



November 25, 2019

Sent via electronic email to: kcexec@kingcounty.gov, rod.dembowski@kingcounty.gov, reagan.dunn@kingcounty.gov, pete.vonreichbauer@kingcounty.gov, larry.gossett@kingcounty.gov, kathy.lambert@kingcounty.gov, joe.mcdermott@kingcounty.gov, jeanne.kohl-welles@kingcounty.gov, dave.upthegrove@kingcounty.gov, claudia.balducci@kingcounty.gov, erin.auzins@kingcounty.gov, karen.wolf@kingcounty.gov

Dow Constantine
King County Executive
401 5th Ave., Suite 800
Seattle, WA 98104

RE: Opposition of Sammamish Valley Land Use Code | King County Ordinance 2018-0241

Dear Mr. Constantine,

Orca Conservancy and its 30,000+ members and supporters stand in opposition of King County Ordinance 2018-0241.

Orca Conservancy is a volunteer 501c3 Washington State nonprofit working on behalf of *Orcinus orca* the killer whale, and protecting the wild places on which it depends. Our urgent attention is on the 73 remaining critically endangered Southern Resident killer whales (SRKWs) that inhabit the waters of Washington State and who rely on healthy, wild Chinook salmon populations for their survival. Orca Conservancy also works towards increasing prey resources, reducing the accumulation of marine toxins, including the destruction of salmon spawning and nearshore habitats; nurseries of the Salish Sea.

First and foremost, there has been NO State Environmental Policy Act (SEPA) to determine the impact to King County. Instead, King County issued a Determination of Non-Significance (DNS) on their own SEPA checklist WITHOUT an environmental study.

SEPA rules direct state and local agencies to:

- Consider environmental information (impacts, alternatives, and mitigation) before committing to a particular course of action.

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- Identify and evaluate probable impacts, alternatives and mitigation measures, emphasizing important environmental impacts and alternatives (including cumulative, short-term, long-term, direct and indirect impacts).
- Encourage public involvement in decisions.
- Prepare environmental documents that are concise, clear, and to the point.
- Integrate SEPA with existing agency planning and licensing procedures so procedures run concurrently rather than consecutively.
- Integrate SEPA with agency activities at the earliest possible time to ensure planning and decisions reflect environmental values, avoid delays later in the process, and seek to resolve potential problems.

As one of the largest regional governments in the United States and the most populous county in Washington, King County bears responsibility to restore and protect the natural resources that the Southern Resident killer whales depend on.

Currently, the proposed Ordinance 2018-0241 (Winery/Brewery/Distillery Regulations) seeks to allow unlimited events with excess parking on rural parcels leading to overland pollution, surface water pollution, ground water pollution, trash, noise, etc. This will then be disrupting streams and rivers and further degrading water quality that our endangered aquatic species such as Chinook salmon rely on for migration within the Snoqualmie, Cedar and Sammamish Rivers.

Rebuilding stream habitats for our endangered Salmonid species which travel to and from spawning and rearing habitats, the Issaquah hatchery, and by using the Sammamish River as a major migratory route must be a mandatory and funded action. Restoration is not only vital, it is less expensive than when done in urban areas.

It's extremely frustrating to be working towards *Salmonid* recovery -- with the greater goal of assisting with the endangered Southern Resident killer whale recovery -- only to be met with an ordinance that goes against everything the Growth Management Act (GMA) was designed to protect.

The Sammamish River corridor is very similar to the story of many of our urban streams and urban rivers. We are dealing with a watershed where more than half the aquatic habitat has been lost. Currently, the in-stream conditions lack necessary diversity, and the channels and the substrates have been altered and no longer suitable for spawning habitat in many of the areas. Water temperatures are elevated along with nutrients and pollutants. Flows have been altered from flooding in the winters and lower water levels during the summers -- all of which impact our fish and wildlife species.¹ While many of these fish are returning to the Issaquah hatchery, if we continue with the current trajectory the majority of these fish will continue to die due to a continued increase of poor conditions in fresh water before these fish even have a chance in reaching the ocean.²

"King County is committed to protecting and restoring clean water and healthy habitat in support of whale recovery. We are continuing to make significant investments in land and water conservation, habitat restoration, wastewater treatment, storm water management and pollution clean-up. In addition to our long-

¹ 2019 November. One Bothell. <https://onebothell.org/ufiqs/acquire-wayne-golf-course-for-environmental-restoration-to-contribute-to-the-recovery-of-endangered-species/>
² 2002. Sammamish River Corridor Action Plan Final Report. Chapter 2. Existing Conditions in the Sammamish River Corridor

term commitment to salmon recovery, the primary food source of the Southern Resident killer whales, King County is accelerating habitat protection through our 30-year Land Conservation Initiative, the Fish Passage Restoration Program, investing in forest health, and partnering with other local governments and Tribes to strengthen climate resiliency of our natural systems.”³

In closing, Orca Conservancy strongly opposes Ordinance 2018-0241. We request that before King County City Council approves this ordinance they instead issue a full environmental review which includes impact considerations on the river, salmon, storm water runoff, water temperatures, and ecosystem.

Sincerely,



Shari L. Tarantino
President

³ 2019, November 7. Dow Constantine, King County Executive. Public comment, SRKW expansion of critical habitat.