

Doug McIntyre

From: Ann M. Gygi <ann.gygi@hcmp.com>
Sent: Tuesday, July 28, 2020 4:03 PM
To: EIS
Subject: EIS scoping comment letter; Agency File No POL2020-00331
Attachments: Letter to David Pyle.pdf

[CAUTION - EXTERNAL EMAIL]

The attached EIS scoping comment letter is submitted in response to the City of Sammamish Scoping Notice issued July 7, 2020.

Thank you,

Ann M. Gygi

Hillis Clark Martin & Peterson P.S.

999 Third Avenue | Suite 4600 | Seattle, WA 98104

d: **206.470.7638** | 206.623.1745 | f: 206.623.7789

ann.gygi@hcmp.com | www.hcmp.com | vCard | view my bio

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July 28, 2020

Via Email: eis@sammamish.us

David Pyle, Director
Department of Community Development
City of Sammamish
801 228th Ave SE
Sammamish, WA 98075

Re: *Sammamish EIS Scoping Comments, POL2020-00331*

Dear Mr. Pyle:

We represent STCA, LLC, the largest single private property owner in the Sammamish Town Center. STCA appreciates the opportunity to provide the following comments on the EIS scoping for the City's concurrency standards.

1. *The proposal should be described in terms of the City's objective, so that the EIS can compare alternative means of achieving that objective.*

We note as an initial matter that the City has issued a Scoping Notice that does not clearly identify the proposal to be reviewed in the EIS. The Scoping Notice merely states that: City of Sammamish Comprehensive Plan Amendments include (1) Comprehensive Plan amendments intended to adjust the City's transportation Level of Service Standards (LOS) and related concurrency program, and (2) related Municipal Code amendments that implement amended Comprehensive Plan policy guidance. Municipal Code amendments are anticipated to be focused on Titles 14A and 21A SMC. That proposal is too vague. A well-defined proposal is essential to enable the public, Tribes, and other agencies to meaningfully evaluate and comment on the scope of possible environmental impacts that should be addressed in the EIS.

The need to describe the proposal with clarity and specificity is particularly acute given the context of the City's previous update to its concurrency standards. The City already adopted significantly expanded intersection LOS standards in September 2018. As stated in the attached Memorandum from Transpo, those standards are more rigorous and comprehensive than any other City or County in the State of Washington. The City Council never clearly articulated why, after adopting those expanded standards, it then chose to pursue additional concurrency standards in the form of V/C Standards throughout the entire City. We note that the City staff and City consultant at the time did not recommend going beyond the expanded LOS intersection standards. We are concerned that the Scoping Notice similarly fails to state what the City is trying to accomplish by "adjusting" its LOS standards. A general

goal of slowing or stopping the growth planned for and required under the current Comprehensive Plan is of course not proper under the GMA, yet the City has not thus far identified any other purpose for the new or adjusted LOS standards it will study in the EIS.

To allow more meaningful comment on alternatives, the City should state the proposal in terms of what, specifically, another new LOS standard is intended to achieve given that the City already adopted significantly expanded intersection LOS standards. Clearly stating the objective of additional concurrency standards is necessary to comport with SEPA regulations that encourage agencies to describe the proposal in terms of a stated objective to facilitate the comparison of reasonable alternatives to achieve the objective at a lower environmental cost. WAC 197-11-442. An appropriate statement of the City's objective, consistent with the GMA, would include having LOS standards that implement and are consistent with the City's Comprehensive Plan Land Use Element, that enable the City to meet GMA growth targets, and that promote a range of housing choices, including multi-family and affordable housing. Once the objective is clearly stated, the EIS should then identify a range of alternative transportation LOS standards for achieving that objective, and analyze the significant adverse environmental impacts of each alternative.

