

# Memorandum

**DATE:** October 6, 2009

**FROM:** Michael L. Darland — SnoCadia PUD

**TO:** KCCDS Planning Department, KC Planning Commission, KC County Commissioners, Prosecuting Attorney's Office and Snoqualmie Public Utility District (SPUD).

**SUBJECT:** Written follow-up to my comments made in Workshop Meetings #1 and #2 held in Snoqualmie Pass at the Summit at Snoqualmie West regarding the incompatibility between the proposed Limited Area of More Intensive Rural Development (LAMIRID) Boundary and the Snoqualmie Pass Public Utility District (SPUD) Water and Sewer District Boundary.

I attended both public workshops mentioned above and commented on several topics. Chief among them is the incompatibility in the planning relationship between Kittitas County and SPUD—the two municipal corporations with local planning and implementation authority on Snoqualmie Pass. Both Kittitas County and the SPUD municipal corporations are organized and operated under policy direction of local elected officials. Both municipal corporations have a direct impact on land use and taxes from the perspective of landowners on the Pass. If a taxpayer has been assessed for delivery of water and sewer service and is eliminated from being in an area planned for development, it is not the duty of the landowner to coordinate a coherent policy approach to private property rights and equal protection under the law.

My chief concern, as a property owner whose property is within the SPUD municipal water and sewer district, is that the long range planning effort of the *2009 Comprehensive Plan Compliance Project* (Compliance Project) be consistent with the plans of SPUD, the other municipal corporation that legally affects my property. SPUD is statutorily authorized and required to undertake long range planning and plans, adopt such plans, assess and collect taxes within the planning area, construct and operate the public water and sewer infrastructure in conformance within their long range planning district.

Plans now being developed in the Compliance Project have a long range planning horizon date of 2025. Based on existing plans, including the SPUD's adopted water and sewer district plan, land use, zoning and population forecasts, the Compliance Project will establish the land use area that can be developed

during the next 15 years. Any land area outside the area adopted at the conclusion of the Compliance Project, has little or no chance of being developed.

Once a development boundary of any type is established, be it a LAMIRID, Master Planned Resort (MPR), or an Urban Growth Area (UGA), the intent of the Growth Management Act (GMA) is to prohibit growth or development outside of that boundary. At this point in the Compliance Project planning process, the two alternative LAMIRID's are "live" alternatives and represent a clear and direct statement of potential public policy, which could be adopted by Kittitas County. The two LAMIRID boundaries however completely disregard and ignore longstanding publically promulgated adopted assessment plans, infrastructure plans and water and sewer district boundaries of the SPUD municipal corporation. These plans and assessments of the SPUD have the force of law upon those properties within them.

In the first Workshop I was assured by various persons conducting the meetings and those responsible for the planning that the Compliance Project planners had met with SPUD officials and had taken the adopted plans and assessed land areas of SPUD into consideration in the formulation of their planning alternative boundaries. **Irrespective of that fact, the two LAMIRID alternatives did not then and do not now include approximately thirty (30) percent of the SPUD water and sewer hookups in the entire SPUD district.** My property for instance was assessed and has paid for more than ten (10) percent of the total water hookups for the entire pass wide water system. However, it was among those properties excluded from the LAMIRID plan alternatives without any planning justification or explanation on the part of the Compliance Project staff. Nevertheless, It remained one of the potential alternatives presented in the second workshop as well.

Following the second Workshop meeting, I called SPUD and spoke with Mr. Terry Lenihan, its General Manager. I asked him if the municipal sewer and water district boundaries had been changed or modified by the elected officials on his board. He told me that his Board made no changes to water district boundaries or to the water and sewer plan of the municipal corporation he manages. He informed me that the current plan update process is dedicated to building out the plan, which they have adopted and assessed. The BUILDOUT PROJECTION PLAN is attached, as is the Compliance Project Option S1 for the LAMIRID's.

The two uncoordinated LAMRID Plan municipal plans are being presented to the Kittitas County Commissioners and Planning Commission. The LAMIRID plans as drawn and proposed eliminate longstanding municipal water and sewer service areas and installed infrastructure from further and future development. No reasons or professional work product exists to justify eliminating a major

portion of the SPUD water and sewer district or have the economic impacts from so doing been documented or explained by any professional planning criteria. Normally, one or more principal planning determinates, population estimates, or long-range planning and economic studies would underpin such a major decision. Further, some documentation of the work product produced jointly with SPUD and its effect on the economic impact on the water and sewer infrastructure revenue forecasts resulting from the exclusion of a major portion of the anticipated district revenue stream would be analyzed and set forth.

