

## **APPENDIX Q**

### **Comments on Draft Farm and Forest Report**

**Some of the reviewer comments included in Appendix Q refer to issues reported about in the minutes of the Advisory Committee Meetings. A copy of the minutes is located at the Natural Resources Division of King County.**

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January 31, 1996

To: Gene Duvernoy  
Land & Environmental Services  
1150 - 19th Ave. East  
Seattle, Wa. 98112

From: Doreen Johnson *D. Johnson*  
31404 S.E. 392nd  
Enumclaw, Wa. 98022

Re: Draft Rural Forest Report

This letter is to clarify my thinking on the sections of the Draft Forestry Report which were sent to the citizen committee members. My initial written comments were mailed to you on October 30, 1995 when I thought there would be at least one more committee meeting. Since there apparently will be no meeting, the only other reviewer comments I've read are those made by Karen Walter representing the Muckleshoot Tribe. My additional comments and concerns are explained below.

(1) The Draft Report is a consultants' report, with the citizens' committee acting in an advisory capacity only. This should be made clear in the introduction. The only disclaimer I found was on page 5 of Chapter 6 which states re incentives: "In the last analysis, however, these recommendations are the responsibility of the consultant team." Second, if this were to be a committee report, the committee would need to review and accept the report as a committee. This was not done. Third, to the average reader the use of "team" and "committee" were used repeatedly and without clarification, superficially appearing synonymous. In reality, most committee members represented employers or constituencies; therefore, it is very important that our positions not be blurred or misrepresented, or else our names should not be included in the report.

(2) There were two goals for this Rural Forestry effort: (a) Conserve the forest land base in King County's Rural Zone, and (b) Prepare an incentive package to encourage/expedite Goal (a) above. Chapter 2 explains the concept of "Rural Farm and Forest Districts" and encouragement through "incentives and additional zoning protection". That explanation is satisfactory. However, Chapter 3 starts with the statement that the criteria were applied by the consultant team and citizens to the 61,000 acres of Rural forest land. That is an incorrect statement. Throughout the committee process, I pushed unsuccessfully for getting the GIS and on-site work initiated because I consider that a vital first step. Without site specific natural resource information, it is difficult to justify district boundaries; whereas with good information, outreach to affected landowners is much more likely to be successful. On that same first page of Chapter 3 is the statement that "the team encountered open hostility from landowners" re possible "downzoning". At the two Black Diamond public meetings I did not hear hostile remarks, and as an affected property owner I am not hostile to the concept. An inaccurate statement such as that seems to form the basis for the report's emphasis on incentives only, whereas I believe the districts concept is at the heart of the program. Some property owners will welcome districts, and some will be hostile. When the GIS and site analysis is completed, then outreach can begin to assess landowners' goals and facilitate mutually acceptable management plans. Chapter 3's brief two plus pages discusses values of designating and procedures for additional designations but does not accurately describe where we are now and what needs to be done to get where

APPENDIX Q

we want to be. Late in the process some of us agreed there was no time to do the district work in 1995. However, we did not agree to drop the district work, just push it into 1996. (This void since has been addressed in a separate 1996 workplan devised by county staff and interested committee members.) Thus the major concept of Rural Forest Districts, which has been carried forward from the GMPC's Rural Character Task Force to the Comprehensive Plan to your contract gets only brief and incomplete treatment in the Draft Report, insufficient for a potential Rural Forest District landowner to understand and pin any long-range planning upon it. Then in Chapter 6, page 6 the Rural Forest Districts are correctly diagrammed as being at the center of the incentive program, but it still is not clear to an affected landowner what the so-called "districts" are all about and what the landowner's status is re districts.

(3) A third major concern is that this Draft Report is being mis-interpreted or misused. Because of its major weakness as described in (2) above, it is being presented as an incentives package only. Therefore, I have felt compelled to say publicly that I don't believe the Draft necessarily represents the thinking of the committee and that it is a consultants' report only. The fact that we have no knowledge of reviewers' comments on the Draft nor closure as a committee only increases my desire to distance myself from the final product.

(4) Chapter 6 - "A Strategy to Preserve Forests and Forestry" is the longest and strongest part of the report. Along with commendations to your team, I have some concerns. On pages 3-4 re the ranking of "Barriers To Conserve Forest Lands" says the committee agreed on these. I am not in agreement that "Critical" is the level of important re current and future regulations. Property and inheritance taxes and lack of knowledge by small forest landowners are far more important in my ranking. The same applies on page 12 re regulatory certainty. There is a difference between a "Forestry Commitment Agreement" and a "Habitat Conservation Plan". The latter is being publicly debated statewide at this time and presumably will be resolved and become a reality. That is why I encouraged a model small landowner HCP be done cooperatively with the State Dept. of Fish and Wildlife. However, most forest management plans I've seen primarily were harvest plans, would not merit regulatory certainty, and in fact would make it impossible for a county to agree to regulatory certainty when federal and state laws would over-ride. The same applies re the Shorelines Management Act where King County correctly invoked its shoreline jurisdiction and then grants permit relief based on site-specific characteristics and information. (See my Oct. 30 letter.) Therefore, it is incorrect to say there was committee consensus.