2. *The EIS should provide a range of alternatives, and must provide a meaningful comparison of the impacts of the alternatives.*

The EIS must provide a reasonable number and range of alternatives, including a "no-action" alternative. The City must define reasonable alternative means of achieving its objective, which the EIS can then meaningfully compare, regarding both the effectiveness of each alternative for meeting GMA goals and requirements, and its relative environmental impacts. In 2018 and 2019, multiple problems with the City's proposed V/C Standards were identified by Kevin Jones of Transpo and other commenters who recommended the City rely on its expanded LOS intersection standards (i.e., the no-action alternative). In an alternative that retains V/C standards, the EIS should include more than one set of V/C LOS standards for comparison with the no-action alternative.

a. The no-action alternative should analyze how the updated and expanded (2018) intersection LOS standards perform with build-out of the Town Center, assuming the current moratorium is promptly lifted. Travel times and concurrency performance should be calculated for comparison with other alternatives. The EIS should analyze the expected transportation system improvements associated with this LOS standard, assuming the City meets its growth targets by 2035.

b. If one action alternative is the set of V/C LOS standards that was adopted by Ordinance 02019-484, which was invalidated by the Growth Board, the EIS should analyze how a "corridor" standard of 1.1 and "segment" standard of 1.4 performs with build-out of the current 2035 growth targets, including the Town Center. Travel times and concurrency performance should be calculated for comparison with other alternatives. The

EIS should analyze the expected transportation system improvements associated with this LOS standard, assuming the City meets its growth targets by 2035.

c. The EIS should also include additional V/C standard alternatives, and analyze variations of V/C standards for possible adoption. Setting a V/C standard of 1.1/1.4 throughout the entire City may lead to significant impacts, including road improvements that are not only expensive, but result in greater impervious surface to create capacity that is underutilized for most of the day and may result in the construction of road improvements that are not actually needed. See generally the attached Memorandum by Transpo. The EIS should include an alternative with a higher set of V/C standards, such as 1.5 for corridors and 1.8 for segments, and analyze how that set of V/C standards performs with build-out of the Town Center and 2035 growth targets. In addition, it should be acknowledged that having one set of V/C standards for all roadways is overly simplified, and curing concurrency failures for a single set of standards may be very expensive. Another alternative could look at setting different V/C standards for different road corridors and segments, rather than a single set of standards for use throughout the City. Travel times and concurrency performance should be calculated for comparison with other alternatives. The EIS should compare the expected transportation system improvements associated with each of the alternative LOS standards, assuming the City meets its growth targets by 2035.

The attached memorandum from Transpo on behalf of STCA provides further discussion and recommendations for how concurrency standards should be analyzed in the EIS.

In summary, the EIS should include a range of alternatives, and among other things should identify travel times associated with each alternative when they are applied to growth that meets the City's 2035 growth targets. The EIS should identify the specific actions and requirements that would be needed to bring locally-owned transportation facilities or services into compliance with the LOS standard, if established. See RCW 36.70A.070(6)(a)(iii)(D). In this regard, we note that Sammamish Comprehensive Plan Goal CF.1 states: "Provide capital facilities and public services necessary to support existing and new development envisioned in the land use element." To meet Comprehensive Plan Goal CF.1, the EIS should study specific infrastructure improvements needed for each LOS alternative, and the potential timing and funding of such improvements to allow the City to meet its GMA obligations to accommodate allocated population growth.

3. *The EIS should acknowledge and analyze potential impacts to housing and the City's TDR Program.*

We note that the City's SEPA Environmental Checklist states that "neither the non-project proposal nor transportation improvements that might be proposed after adoption of this proposal would directly provide housing units." It should be acknowledged, however, that concurrency standards and associated transportation improvements do have an impact on the provision of housing units. Any changes in the City's adopted LOS standards can

simultaneously allow for, or block, new housing development, thereby increasing or decreasing planned housing units. Because it is reasonably foreseeable that under the “no action” alternative, or the alternative to raise the V/C LOS to 1.5 and 1.8, more housing units will also be provided, the EIS should consider the housing implications of any LOS alternative. Setting a concurrency LOS too low, so that it blocks housing development, would directly contradict the housing goals and growth targets in the Plan.

The EIS should compare transportation system capacity usage by housing type. During the years that the City has maintained a moratorium in place, development of detached single-family housing has significantly outpaced other types of housing, including multifamily housing. The EIS should disclose the relative impacts of different housing types on transportation system components. It should also disclose the equity and affordability impacts of different LOS standard alternatives, especially if the timing of new LOS standards shifts the costs associated with concurrency improvements to the multifamily sector.