A key element in the formulation of GMA plan compliance is existence of a planning, budgeting and operating agency such as SPUD within the growth area plan. Such a municipal agency plans for, implements and operates municipal water and sewer services to support urban growth WITHIN a growth boundary. SPUD is such an agency on Snoqualmie Pass—yet the LAMIRID plan alternative disregards SPUD planning, its water and sewer district boundaries and its assessed properties without comment or justification. The SPUD water and sewer district has been a fundamental part of long range comprehensive planning, property tax assessments, infrastructure installation and operations on Snoqualmie Pass since 1970. Planning for water and sewer, including the area the Compliance Project has omitted, predates the existence of GMA act itself. The SPUD long-range plan, by statute, has undergone review and approval by federal, state and local agencies, including Kittitas County for almost 40 years.

A very brief history of the existence of SPUD'S existing water and sewer plans in the Snoqualmie Pass are as follows:

- The area within the SPUD municipal water and sewer district has been in place for almost forty- (40)-years but was excluded from the LAMIRID. Title insurance on properties excluded from the LAMIRID carries the following exceptions and reservations in the title instrument. *Resolution No.70-17 by the Kittitas County Sewer District No. 1 dated November 4, 1970,Recorded September 28, 1977 in Volume 89, page 771, under Auditor's File No.416762, Annexing; said property as a part of the Kittitas County Sewer District No.1.* This notation is carried on the title insurance of the SnoCadia PUD
- The first 38 sewer hookups on the SnoCadia property were assessed in 1973 by SPUD.
- The first sewer trunk line and two man holes were installed in 1973 and can be located in Coal Creek on the east side of the SnoCadia PUD and along the forest service road near the SnoCadia PUD.

- The first 230 water hookups were assessed the SnoCadia PUD in 1987 with the founding of the Snoqualmie Pass Wide Water and Sewer District.
- The water trunk line, with adequate water pressure for fire flow, was extended and installed to the north of Interstate 90 Exit 54 at the western terminus of the USFS frontage roadway in 1987.
- In September 2005, 192 more sewer hookups were granted the SnoCadia PUD by SPUD together with 15 year Certificates of Availability with a tolling feature pending the extension of the water and sewer trunk lines to the boundary of the SnoCadia PUD.

This infrastructure was in place prior to 1990. As is the case with comprehensive plans for infrastructure, the planning, assessments and installation is accomplished well before the final build out of the property otherwise it would not be a long range plan.

A staff person who is assisting the county in the Compliance Project planning informed me that the GMA requires structures on the land prior to 1990. Long-range infrastructure plans would not be long range if they were completely built out within three years of the completion of the long-range plan. I spoke with a staff person from the Prosecuting Attorney's Office at Workshop Meeting #2 informing him that the two plans were out of compliance with one another. He said that he would look into this matter. The public suffers from a lack of clarity on this matter and I encourage the County to examine this matter carefully.

Two additional planning matters should be reviewed as related to completeness on Snoqualmie Pass.

- The Growth Management Act specifically provides that recreational and other high traffic areas, which attract large transient populations on a regular basis, augment Office of Financial Management (OFM) population numbers in planning land use and zoning to accommodate the lodging and services required for the additional transient population. Snoqualmie Pass is one of a few areas in Washington State that can and should use transient population estimates in long-range land use planning studies. These additional population pressures provide potential job and tax opportunities from the standpoint of economic development as well. Snoqualmie Pass, served by the state's only cross mountain Interstate 90 Highway and within one-hour or less driving time from the entire population of Washington State **should be using transient population estimates to supplement OFM population estimates as drivers of development needs**. The current planning effort does not do so. These

additional population estimates are especially important since, **currently**, up to 30,000 persons visit the Pass on weekends.

- The Snoqualmie Pass Compliance Project planning effort uses a 2025-planning horizon **but takes no notice of important State Legislation with the broad goals of reducing annual per capita vehicle miles traveled by 2050**. The planning effort lends no support to implementation of RCW [47.04.280](#) and [47.01.078\(4\)](#). Important benchmarks have been established to fulfill the stated goals of *executive order 07-02*. By 2020, vehicle miles of travel are to be reduced by eighteen (18) percent and by 2035 by thirty (30) percent. The planning horizon for the Pass falls within the twenty percent reduction range—at least.

- This following example is not to be taken as definitive, but rather as illustrative. Assuming an average of 3 persons per vehicle there may be 10,000 vehicle trips each way to and from the Pass on a weekend because of limited areas for overnight accommodations and services. If a twenty percent reduction in vehicle miles of travel each way to and from Snoqualmie Pass were to be achieved by providing facilities and services to allow recreationalists to overnight on the Pass, then eight thousand persons in 2025 would be in need of overnight accommodations. **There is no indication that any type of planning for this important dimension of the plan has been considered or is taking place. To the contrary, one alternative of the plan would eliminate approximately one third of the planned and serviced area of the SPUD Municipal water and sewer district in the LAMRID plan alternative.** The area removed from the SPUD water and sewer district is currently planned, zoned and serviced with water and sewer to provide Commercial — Lodging facilities yet it is being removed from the plan without justification or explanation.

