

Kittitas County Conservation Coalition



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September 29, 2009

Ms. Anna Nelson, Lead Planner
Kittitas County Community Development Services
411 N Ruby Street, Suite 2
Ellensburg, Washington 98926

Dear Ms. Nelson:

Subject: Comments on the Upper Teanaway Subarea Plan
Send via e-mail to teanawaysubarea@co.kittitas.wa.us and U.S. mail

Thank you for the opportunity to comment on the Upper Teanaway Subarea Plan. These comments are jointly provided by the Kittitas County Conservation Coalition, RIDGE, and Futurewise. The Kittitas County Conservation Coalition works countywide to conserve the parts of the community we all care about including working farms and working forests. RIDGE is also active in Kittitas County supporting high quality development and working for sustainable ecosystems and sustainable economies. Futurewise is a statewide citizens' group with members in Kittitas County and throughout Washington State. Our mission at Futurewise is to promote healthy communities and cities while protecting working farms, working forests, and shorelines for this and future generations.

This letter first outlines our preferred vision for the Upper Teanaway, briefly explains why that vision makes sense, and identifies some concerns and opportunities that the planning process must address. Please include these comments and the compact data disk (data CD) enclosed with the paper original of this letter in the record for the Upper Teanaway Subarea Plan.

Vision

Our vision for the Upper Teanaway is similar to the adopted Kittitas County Comprehensive Plan. It includes the following features:

- The forest lands are designated as forest lands of long-term commercial significance. Through careful management they contribute to the regional economy and family incomes by sustainably growing and harvesting forest products, sequestering carbon, and providing the feed stocks for biofuels. These lands also serve as valuable wildlife habitat, and continue to be used by hunters, fishers, and other recreational users.
- The valley's productive farm lands and ranch lands are designated as agricultural lands of long-term commercial significance. They contribute to the regional economy and family incomes by providing food and fiber to Washington State and international markets.
- Rural lands have low densities consistent with the area's limited water resources, limited public facilities, limited public services, and rural character. The rural lands maintain the area's character, recharge ground water resources and maintain river flows, provide the opportunity for the rural lifestyles currently enjoyed in this area, and maintain the area's highly valued visual character.
- Fish and wildlife habitats and riparian areas are protected and help sustain the area's wildlife. The salmon and bull trout populations have recovered and are no longer designated as threatened.
- A transfer of development rights program encourages land owners to transfer their development capacities from fish and wildlife habitats, farmland, and forest land to the county's incorporated cities and the urban growth areas around them.

Why the Vision Makes Sense

Our review shows that the subarea's forest lands meet the criteria for forest lands of long-term commercial significance.¹ The lands are not characterized by urban growth, they are located in an area that has been used and can continue to be managed for the production of forest products, and they have long-term commercial significance.

Forest products are an important part of the Kittitas County economy. Currently, there is a custom milling operation in Kittitas County. There are two active lumber mills in Yakima County and several other mills in eastern Washington.² A stable land base is also needed to provide for additional investments in forest products processing mills.³

¹ Please see the enclosed paper *The Management of Resource and Rural Lands in Compliance with Washington's Growth Management Act* in Law Seminars International Growth Management Act (November 2006) for the criteria for forest lands of long-term commercial significance. Included on the data CD enclosed with the paper original of this letter with the filename: "Resource Lands and Rural Areas Oct 2006 Final 2.pdf."

² *Western Wood Products Association (WWPA) Lumber Buyers Guide [limited to Washington State]*. Accessed on September 29, 2009 at: <http://www2.wwpa.org/BUYERSGUIDE/tabid/294/Default.aspx> Enclosed on the data CD enclosed with the paper original of this letter with the filename: "WWPA Buyers Guide Sept 2009.pdf"

³ Washington State Department of Natural Resources, *The Future of Washington Forests* p. 80 (2007). Accessed on May 5, 2008 at: <http://www.dnr.wa.gov/ResearchScience/Topics/ForestResearch/Pages/futureofwashingtonsforest.aspx> and enclosed on the data CD included with the paper original of this letter with the filename:

