilmore Research Group, *Urban Land Availability Survey of Snohomish County Landowners: Prepared for Jones & Stokes and Snohomish County Planning and Development Services* p. 3 (June 14, 2005) accessed on Aug. 30, 2018 at: <https://snohomishcountywa.gov/DocumentCenter/View/8766/Jones-Stokes-Final-Report-6-14-05> and enclosed in a separate email.

<sup>19</sup> *Id.*

<sup>20</sup> *Summary of Request and Analysis* on CPA 2018-03 the proposed Pasco UGA expansion p. 4 (8/24/2018 version).

<sup>21</sup> *Id.*

<sup>22</sup> *Id.* at pp. 4 – 6.

<sup>23</sup> *Id.* p. 4.

<sup>24</sup> *Thurston Cty. v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008). *See* RCW 36.70A.110 and RCW 36.70A.115 which limit the size of UGAs.



Futurewise's fourth recommended revision is to include the full capacity of the West Pasco/Broadmoor Development Master Plan of over 8,000 housing units in the capacity calculations.<sup>25</sup> The development master plan process is well along, the scoping for the environmental impact statement has been completed.<sup>26</sup> The increased housing capacity in West Pasco/Broadmoor is certainly more probable than an oversized UGA expansion that requires the conversion of agricultural land of long-term commercial significance.

## **The UGA should not be expanded onto agricultural lands of long-term commercial significance**

Agricultural land of long-term commercial significance cannot be included in a UGA unless it retains its designation and zoning and the county or city has adopted a transfer of development rights program for the land.<sup>27</sup> If the City of Pasco wishes to convert the agricultural lands of long-term commercial significance to urban development, then the city must conduct a regional or areawide study showing the land no longer qualifies as agricultural land of long-term commercial significance.

WAC 365-190-050(1) requires that in "designating agricultural resource lands, counties must approach the effort as a county-wide or area-wide process." WAC 365-190-040(10)(b) also requires "a county-wide or regional process" when amending designations of agricultural lands of long-term commercial significance. These WACs are part of the "minimum guidelines that apply to all jurisdictions" and are to guide the designation of agricultural lands of long-term commercial significance.<sup>28</sup> When WAC 365-190-050 uses mandatory language, local governments are required to use that provision.<sup>29</sup>

Based on these requirements, the Growth Management Hearings Board reversed a county de-designation of agricultural lands of long-term commercial significance to put the land in an urban growth area.<sup>30</sup> The Board wrote:

The Board considers Benton County's de-designation of agricultural lands for this small section of land, in isolation from a much larger County or area-wide study to be inappropriate and, by de-designating lands that qualify as agricultural lands of long term commercial significance, the County violated WAC 365-190-050 and corresponding GMA sections RCW 36.70A.030, RCW 36.70A.050, and RCW 36.70A.170.<sup>31</sup>

<sup>25</sup> *Summary of Request and Analysis* on CPA 2018-03 the proposed Pasco UGA expansion p. 4 footnote 6 (8/24/2018 version).

<sup>26</sup> City of Pasco Determination of Significance and Request for Comments on the Scope of EIS for West Pasco/Broadmoor Development Master Plan accessed on Aug. 30, 2018 at:

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwi8xs---ZXdAhVJ6Z8KHdlQCMcQFjAAegQIABAC&url=https%3A%2F%2Ffortress.wa.gov%2Fecy%2Fsepar%2FMain%2FSEPA%2FDocument%2FDocumentOpenHandler.ashx%3FDocumentId%3D7222&usq=AOvVaw068HppT-H\\_lf\\_HgiBqF57v](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwi8xs---ZXdAhVJ6Z8KHdlQCMcQFjAAegQIABAC&url=https%3A%2F%2Ffortress.wa.gov%2Fecy%2Fsepar%2FMain%2FSEPA%2FDocument%2FDocumentOpenHandler.ashx%3FDocumentId%3D7222&usq=AOvVaw068HppT-H_lf_HgiBqF57v)

<sup>27</sup> RCW 36.70A.060(1); RCW 36.70A.060(4).

<sup>28</sup> RCW 36.70A.050(3).

<sup>29</sup> *Clark Cty. Washington v. W. Washington Growth Mgmt. Hearings Review Bd.*, 161 Wn. App. 204, 232 – 33, 254 P.3d 862, 875 (2011).

<sup>30</sup> *Futurewise v. Benton County*, EWGMHB Case No. 14-1-0003, Final Decision and Order (Oct. 15, 2014), at 37 of 38, 2014 WL 7505300, at \*23 – 24.

