

September 9, 2020

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KC Rural Area UACs/UAA/ Organizations (seven)

**Subject:** GMVUAC Issues/Questions

In response to King County's Department of Local Services (DLS) request, the Greater Maple Valley Unincorporated Area Council (GMVUAC) provides the following list of key *Issues/Questions*. We hope, by providing our list 1 week prior to our September 16 Annual Greater Maple Valley/Cedar River Community Service Area (CSA) Town Hall, DLS will have sufficient time to prepare responses and present them at the Town Hall.

Below we have organized our *Issues/Questions* by topic areas that correspond to our three major subject-matter committees: Environment, Growth Management, and Transportation. We provide status of each item and specific requests of DLS.

We have cc'ed our fellow Rural Area Unincorporated Area Councils (UACs), Unincorporated Area Associations (UAAs), and Organizations with which we work—most recently on the *KCCP Mid-Point Update*, as we expect they too might have some issues similar to ours, either regionally or locally, though on different topics/projects.

We appreciate your attention to these *Issues/Questions*. Thank you.

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## Environment

1. **Cedar Hills Regional Landfill (CHRLF)**—A Draft Environmental Impact Statement (EIS) that evaluates “*action*” and “*no action*” alternatives, as well as options for relocating support facilities currently at the landfill, will be out for public review and comment in September. **Will the draft EIS have the public scoping comments and Solid Waste Division (SWD) responses?** Earlier a Survey was sent to nearby residents requesting opinions on moving the facilities to an area near the Renton Transfer Station. **What area was included in this survey and what impacts were considered when selecting the area to send the survey?** Finally, what was the result of the survey?

We have participated in many Public forums, submitted comments on the *2019 Comprehensive Solid Waste Management Plan*, and met and spoken with King County officials. **However, we see no acknowledgement of the myriad issues identified with the current landfill site, nor any real path towards solving them.**

2. **Queen City Farms (QCF)**—

- a. In May 2020 we submitted detailed comments on the Phase III gravel pit refill project based on the 2019 revision of the Technical Information Report (TIR). The review was limited due to lack of access to either the Phase I or Phase II refill permit application documents, as well as Landau Associates' (LAIs') 2007 TIR for the Queen City Farms Refill Project. While QCF can reclaim (refill) the mined areas, they can't restore the pre-mining hydrology or, especially, the hydrogeology. The *trichloroethylene* TCE groundwater plumes at the Superfund site will probably be impacted to some extent, and additional groundwater monitoring wells will likely be needed. The stormwater control measures may not be adequate to manage future peak flows, especially in the decades before

the various areas become meaningfully revegetated. Any permit issued should require a contingency plan to enable QCF to upgrade the stormwater detention capacity quickly if needed. **What is the status on this?**

- b. In July 2020 we submitted detailed comments to the US EPA on its proposal to partially delist soils at QCF. We recommended the deletion document note the likely presence of *dioxins* and *furans* in undisturbed soils near the Final Containment Cell (FFC) is a significant unknown. Should residential use ever be allowed in this area, even far into the future, these areas near the FFC should be evaluated for *dioxins* in near-surface soils before such a land-use change is approved. Before finalizing the deletion, EPA should evaluate whether the 1994 Record of Decision (ROD) cleanup level for *polycyclic aromatic hydrocarbons* (PAHs) is still protective. If it's not, the confirmation sampling results from the Buried Drum area outside the FFC should be re-evaluated to see if that area still meets risk-based cleanup levels. **This further compounds our concerns about contemplated potential future uses of the Superfund site.**

**3. Erickson Trenchfilling—Record No. GRDE18-0114**—Erickson first submitted a permit application in September 2018 to fill-in additional trenches at its site in Ravensdale. We and local residents had many concerns about allowing this proposal to move forward in its then-current state and submitted detailed comments to DLS Permitting. After nearly two years we see a revised Permit Application was submitted based on DLS Permitting concerns. A Determination of Non-Significance was issued by DLS Permitting and shortly thereafter, on August 13, 2020, DLS Permitting issued Erickson a permit to fill additional trenches. Although Conditions on that permit have been posted, the actual permit language has not. In addition, DLS Permitting directed this would be a Type 1 permit, thus requiring citizens to work through King County Superior Court. The issues related to Erickson's past trench filling are many and cannot be detailed here. However, there are several issues related to the current permit that have not been addressed—here are but a few:

- a. The permit approves filling of *G-Trench*, which represents a serious risk for major runoff/sediment flows directly into fish-bearing public waters. Such an approval is a complete reversal of the 2009 *consensus decision* that this trench should NOT be filled, due to sensitive wetlands issues. This change in direction is predicated on a new wetlands evaluation by new consultants (Soundview Consultants) that is materially different from prior evaluations—both prior and current evaluations were done by Erickson's paid consultants, and both were "*Trained by Dept. of Ecology (DOE)*," which lead to significantly narrower buffers enabling more fill within this trench. DLS had stated it was going to enlist DOE to help *mediate* wetlands evaluation disagreements between KC and Erickson's new consultants, but we see no evidence it has done so. This complete reversal from prior decisions raises the question whether DOE has even been requested to corroborate Soundview Consultants' evaluation of Wetland G (i.e., Buck Lake).
- b. The permit approves filling of *I-Trench*, which is a totally different site than original application and, thus, the Public has had no opportunity to comment. This new site contains some environmental sensitivities that may not have been considered; and the fill site also falls ~40% on Burlington Northern right-of-way.
- c. The permit approves filling of *K-Trench*, which the geotechnical engineers indicated should not be filled, yet Permit Conditions require compliance with geotechnical engineer recommendations—a fundamental inconsistency within the permit.