While the current price for stumpage is low due to the severe recession, history shows that prices will turn around. There is also the potential for emerging markets in credits for carbon sequestration in well-managed forests, and emerging markets in biomass for renewable fuel production.⁴

Farming and ranching have long been mainstays of the Kittitas County economy, and continue to be. The most recent state economic analysis of Kittitas County summarized the contribution of the two sectors in this way:

The natural resource based industries continue to provide important employment and remain a vital part of the local economy. Agriculture in the rich Kittitas Valley is thriving. Its employment accounted for 7 percent of all covered employment in 2000. The manufacturing sector is also driven by the local natural resource base industries. The highest manufacturing employment is found in food processing, followed by lumber and wood products. Manufacturing in Kittitas County employed 700 workers in 2000.⁵

While some forest products operations have closed, some remain and food processing continues. Like forest products, the rich farmland in the Teanaway Valley meets the criteria for agricultural lands of long-term commercial significance.⁶ The lands are in an area that has been and can be used for the production of agricultural products, the lands are not characterized by urban growth, and the lands have long-term commercial significance.

In addition, the public facilities and services in the Upper Teanaway are very limited. For example, as is typical of forest lands, much of the planning area is outside of a fire district.⁷ Fire fighting services are necessary for rural and urban development. Access to the area is limited and other public facilities and services are limited too.

“em_fwfrecommendations.pdf.” We include the other chapters from *The Future of Washington Forests* as on the data CD as well.

⁴ C. Larry Mason, Richard Gustafson, John Calhoun, Bruce R. Lippke, and Natalia Raffaeli; *Wood to Energy in Washington: Imperatives, Opportunities, and Obstacles to Progress* pp. iv – vii (The College of Forest Resources, University of Washington: Report to the Washington State Legislature: June 2009). Accessed on September 23, 2009 at:

http://www.ruraltech.org/pubs/reports/2009/wood_to_energy/index.asp and included on the data CD enclosed with the paper original of this letter with the filename: “Wood_to_Energy_full_report.pdf.”

⁵ Washington State Employment Security Department, Labor and Economic Analysis Branch, *Kittitas County Profile* p. 1 (November 2002) available from:

http://www.workforceexplorer.com/admin/uploadedPublications/443_kittitas.pdf and included on the data CD enclosed with paper original of this letter with the filename: “443_kittitas.pdf.”

⁶ Please see the enclosed paper *The Management of Resource and Rural Lands in Compliance with Washington’s Growth Management Act* for the criteria for agricultural lands of long-term commercial significance.

⁷ Kittitas County Compas screen showing the fire districts in the vicinity of the Upper Kittitas subarea enclosed with the data CD included with the paper original of this letter with the filename: “Fire Districts Upper Teanaway Vicinity.pdf.”

Given both the existing opportunities and constraints, the vision outlined in this letter makes sense. We hope the subarea plan will adopt it too.

Concerns and Opportunities

We have many concerns that we believe the planning process should address. They include:

- The subarea plan must evaluate whether the forest lands in the area continue to qualify as forest lands of long-term commercial significance. However, since Kittitas County does not have Growth Management Act compliant criteria for designating forest lands of long-term commercial significance, this determination should wait until the criteria are adopted and found compliant.
- The subarea plan must evaluate whether the farm and ranch lands in the area qualify as agricultural lands of long-term commercial significance. However, since Kittitas County does not have Growth Management Act compliant criteria for designating agricultural lands of long-term commercial significance, this determination should wait until the criteria are adopted and found compliant.
- How the area would be served with public facilities and services and how they would be paid for? As we have documented, the area is served with few public facilities and services.
- How will access be provided? The existing rural county roads are not adequate to support much new development.
- Where would the water for rural or more intense development come from? As the Department of Ecology wrote in the Washington State Register when it adopted the emergency rule on July 31, 2009:

The Yakima Basin is one of the state's most water-short areas. Water rights with priority dates as old as 1905 were shut off during the 2001 and 2005 droughts, and during 2004 when USBR [United States Bureau of Reclamation] prorated May 10, 1905, water rights. The town of Roslyn's municipal supply and another 133 single domestic, group domestic, and municipal water systems throughout the basin are subject to curtailment when USBR prorates the May 10, 1905, water rights. Water supply in the Yakima Basin is limited and over-appropriated. Western portions of Kittitas County are experiencing rapid growth and this growth is being largely served by exempt wells. Exempt wells in this area may negatively affect the flow of the Yakima River or its tributaries.⁸

⁸ Wash. St. Reg. 09-16-075 accessed on September 23, 2009 at: <http://apps.leg.wa.gov/documents/laws/wsr/2009/16/09-16-075.htm> and enclosed on the data CD included with the paper original of this letter with the filename: "09-16-075 Ecology Fifth Upper Kittitas Emergency Ground Water Rule.pdf."

- What will be the impacts of the water use on senior water rights holders within the Yakima River basin?
- What will be the impacts on farmers and ranchers in the Teanaway River valley who depend on the Teanaway River for irrigation? In the past, natural low flows in the summer and fall and peak irrigation demands for water diversions from the Teanaway had resulted in the river being dewatered.⁹ Beginning in 1996, water leases and irrigation system improvements stopped the river from being dewatered.¹⁰ However, low flows continue to be a problem during low water years.¹¹ Over 1,000 acres of farm and rangeland depend on the Teanaway for irrigation water.¹² Increased water demand from increased development in the Teanaway basin will likely result in less water available in the river for irrigation, or a transfer of river water from irrigation to development and a conversion of farm and ranch land to other uses. We oppose these outcomes as they are contrary to the preferred vision for the Teanaway subarea.

This is a very real concern as the recent scientific investigation conducted by the U.S. Geological Survey concluded that wells pumping water from geological structures referred to as “basin-fill units” “may be reducing groundwater discharges” into rivers and streams.¹³ The USGS report classifies the lower Teanaway River valley as a basin-fill unit.¹⁴ So more wells pumping more water from this area may reduce the flow of ground water into the Teanaway River.

- What will be the impacts on river flows in the Teanaway and the fish and wildlife, riparian, and scenic resources the flows support? Will the increased water demand from increased development reduce river flows or dewater the river, adversely impacting the fish and wildlife, riparian, and scenic resources the river supports? Again, we oppose these outcomes as they will adversely impact the preferred vision for the Teanaway.
- What will be the carbon emissions generated by the loss of the forest and farmland carbon sinks, the potential loss of wetland carbon sinks, and the greenhouse gas emissions of the users of new developments that may be proposed in this area? Will

⁹ U.S. Department of the Interior Bureau of Reclamation, *Teanaway River Salmon Restoration Project Shows Remarkable Results as Fish Counts Increase* (January 06, 2003) accessed on September 24, 2009 at: <http://www.usbr.gov/newsroom/newsrelease/detail.cfm?RecordID=12401> and included on the data CD enclosed with the original of this letter with the filename: “Reclamation Teanaway River Salmon Restoration Project.pdf.”

¹⁰ *Id.*

¹¹ Washington Water Trust *Teanaway River* accessed on September 24, 2009 at: <http://www.washingtonwatertrust.org/projects/teanaway-river> and included on the data CD enclosed with the paper original of this letter with the filename: “WWT teanaway-river.pdf.”

¹² U.S. Department of the Interior Bureau of Reclamation, *Teanaway River Salmon Restoration Project Shows Remarkable Results as Fish Counts Increase* (January 06, 2003).

¹³ Vaccaro, J.J., Jones, M.A., Ely, D.M., Keys, M.E., Olsen, T.D., Welch, W.B., and Cox, S.E., *Hydrogeologic framework of the Yakima River basin aquifer system, Washington* p. 81 (U.S. Geological Survey Scientific Investigations Report 2009–5152: 2009). Accessed on September 24, 2009 at: <http://pubs.usgs.gov/sir/2009/5152/> and included on the data CD enclosed with the paper original of this letter with the filename: “sir20095152.pdf.”