(5) Obstacle 7, page 25, re optimal management units. I strongly support this concept and am in agreement with the Draft Report. However, not mentioned was the value of including adjacent, willing, small-acreage landowners who can be the protectors and the buffering properties to make forest management feasible. If not included in the Forest District, Current Use Taxation is not available for such landowners and the "highest and best use" tax rate often forces plat division.

(6) Pages 34-35 and Chapter 7 on "Implementation". Again, I reiterate that "fee acquisition" with the \$2.5 million was not a consensus decision unless the term is clarified to recommend purchase of development rights as the top priority.

(7) Pages 42-43 re "licenses" for special resource and environmental purposes. There was consensus that this concept offered possibilities. The term "license" is misleading to the general public, who are most familiar with auto and business licenses which costs them money, where as for these the funds would go the other way to the private landowner. One industrial forest company has a "Special Places in the Forest" program for similar land set-asides. I believe that phrase more correctly describes to the public what the concept is.

(8) Chapter 7 re "Implementation". If this is the concluding chapter on Forestry, again I would point to the deficiencies noted in Comment (2). When no districts have been established, how can they be monitored? Until the GIS and outreach is done, how can realistic monitoring be done? As I recall committee discussions, for some areas a combination of zoning and incentives might be more useful. How can the Comp Plan policy re zoning be ignored? In the final paragraph, to be correct I think you can only say the comprehensive incentives strategies are a study team recommendation but not a committee recommendation. I personally do not intend to make a decision on this divisive topic until all the information is in from GIS, site inspections, outreach to landowners, and all possibilities explored for cooperative projects with other county projects and programs.

In conclusion, these comments are intended as an Addendum to my Oct. 30 letter, and I support Karen Walter's two comments letters also. Since there has been no committee meeting, I am assuming our comments will be addressed in the Final Report. The body of work compiled by your team re tax incentives, funding sources, and inheritance taxes were especially helpful. However, I have concerns that to readers it will seem like a financial windfall for a few large industrial landowners, and perhaps it will be just that. Remember the question asked on this very issue at the first Black Diamond meeting? I hope the problems can be worked out. I remain committed to conserving Rural Zone forests in King County.

31404 SE 392nd  
Enumclaw, Wash. 98022  
December 26, 1995

Nancy Laswell  
King County Natural Resources Dept.  
Smith Tower, Seattle, Wa.

Dear Ms. Laswell:

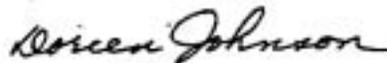
This letter is to express again my support for the Rural Forestry project proceeding in 1996, starting in January.

As you know, I have been one of the Citizens' Committee working with staff on the 1996 workplan and timeline. One of the Committee's disappointments was that GIS analysis and "ground-truthing" of the proposed study areas were not carried out in 1995. Since we consider it the essential next step, it is proposed for the first months of 1996.

In addition, a proposed \$200 million Open Space bond issue is being studied, under a project led by Gene Duvernoy. He and I have communicated about the possibilities of: (1) recommendations from the Rural Forestry Committee being incorporated into the Open Space proposal, and (2) a Rural Forestry component becoming a part of the bond proposal itself. To do either or both of these, the GIS analysis, etc. of the proposed Rural Forest Study Areas would need to be done in the first quarter of the new year to meet deadlines for the bond proposal. Also, recommendations on the \$3 million already approved for Rural Forestry could be coordinated with the Open Space proposals to result in more effective natural resource protection.

I realize the consolidation/reorganization makes this a challenging time for administrators and thus difficult to commit immediately to all components of our work plan. I also appreciate that you are interested in our program. I remain committed to the necessity for quick approval of the GIS, etc. component to start the second week of January as planned and to be coordinated with the Open Space bond proposal. I have promised Duvernoy that I would assist in the coordination. If there is any way I can be of assistance to you in expediting the project and getting quick approvals for continuing the necessary work as outlined, please let me know.

Sincerely,



Doreen Johnson



**MUCKLESHOOT INDIAN TRIBE**  
**FISHERIES DEPARTMENT**



**Memorandum**

**DATE:** November 9, 1995

**TO:** Gene Duvernoy, Land Use and Environmental Services

**FROM:** Karen Walter, Watershed Coordinator, *KW*  
Environmental Division

**RE:** Forestry Incentives Report

**CC:** Derek Poon, King County and Doreen Johnson, WEC

I have enclosed my comments to the report excerpts dated October 27. I would appreciate it if you could modify the report to incorporate these comments. If there is disagreement with the comments, then we should discuss them prior to the report submittal. I will be unable to represent the Tribe as a participant if the report does not address the concerns outlined below.