<sup>31</sup> *Id.* at 35 of 38, 2014 WL 7505300, at \*22.

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So, before the lands currently designated Agriculture in the Franklin County Comprehensive Plan can be included in a UGA for residential and other urban uses, a regional or areawide dedesignation analysis must be prepared. We have reviewed every page of the City of Pasco's UGA expansion materials and a regional or areawide dedesignation analysis is not included. In our professional opinion we are skeptical that an objective a regional or areawide dedesignation analysis would support the dedesignation of these lands.

If a complete land capacity analysis shows there is a need for a UGA expansion and given the omissions in the existing data documented above that is far from certain, we think the *Summary of Request and Analysis's* recommendation to focus on rural designations and to consider increasing residential densities are smart recommendations.<sup>32</sup> As it is now, the City of Pasco UGA expansion fails the requirements for dedesignating agricultural land and must be denied.<sup>33</sup>

### **The UGA should not be expanded into airport safety zones or in areas that limit future expansion of the Tri-Cities Airport**

RCW 36.70A.510 and RCW 36.70.547 require that "[e]very county, city, and town in which there is located a general aviation airport that is operated for the benefit of the general public, whether publicly owned or privately owned public use, shall, through its comprehensive plan and development regulations, discourage the siting of incompatible uses adjacent to such general aviation airport." The Tri-Cities Airport in Pasco is a major economic asset for Franklin County.<sup>34</sup> We agree with the Washington State Department of Transportation Aviation Division that "that the proposed expansion, if approved in its current form, would allow incompatible development adjacent to the Airport and would impeded future development and extension of Runway 12/30."<sup>35</sup> So the proposed City of Pasco UGA expansion is inconsistent with RCW 36.70A.510 and RCW 36.70.547 and must be denied.

Thank you for considering our comments. If you require additional information, please contact Alison Cable at telephone (206) 343 0681 Ext. 114 and email: [alison@futurewise.org](mailto:alison@futurewise.org) or Tim Trohimovich at telephone (206) 343-0681 Ext. 102 and email: [tim@futurewise.org](mailto:tim@futurewise.org).

Very Truly Yours,



Alison Cable  
**Tri-Cities Program Manager**

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<sup>32</sup> *Summary of Request and Analysis* on CPA 2018-03 the proposed Pasco UGA expansion p. 9 (8/24/2018 version).

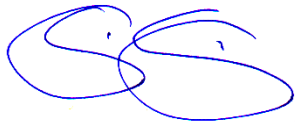
<sup>33</sup> *Futurewise v. Benton County*, EWGMHB Case No. 14-1-0003, Final Decision and Order (Oct. 15, 2014), at 35 of 38, 2014 WL 7505300, at \*22.

<sup>34</sup> Washington State Department of Transportation Aviation Division Letter to City of Pasco Community and Economic Development Department RE: Pasco's Proposed Expansion of the Urban Growth Boundary (UGB) 160 acres North West of the Tri-Cities Airport p. 1 (May 10, 2018) accessed on Aug. 30, 2018 at: [https://www.ezview.wa.gov/site/alias\\_1967/uga\\_applications/37285/uga\\_applications.aspx](https://www.ezview.wa.gov/site/alias_1967/uga_applications/37285/uga_applications.aspx) in the file "CPA 2018-03\_B\_PASCO\_UGA\_AVIATION\_CONSULT.pdf"

<sup>35</sup> *Id.*



Franklin County Planning Commission  
Subject: Comments on the proposed CPA 2018-03 (Pasco UGA expansion)  
August 31, 2018  
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Tim Trohimovich, AICP  
**Director of Planning & Law**

Enclosures

cc: Rick White, City of Pasco Community & Economic Development Director



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futurewise.org



November 8, 2018

Rick White, Community & Economic Development Director  
Community and Economic Development Department  
City of Pasco  
525 N. Third Ave.  
Pasco, WA 99301

Dear Mr. White:

Subject: Comments on the Determination of Significance and Scoping Notice for Plan/EIS for City of Pasco  
Comprehensive Plan Update  
Via email: Email: [whiter@pasco-wa.gov](mailto:whiter@pasco-wa.gov)

Thank you for the opportunity to comment on the Determination of Significance and Scoping Notice for the City of Pasco's Comprehensive Plan and Urban Growth Area Expansion. Futurewise works throughout Washington State on the implementation of the Growth Management Act (GMA). We work with local communities to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests and water resources. We have members across Washington State including the City of Pasco.

