

GMVUAC Oral Testimony Before the King County Council

Ordinance 2013-0481 Approving a Development Agreement with Yarrow Bay, January 27, 2014

My name is Peter Rimbo. I am speaking on behalf of the Greater Maple Valley Unincorporated Area Council (GMVUAC). We represent over 18,000 unincorporated Rural Area residents and serve as an advisory body to you, the King County Council. We have been in existence for over 35 years and predate the incorporation of both the cities of Covington and Maple Valley.

The Ordinance before you is *not* the culmination of 20 years of effort since the signing of the Black Diamond Urban Growth Area Agreement--BDUGAA. Rather it is culmination of about 20 weeks of effort whose clear and ultimate outcome is the need to change King County Code to allow - *and set a dangerous precedent of* - siting urban-serving and urban-driven facilities outside the Urban Growth Area with little public benefit to Rural Area residents. In this case, a large Rural Area Stormwater Retention "Lake."

In return for this precedent-setting outcome the County would receive several *purported* Public Benefits: Solution to occasional flooding of nearby Horseshoe Lake; a rural trail easement through a clustered urban-like subdivision; and some fragmented Open Space.

Over 90% of the runoff the precedent-setting "Regional Stormwater Retention Facility" would handle would come from the massive 4,800-unit Master-Planned Development in the nearby City of Black Diamond.

Needless to say, KC Code doesn't allow this:

KCC 21A.08.060(B)(8) states the following (with our emphasis): *"Private stormwater management facilities serving development proposals located on commercial/industrial zoned lands shall also be located on commercial/industrial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated urban in the King County Comprehensive Plan shall only be located in the urban area."*

So, new KC Code would have to be written to allow this precedent-setting urban-serving facility in the Rural Area.

The Ordinance calls for an oversized stormwater facility (much, much larger than just needed for the aforementioned Rural Area runoff and flooding issues) that the County would be obligated to own and maintain, unless Interlocal Agreements (ILAs) are secured with both the City of Black Diamond and YarrowBay, the developer for both the Reserves at Woodland and the MPDs.

The City of Black Diamond recently communicated to the Executive and the Council that the City is under no obligation to take ownership and maintenance responsibility of such a facility, nor, if it did take ownership and maintenance responsibility, is it under any obligation to accept non-urban water. This alone should compel the Council to reject this Ordinance.

Bottom Line: Approving this Ordinance and its planned follow-through puts the County in the precarious position of hoping for and relying on the consummation of future highly improbable ILAs to get it off the hook for the ownership and maintenance of a large "Regional Stormwater Retention Facility" located in the Rural Area to primarily serve the City of Black Diamond and help enable its massive MPDs. Also, should the Council approve this Ordinance, it will set a precedent for locating urban-serving and urban-driven facilities in the Rural Area. Our constituents, who also are your constituents, will not stand for that.