¹⁴ *Id.* at p. 72.

these impacts be mitigated? If so, how? Will the proposed subarea plan contribute its fair share of the greenhouse gas emissions reductions necessary to meet the requirements in RCW 70.235.020? RCW 70.235.020 mandates the following greenhouse gas reductions in Washington State:

- Return to 1990 GHG emissions levels by 2020.
 - Reduce emissions 25 percent below 1990 levels by 2035.
 - Reduce emissions 50 percent below 1990 levels by 2050.
- Kittitas County did not update its critical areas regulations as the Growth Management Act required by December 1, 2007. It is now a year and ten months since that deadline and county has not apparently even began this work. What are the environmental impacts of allowing development in the subarea with the out-of-date critical areas regulations? Will the subarea plan provide increased protections to critical areas and increased protection to people and property that might otherwise be located in critical areas? We oppose development in the subarea plan if the development would only “comply” with the county’s obsolete critical areas regulations, since those obsolete regulations are not compliant with the GMA.
- What will be the other impacts on the environment of development in this area?
- What will be the impacts of the subarea plan on recreational use of the area?
- What will be the social impacts of the subarea plan and the development it may authorize?
- What will be the impacts on the county’s weak housing market of increased opportunities for rural or urban housing development in the subarea? What will be the other economic impacts of the subarea plan?
- The “more urban approaches in appropriate locations” and fully contained communities, two alternatives mentioned on the county’s resolution on the subarea plan, require that there be an allocation of urban population growth.¹⁵ However, the counties existing urban growth areas already exceed the county’s urban population growth projection. What urban growth areas will be reduced in size to allow these alternatives?

In contrast to these concerns, the continued use of this area for forestry, ranching, and farming coupled with the new economic opportunities presented by revenues from carbon credits from carbon sequestration and a potential market for biofuels are significant economic opportunities. These are opportunities that would have fewer public and private costs. For example, road improvements will not be necessary to sell carbon credits from the carbon sequestered on the forest land. We also believe the county’s proposed transfer of development rights has potential for success.¹⁶ These opportunities should be analyzed as part of the subarea planning process.

¹⁵ RCW 36.70A.110 & RCW 36.70A.350(2).

¹⁶ The maps prepared for the program identify the Teanaway subarea as having potential as a transfer of development rights sending area under this program. *See Transfer of Development Rights Initiative: Private Working Forest Lands, Kittitas County, Washington* accessed on September 23, 2009 at:

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Thank you for considering our comments. If you would like more information please contact us.

Sincerely,

Kittitas County Conservation Coalition

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RIDGE

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Enclosures

http://www.co.kittitas.wa.us/cds/current/landuse/Proposed%20Transfer%20of%20Development%20Rights%20Program/PrivateWorkingForestLandowners_Kittitas_Poster.jpg and enclosed on the data CD included with the paper original of this letter with the filename:

“PrivateWorkingForestLandowners_Kittitas_Poster.jpg;” *Transfer of Development Rights Initiative: Program Central Kittitas County Water Rights and Farmland Soils*, accessed on September 23, 2009 at:

http://www.co.kittitas.wa.us/cds/current/landuse/Proposed%20Transfer%20of%20Development%20Rights%20Program/WaterRights_Kittitas_poster.jpg and enclosed on the data CD included with the paper

original of this letter with the filename: “WaterRights_Kittitas_poster.jpg;” & *Transfer of Development Rights Initiative: Working Agricultural Lands, Kittitas County, Washington*, accessed on September 23, 2009 at:

http://www.co.kittitas.wa.us/cds/current/landuse/Proposed%20Transfer%20of%20Development%20Rights%20Program/AgriculturalLands_Kittitas_Poster.jpg and enclosed on the data CD included with the paper original of this letter with the filename: “AgriculturalLands_Kittitas_Poster.jpg.”