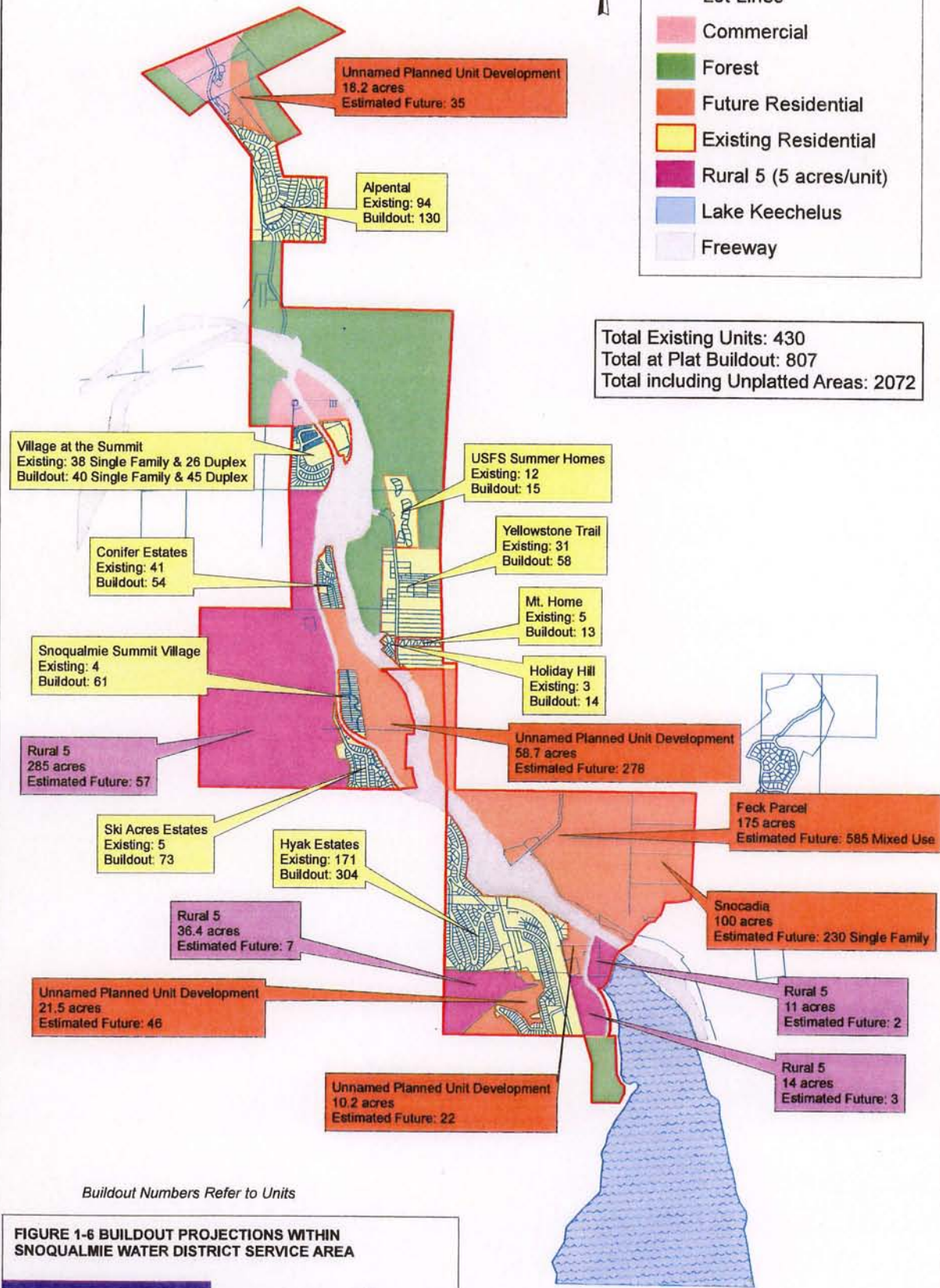
○ The two other major plan alternatives—Master Planned Resort and the Urban Growth Area do include the boundary of the SPUD water and sewer district. In the interest of this being placed in the meeting record this evening I will terminate my comments here.