We support the City of Pasco Determination of Significance and the development of an environmental impact statement (EIS) to consider the impacts of the Comprehensive Plan and Urban Growth Area expansion on the built and natural environment. We support Alternative 3 in the City of Pasco Scoping Notice:

"Compact Growth Target: This alternative would allow for changes in the Plan to accommodate the 20-year population growth projection for Pasco allocated by the Office of Financial Management (OFM), and to capitalize on other development opportunities. In addition, alternative 3 will consider a growth pattern of higher density. It includes considering land use and policy changes to gain an increase in development capacity within the undeveloped and infill areas of the City. Under this alternative, the Urban Growth Area would be modified to the north of the City at a higher density/smaller area compared to Alternative 2 to accommodate future growth. It will consider land use and policy changes in order to maintain consistency with the GMA and the Countywide Planning Policies, and to accommodate growth."

We believe the Environmental Impact Statement (EIS) will show that this alternative will accommodate projected population growth and result in the least adverse impacts on the built and natural environment. We offer our recommendations for topics to consider in the EIS.





## The EIS should analyze impacts on affordable housing

Housing is an element of the environment.<sup>1</sup> Different alternatives may have different impacts on the affordable housing. For example, different alternatives may displace existing affordable housing which may be a significant adverse impact that should be analyzed in the EIS.

## The EIS should analyze the impacts on fire services and fire safety measures

Residential growth in the City of Pasco has increased the exposure of residents on the Wildland Urban Interface to wildfires.<sup>2</sup> Expanding the city onto agricultural and rural lands will increase this exposure. Fire services are an element of the environment.<sup>3</sup> The impacts of the alternatives and UGA expansion on community fire safety must be analyzed in the Draft EIS and mitigation measures identified such as: directing growth away from areas with a moderate to high wildfire threat level.<sup>4</sup> Another potential mitigating measure would be to require new developments to meet Firewise Communities Program standards or the equivalent.

The changing climate will also increase wildfires in the West including the City of Pasco. A recent peer-reviewed study showed that human caused global warming has made wildfire fuels drier and caused an increase in the area burnt by wildfires between 1984 and 2015.<sup>5</sup> Global warming's drying of wildfire fuels is projected to increasingly promote wildfire potential across the western US.<sup>6</sup> The area of this increase in drying fuels includes the City of Pasco.<sup>7</sup>

## The EIS should analyze the impacts on transportation

Transportation systems, vehicular traffic, the movement and circulation of people or goods, and traffic hazards are elements of the environment.<sup>8</sup> Air traffic is also an element of the environment.<sup>9</sup> The comprehensive plan and the urban growth area expansion has the potential to increase vehicle miles traveled and to increase traffic hazards. In addition, the urban growth area expansion will adversely impact the operations and expansion potential of the Tri-Cities Airport. The EIS should analyze the adverse impacts on the transportation system, including motor vehicles, air transportation, transit, walking, bicycling, and transportation safety. As required by RCW 36.70A.070(6)(iii), impacts on the state highway system should also be analyzed.

## The EIS should analyze the impacts on historic, cultural, and archaeological resources

Historic and cultural preservation are elements of the environment.<sup>10</sup> The Washington State Department of Archaeology and Historic Preservation has developed an archaeological predictive model that can predict where archaeological resources, a type of cultural resource, are likely to be located and where the department recommends archaeological surveys should be completed before earth disturbing activities and other uses and activities that can damage archaeological sites are undertaken.<sup>11</sup> The predictive model shows that Pasco and

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<sup>1</sup> WAC 197-11-444(2)(b)(ii).

<sup>2</sup> *Franklin County, Washington Community Wildfire Protection Plan* pp. 48 – 51 (Approved by the Franklin County Commissioners 2014) accessed on Feb. 26, 2018 at: [https://www.dnr.wa.gov/publications/rp\\_burn\\_cwpp\\_franklin\\_co.pdf](https://www.dnr.wa.gov/publications/rp_burn_cwpp_franklin_co.pdf)

<sup>3</sup> WAC 197-11-444(2)(d)(i).

<sup>4</sup> See the *Franklin County, Washington Community Wildfire Protection Plan* pp. 45 – 46 (Approved by the Franklin County Commissioners 2014) for the threat level map.

<sup>5</sup> John T. Abatzoglou and A. Park Williams, *Impact of anthropogenic climate change on wildfire across western US forests* 113 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA (PNAS) 11770 p. 11773 (Oct. 18, 2016) accessed on Nov. 15, 2017 at: <http://www.pnas.org/content/113/42/11770>

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at p. 11771.

<sup>8</sup> WAC 197-11-444(2)(c).

<sup>9</sup> WAC 197-11-444(2)(c)(iii).