We find little evidence the concerns raised by us and members of the Public were addressed by DLS Permitting—this is most discouraging. Further, given the lack of code and permit enforcement specifically with this Applicant and this site over the years, we are very leery about the recently approved permit, which is not posted, only the 30 conditions imposed. **We seek documentation on the rationale behind issuing the Determination of Non-Significance (DNS). We seek a copy of the Permit issued on August 13, 2020 (not simply the conditions already posted). Further, we seek DOE's "buy off" on Soundview Consultants' wetlands evaluations.**

## Growth Management

**1. Materials Processing Facilities**—KC Code Title **21A.06.742 Materials processing facility** allows industrial-scale operations, such as "*materials processing facilities*," in the Rural Area: "**21A.06.742 Materials processing facility. Materials processing facility:** A. A site or establishment, not accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials." We do not want to see any industrial-scale operations, such as industrial-scale farming or industrial-scale livestock operations located or allowed in the Rural Area. **We seek revision of this Code section in order to meet the King County Comprehensive Plan policies on the Rural Area.**

**2. Issaquah-Hobart Rd / Cedar Grove Rd Intersection Commercial Site Development Permit (CSDP)**—What is the status? We identified issues with the Neighborhood Business zoning KC Code/KCCP on August 29, 2017. DLS Permitting was working draft Code changes (e.g., mixed uses only *inside* UGA/Rural Town) for a late 2020 KCC Omnibus package. A DNS was issued on February 10, 2020, with the CSDP expected at end of February 2020. **What is the status of the CSDP? What is the status of the potential KC Code changes?** Contacts have been DLS Permitting Division Director, Jim Chan, and Legislative/Policy Analyst, Christine Jensen (Code Changes).

3. **Ravensdale Up-Zone—Parcel 302207-9009**—On August 11, 2020, we submitted detailed comments on this permit application to up-zone this parcel from RA-10 to RA-5. KCCP Policy **R-306a** states zoning of RA-10 should be used where the property is within 1/4 mi of designated Forest Production District (FPD). This clearly is not met, as FPD lands are directly south of the subject property across Kent-Kangley Rd. That land is owned by King County Parks as part of the Ravensdale Retreat Natural Area and is zoned Forestry (F) and is within the designated FPD. Given standard roadway lane widths of 12 ft (2 lanes x 12 ft = 24 ft), adding in 6-ft wide shoulders (2 shoulders x 6 ft = 12 ft), and assuming some County Right-of-Way (ROW) of 10 ft on each side (2 ROWs x 10 ft = 20 ft) gives a total of ~ 60 ft (note: i-Map scales this as ~88 ft). This is more than an order of magnitude less than the 1,320 ft in a “1/4 mile.” Thus, the requested up-zone directly violates Policy **R-306a** and KC Code **Title 21A.04.060 Rural area zone. 3**. “...*The RA-10 zone is also applied to lands within one-quarter mile of a forest or agricultural production district or an approved long-term mineral extraction site.*” **Why are such blatantly illegal requests even processed by the DLS Permitting Division? Does the current permit application review process allow DLS Permitting to simply tell an applicant what it is trying to do is illegal?**

## Transportation

1. **Gravel Extraction Operation**—There are several gravel operations along Lake Francis Rd. DLS Roads Division has promised to provide us with Haul Route Agreement for the newest permitted operation: Elk Heights, but never has done so. We also were promised a “*Holistic*” Study of Lake Francis Rd—also never provided to us. Roads Division Director, Rick Brater, made the commitments to us back in March 2020. **We seek both these documents.**

2. **Ravensdale Intersection**—The intersection at Kent-Langley Rd and Landsburg Rd has known safety issues recognized by the Roads Division. Roads has stated it is currently working to fix whatever safety issues within its current budget, as there is no budget for either an earlier proposed roundabout or stoplight for years to come. **We would like to know what safety features will be added to that intersection, and when.** In addition, **we would like the County and our local representatives to advocate more strongly for funding so that a permanent solution—increasing safety and solving congestion issues at this intersection—can be implemented within a few years.**

3. **Erickson Trenchfilling—Haul Route Agreement (HRA) L08CGT060**—This has grown to a ~1.3M-cu-yd project, representing ~72,000 haul trips through rural Ravensdale and neighboring communities. Numerous calls for a traffic-impact study of this project have been raised since the beginning of the project in 2008. And yet we find no evidence this issue has ever been addressed. **We seek the approved HRAs, both past and current.**