### Legend

- Service Area Boundary
- Lot Lines
- Commercial
- Forest
- Future Residential
- Existing Residential
- Rural 5 (5 acres/unit)
- Lake Keechelus
- Freeway

Total Existing Units: 430  
 Total at Plat Buildout: 807  
 Total including Unplatted Areas: 2072



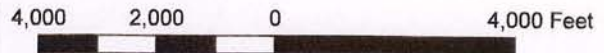
Buildout Numbers Refer to Units

FIGURE 1-6 BUILDOUT PROJECTIONS WITHIN SNOQUALMIE WATER DISTRICT SERVICE AREA

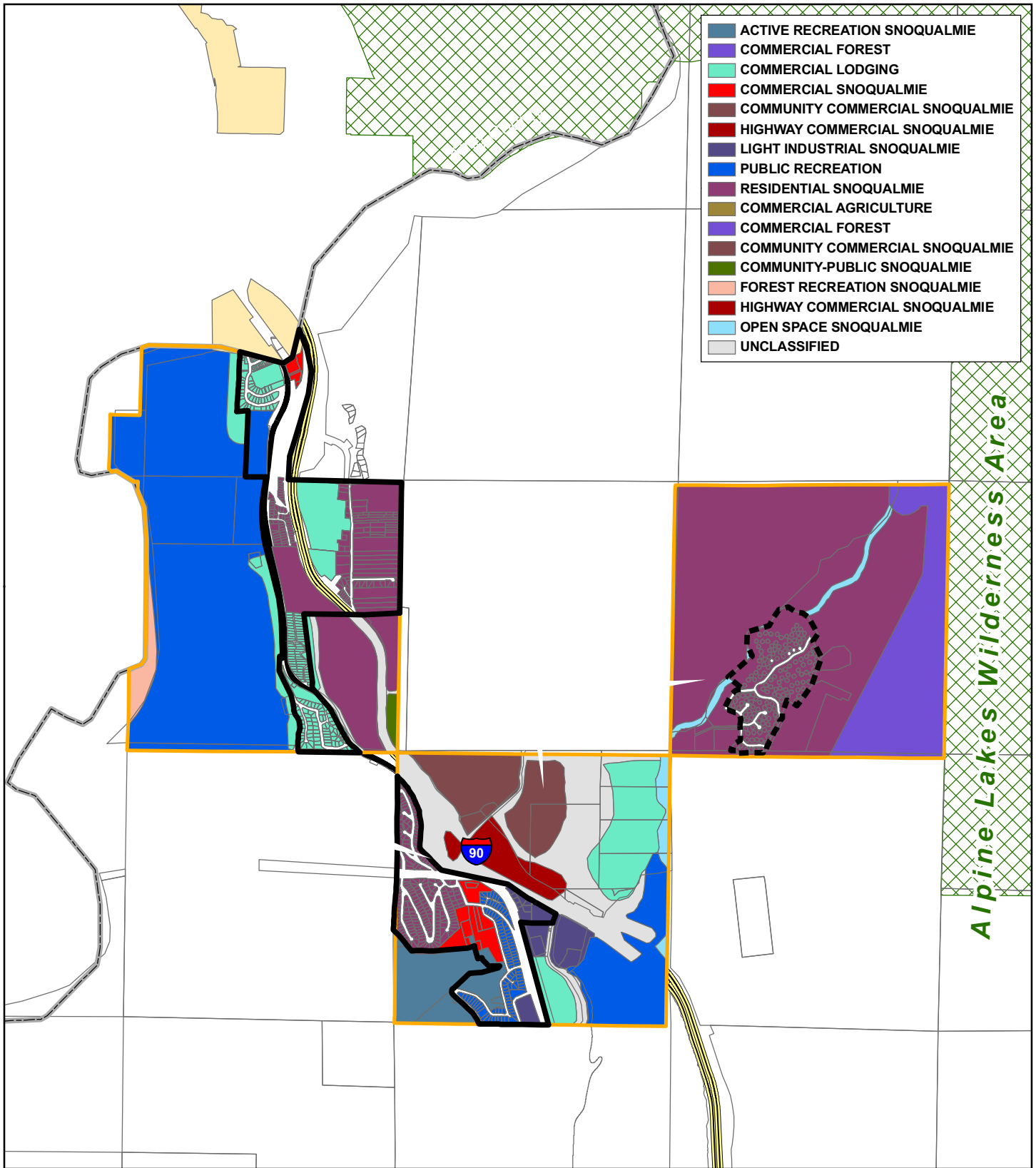
BROWN AND CALDWELL



SNOQUALMIE PASS UTILITY DISTRICT







**Figure 6-1 - Recommended Land Use Designations  
Snoqualmie Pass Option S1 - Type 1 and Type 2 LAMIRD**