The Checklist also suggests that the EIS will not study impacts of the proposal on nearby agricultural or forest resource lands. However, the Comprehensive Plan and City Code include direct support for these lands through the City’s transferable development rights (TDR) program. The EIS should study whether any of the LOS alternatives limit Town Center growth to the extent that they effectively prohibit use of TDR Credits consistent with the land use code and the City’s Interlocal Agreement with King County. The County paid for valuable parks and recreation projects in the City in reliance on the purchase of TDRs for growth in the City. The City has received a share of the funds the County has acquired through the sale of TDRs. The EIS should disclose any budget impacts to the City if it is required to reimburse King County for the funds the City has received through the TDR program or for the TDRs the County will be unable to sell if the City adopts LOS standards that effectively preclude the use of TDR Credits.

4. *The EIS should analyze how the LOS standards under review implement and are consistent with the Land Use Element of the City’s Comprehensive Plan.*

Concurrency LOS standards are required as part of the City’s Comprehensive Plan Transportation Element. The Transportation Element of the Comprehensive Plan is required to implement and be consistent with the Land Use Element. RCW 36.70A.070(6). The EIS should clearly disclose how different LOS standards support or impact the Land Use Element, and at what environmental cost. This includes the impact of the LOS standards on the capacity to achieve the growth targets incorporated into the Land Use Element. The City should also study the impact of the LOS standards on the capacity to achieve a higher growth target that may be assigned as part of the ongoing update to King County Planning Policies.

Alternative LOS standards will have different environmental impacts and mitigation measures. Because different transportation mitigation strategies themselves have impact on GMA policies and the environment, they should be discussed in the DEIS for public

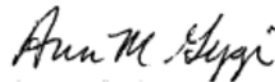
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comment. The FEIS should provide for the selected mitigation strategies to be incorporated with any adoption of new concurrency standards.

Finally, because the GMA provides that the Comprehensive Plan Transportation Element level of service standards for all locally owned arterials and transit routes should be regionally coordinated, RCW 36.70A.070(6)(a)(iii)(B), the proposal and each Alternative should be reviewed for coordination with the transportation systems of adjacent jurisdictions. In addition, SEPA requires that environmental impacts to adjacent jurisdictions be considered in the EIS. The EIS review should disclose how Sammamish LOS standards could impact land capacity, housing, and transportation facilities in adjacent jurisdictions.

Thank you again for this opportunity to comment on the scope of the EIS. We look forward to providing further comment as the City proceeds with additional opportunities for public comment and public participation as required under SEPA and the GMA.

Very truly yours,

A handwritten signature in black ink that reads "Ann M. Gygi". The signature is written in a cursive style with a loop at the end of the last name.

Ann M. Gygi

AMG:vjh
Attachment
E-Mail: ann.gygi@hcmp.com
Direct Dial: (206) 470-7638

MEMORANDUM

Date:	July 28, 2020	TG:	15020.00
To:	David Pyle and Doug McIntyre – City of Sammamish		
From:	Kevin L. Jones, P.E., PTOE – Transpo Group		
Subject:	Scoping Comments for Transportation Level of Service (LOS) & Capital Facilities Environmental Impact Statement (EIS)		

On July 7, 2020, the City of Sammamish invited public comment on the scope of the subject EIS. Please consider the following five (5) comments when scoping this EIS.

1. The No-Action Alternative is a fully adequate concurrency standard.

It is my understanding that the No-Action Alternative would be the expanded intersection LOS standards adopted by the City Council in September 2018. These standards involve an evaluation of future AM and PM peak hour conditions at 43 intersections throughout the City. This policy significantly expanded the previous policy in which future PM peak hour conditions were evaluated at 23 City intersections. In evaluating this No-Action Alternative, the EIS should recognize that this current policy is much more rigorous and comprehensive than any other city or county in Washington State. Depending on the intersection and traffic control, the current standards require that motorists experience no more than 25 to 55 seconds of average delay¹ during the two 15-minute periods of greatest weekday traffic demand. With such a thorough intersection LOS concurrency policy in place in terms of the number of intersections, time periods and LOS standards, it is unclear what adverse impacts would compel the City to consider additional LOS standards in the form of roadway volume-to-capacity (V/C) ratios throughout the City. For these reasons among others, the No-Action Alternative is a fully adequate concurrency standard and should be considered the preferred alternative.