<sup>10</sup> WAC 197-11-444(2)(b)(iv).

<sup>11</sup> Washington State Department of Archaeology and Historic Preservation WISAARD webpage accessed on Nov. 7, 2018 at: <https://dahp.wa.gov/historic-preservation/find-a-historic-place>.



the urban growth expansion area has a “high risk” and “very high risk” of cultural resources in these areas.<sup>12</sup> Land development can adverse impact these resources and the EIS should analyze the impacts of development authorized by the comprehensive plan and the UGA expansion on historic and cultural resources.

### The EIS should analyze the impact on water resources

Water including surface water movement, quantity and quality, runoff and absorption, groundwater movement, quantity, and quality, and public water supplies are all elements of the environment.<sup>13</sup> Water conservation and focusing growth into existing cities and towns can stretch water supplies and accommodate growth and it is important to reserve water for agriculture and value-added agricultural processing and manufacturing to maintain and enhance the county economy.<sup>14</sup> The development authorized by the comprehensive plan and the urban growth area expansions can adversely affect water and increase water use and runoff. This is a probable adverse impact on the elements of the environment s and should be analyzed in the EIS.

### The EIS should analyze the impacts on air quality and greenhouse gas emissions

Air quality is an element of the environment.<sup>15</sup> Elevated ozone level averages in the Tri-Cities for 2015 through 2017 exceeded the federal regulatory limit which could trigger sanctions from the Environmental Protection Agency. As a result, a joint study was conducted with the Department of Ecology, Washington State University, and Benton Air Authority, the Tri-Cities Ozone Precursor Study (T-COPS). The study found that elevated ozone levels are not caused by one source and that traffic emissions are a major source of air pollutants in the Tri-Cities<sup>16</sup>. Particulate matter from vehicle emissions, fires, and blowing dust contribute to unhealthy air quality that increase symptoms of asthma and heart disease. Weather, topography and wind directions contribute to high-levels of ozone in the Tri-Cities. Expanding the urban growth boundary will likely increase vehicle miles travelled and emissions. Development will increase dust. These are all probable adverse impacts on elements of the environment and should be analyzed in the EIS.

Climate is also an element of the environment.<sup>17</sup> Washington State enacted limits on greenhouse gas emissions and a statewide goal to reduce annual per capita vehicle miles traveled for light-duty vehicles. Comprehensive planning is one way to address both the reduction of greenhouse gases and vehicle miles traveled. Almost half of all greenhouse gas emissions in our state result from the transportation sector. Land use and transportation strategies that promote compact and mixed-use development and infill reduce the need to drive, reducing the amount of greenhouse gas emissions.<sup>18</sup> Expanding the urban growth boundary will likely increase vehicle miles travelled and emissions. These are all probable adverse impacts on climate, an element of the environment, and should be analyzed in the EIS.

Additionally, the U.S. Environmental Protection Agency (EPA) found that state and local governments can significantly reduce greenhouse gas emissions through land and materials management practices such as materials efficiency, industrial ecology, green design, land revitalization, sustainable consumption, smart

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<sup>12</sup> *Id.*

<sup>13</sup> WAC 197-11-444(1)(c).

<sup>14</sup> United States Environmental Protection Agency, *Growing Toward More Efficient Water Use: Linking Development, Infrastructure, and Drinking Water Policies* pp. 3 – 5, p. 8 (EPA 230-R-06-001: January 2006) accessed on Nov. 7, 2018 at: <https://www.epa.gov/smartgrowth/growing-toward-more-efficient-water-use>.

<sup>15</sup> WAC 197-11-444(1)(b)(i).

<sup>16</sup> Department of Ecology website, Air Quality Studies, “Tri-Cities Ozone Precursor Study (T-COPS)” <https://ecology.wa.gov/Asset-Collections/Doc-Assets/Air-quality/Research-Data/20171212TriCitiesOzonePrecursorStudy>, last visited November 6, 2018.

<sup>17</sup> WAC 197-11-444(1)(b)(iii).

<sup>18</sup> Climate Change - Washington State Department of Commerce <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/climate-change/> last visited November 5, 2018.

growth, pollution prevention and designed for environment.<sup>19</sup> Land use planning that encourages the use of transit, walking and cycling, and the creation of mixed-use urban centers can improve air quality by reducing automobile trips and congestion.

### The EIS should analyze the impacts on agricultural and rural land

The relationship to existing land use plans is an element of the environment.<sup>20</sup> The area proposed to be included in the urban growth area includes designated agricultural lands of long-term commercial significance and rural lands. Converting these lands to urban development will be significant adverse impacts that should be analyzed in the EIS.