2. The Action Alternatives should evaluate a range of possible V/C LOS standards and not be limited to a standard of 1.1 for corridors and 1.4 for segments as no two City roadways are necessarily alike.

As stated in detail in previous written comments, V/C ratios for the purposes of concurrency testing is not viable due in part to proven inaccuracies in the City's adopted roadway capacities. The V/C standards previously adopted by the City Council in Ordinance No. O2019-484 (which was invalidated by the Growth Management Hearings Board [GMHB]) apply to 70 different segments and 22 different corridors throughout the City. Many of the capacity number in these V/C standards have been shown to be inaccurate and significantly less than actual capacity as evidenced by the City's own traffic counts. Northbound Sahalee Way NE is one of many examples throughout the City. The City established a northbound capacity of Sahalee Way NE north of NE 37th Way at 951 vehicles per hour yet as many as 1,403 vehicles (or approximately 48 percent more) were counted northbound between 7:00 and 8:00 a.m. on Tuesday, May 2, 2017. For this reason and others, if the EIS will include V/C standard alternatives, the City should evaluate variable V/C standards for City roadways, including much higher V/C thresholds for roadways where the City uses a capacity number that is much lower than actual capacity. Given the extent of expanded intersection LOS standards, the City

¹ The average delay threshold is increased to 80 seconds for intersections along principal arterials which have three or more approach lanes in one or more directions. This applies to no more than four (4) signalized intersections in the City.

should also consider an alternative that involves V/C standards for fewer than 70 segments and 22 corridors.

3. The Action Alternatives should include a way to recognize capital improvements outside the City limits, particularly improvements that would increase the segment/corridor capacity of City roadways upstream.

Several transportation professionals agree that fixing the existing bottleneck at the SR 202/Sahalee Way NE intersection would have a huge effect on reducing congestion along this corridor during the weekday morning commute. However, due to the limitations in how the City would estimate roadway capacity under the previously adopted V/C standards, improvements at this intersection would not translate to greater capacity on Sahalee Way NE. In fact, under those V/C LOS standards, such improvements would cause V/C ratios to increase and result in the absurd: the measured concurrency failure on Sahalee Way NE would get worse despite more free-flowing traffic. This underscores why increases in roadway capacity should not be limited to segment or corridor improvements within the City alone but instead, should be flexible enough so that if improvements outside the City would increase capacity within the City, this is accounted for as well.

4. A range of 2035 traffic volumes should be forecasted for the No-Action and Action Alternatives to account for the effect COVID-19 may have on the long-term travel patterns and behaviors of Sammamish residents.

There's growing evidence that some of the changes that have been made during the current coronavirus pandemic may not be temporary. More and more companies and in particular, many local employers in high-tech and other industries, are listening to their workers and beginning to embrace telecommuting for the long term. This change in commuting patterns has the potential to affect future travel and consequently, may influence estimates of future traffic volumes in Sammamish. Given this uncertainty, it makes sense to develop a range of future traffic volumes for the No-Action and Action Alternatives and determine if the range of impacts would warrant implementation of the same mitigation measures or if different measures would be anticipated depending on the anticipated travel patterns and behaviors.

5. Any adjustments to the City's travel model should account for both vehicle and non-vehicle trips between adjacent Town Center transportation analysis zones (TAZs).

It appears that the EIS scope may include some adjustments to the way the City's model accounts for "shared" trips in the Town Center (i.e., trips within the Town Center). If so, it's imperative that it accounts for the number of shared vehicle and non-vehicle trips between these Town Center developments. In particular, it should be recognized that some non-vehicle (pedestrian/bicycle) trips will occur during the weekday peak hours and not accounting for these trips would overestimate the total number of new vehicle trips generated by a Town Center development and inappropriately inflate future traffic volumes on the surrounding roadway network.

Thank you for the opportunity to provide these scoping comments.

KLJ/