### The EIS should analyze the impacts on priority habitats and species

The Washington State Department of Fish and Wildlife lists priority species and habitats and provides technical assistance on the designation and protection of these habitats. Plants and animals, habitats for and numbers or diversity of species of plants, fish, or other wildlife, unique species, and fish or wildlife migration routes are all elements of the environment.<sup>21</sup> The conversion of agricultural and rural land to urban development will adversely impact these habitats. The expansion of impervious surfaces will also harm aquatic habitats. These adverse impacts on these elements of the environment should be analyzed in the EIS.

The designation and conservation of priority habitats and species are important to residents who hunt, fish, and view wildlife. Outdoor recreation is estimated to contribute \$81,959,000 to the Franklin County economy, generating 1,114 jobs and paying \$5,942,000 in state and local taxes.<sup>22</sup> Protecting fish and wildlife habitats and rivers and streams will help maintain the economic benefits of outdoor recreation for Franklin County.

### The EIS must analyze the impacts on native plants

Native plants of the Columbia Basin have ecological, aesthetic, and historical value. The Benton-Franklin Conservation District Heritage Gardens of the Columbia Basin and Washington Native Plant Society educate the public on the value of native plants and help prevent the conversion and degradation of these local resources and wildlife habitat. “Unconverted areas are threatened by a negative feedback loop that combines disturbance, invasion of noxious weeds and more frequent fires. When fragile soils are disturbed and cryptobiotic soil crusts are removed, annual invasive species such as cheatgrass become established.”<sup>23</sup> The communities of native plants and wildlife that make up the iconic Columbia Basin shrubsteppe have been severely diminished. Today, less than 50% of Washington’s historic shrubsteppe remains, and much of it is degraded, fragmented, and/or isolated from other similar habitats<sup>24</sup>. For these reasons, we support the protection of Fish and wildlife habitat conservation areas designated in the Department of Natural Resources Washington Natural Heritage Program for endangered, threatened, and sensitive plant species.<sup>25</sup>

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<sup>19</sup> US Environmental Protection Agency, Office of Solid Waste and Emergency Response, 2009 “Opportunities to reduce greenhouse gas emissions through materials and land use management practices,”

<https://www.epa.gov/sites/production/files/documents/ghg-land-materials-management.pdf>

<sup>20</sup> WAC 197-11-444(2)(b)(i).

<sup>21</sup> WAC 197-11-444(1)(d).

<sup>22</sup> Tania Briceno & Greg Schundler, *Economic Analysis of Outdoor Recreation in Washington State* p. 83 (Earth Economics: 2015) accessed on April 5, 2018 at:

<https://www.rco.wa.gov/documents/ORTF/EconomicAnalysisOutdoorRec.pdf>

<sup>23</sup> Washington Native Plant Society, <https://www.wnps.org/ecosystems/shrub-steppe> last visited on October 23, 2018.

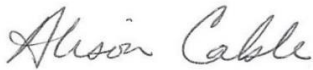
<sup>24</sup> Washington State Department of Fish and Wildlife Habitat Conservation or Species and Ecosystems Science, <https://wdfw.wa.gov/conservation/research/projects/shrubsteppe/> last visited November 2, 2018.

<sup>25</sup> Washington State department of Natural Resources relevant data set on Rare Plants and High Quality Ecosystems: [http://datawadnr.opendata.arcgis.com/datasets?group\\_ids=266f0b3bdc014f5ab2a96ad4ea358a28](http://datawadnr.opendata.arcgis.com/datasets?group_ids=266f0b3bdc014f5ab2a96ad4ea358a28)

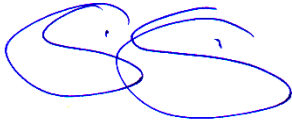
Plants and habitats for and numbers or diversity of species of plants and unique species are all elements of the environment.<sup>26</sup> The conversion of agricultural and rural land to urban development will adversely impact these habitats. These adverse impacts on these elements of the environment should be analyzed in the EIS.

Thank you for considering our comments. If you require additional information, please contact Alison Cable at telephone 206-343-0681 x114 and email: [alison@futurewise.org](mailto:alison@futurewise.org) or Tim Trohimovich at telephone (206) 343-0681 Ext. 118 and email: [tim@futurewise.org](mailto:tim@futurewise.org).

Very Truly Yours,



Alison Cable  
**Tri-Cities Program Manager**



Tim Trohimovich, AICP  
**Director of Planning & Law**

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<sup>26</sup> WAC 197-11-444(1)(d).