With respect to the incentive chart, my comments from October 19th still apply and should be incorporated into the final version.

Although we were on a short time frame, I think that the Advisory Committee made some progress towards resolving the forest land conversion issue. Again, it is disappointing that we were unable to review the GIS maps in detail and designate the districts. I look forward to continuing the work initiated and hope that the Tribe will have the opportunity to work directly with the County on this issue.

I. Values Statement

1. The recharge of aquifers statement should be modified to include the maintenance of baseflows of streams and wetlands since this is another function that aquifers provide. The universal criteria in Chapter One does not restrict the consideration of aquifer recharge areas that are vital to water quality or help reduce flooding.

II. Chapter Two

1. The section describing the policies used when considering rural farm and forest district designations is not clear. Are these policies from King County's Countywide Planning Policies (which implies King County and its cities approval) or are they from the King County Comprehensive Plan? It is important to document where these policies came from for future reference and justification.

## II. Chapter Two (cont.)

### 2. Study area characteristics of forest lands.

Subsection D. should be modified as follows:

"4. designation by WDF/W, the federally-recognized Indian Tribes, and federal agencies as providing critical fish and wildlife habitat." There areas outside of the Waterways 2000 program, the wildlife habitat network, and the resource significant areas that provide critical fish and wildlife habitat. The three identified programs have not been determined by the agencies that have management authority over fish and wildlife resources.

## III. Chapter Three

1. The first paragraph is misleading. Although the Tribe and other committee member requested that opportunity to review data, there was no "thorough" review of available data, GIS analysis, site visits, and an aerial tour by the committee. If the staff and consultant teams did such an analysis, it should be stated as such with a reminder that the committee did not review such an analysis. There areas within the Forest Production District that are proposed to be changed to other uses should have been reviewed by the committee before being transmitted to the County Council.

2. Since Figure 2 was not included in the review packet, it cannot be analyzed to see if how it compares to the study area map already adopted by Council. We recommend that the adopted study map and Figure 2 be the same maps until a thorough analysis can be done to determine the parcels that should be designated in the study area.

3. The fourth bullet in the 'Value of Designation' section should be modified by removing the word "preservation" and adding the term "forest land base conservation".

## IV. Chapter Four

1. There should be maps that accompany each of the described landscapes.

2. The descriptions of the landscapes of rural King County still need improvement. Generally the forest and aquatic resources in each landscape is threatened by development in the surrounding area, not just Bear Creek. Each section should be modified appropriately. Furthermore, the goal to "retain the forest buffers which protect aquifer recharge areas and streams, retard surface water runoff, and prevent sedimentation and pollutant loading to sensitive areas" should be stated for each landscape.

3. The term "district" is used throughout the landscape descriptions without clearing defining its meaning or distinguishing between the existing agricultural and forest production districts. It may be better to continue to use the term "district study area" since the actual study areas are not being designated.

4. The goals for incentives in the Bear Creek landscape do not recognize that forestry is a desirable land use in this basin. While it may be desirable to take some land out of active forestry and preserve it as open space, it may not be possible to preserve all areas. There may be areas which cannot be preserved where forestry is a more desirable land use than other more intensive uses. Environmentally-sensitive forestry should be encouraged in Bear Creek.

IV. Chapter Four (cont.)

4. The southern portion of the Mountains to Sound landscape needs to be modified by noting that Carey and Holder Creeks are designated as Regionally Significant Resource Areas in the adopted Issaquah Creek Basin Plan. There is also a draft watershed conditions report for May Creek which should be consulted for additional information.
5. The Cedar River landscape should be modified to discuss the condition of the landscape, not the upstream portion that was not considered as part of the rural forest district. The basis plan and our previous comments should be consulted for additional information. Rock Creek, a tributary within the forest district study area, was selected as a Waterways 2000 priority reach.
6. The description section of the Kent Valley agricultural study area should be modified to include discussion of the fish and wildlife resources within this area. A change to more intensive uses may preclude the opportunity to do stream and wetland restoration which is critically needed throughout the Green River and its tributaries from Auburn to Seattle.

Chapter Six

1. A major difference between farming and forestry is that King County has aggressively pursued the preservation of farms and has let the forests converted to non-forestry uses without a fight. King County should have pursued conserving forest land for several reasons:
  - a) The lands in the forest production district are more likely to be constrained by access and environmental issues than the lowland areas.
  - b) It is likely that the lowland areas are more productive than those in the production district.
  - c) There is significantly more acreage identified as forests than farm land.
  - d) Mature forest retain a lot of water which reduce flooding and the need for stormwater capital improvements.
2. The description of "life-style" forestry should be modified by noting that several of these parcels have existing homes (page 4).
3. The description of "commercial" forestry should be modified by noting that these are several parcels comprising 1,000 acres or more than are held by large industrial landowners such as Plum Creek and Weyerhaeuser.
4. On page 7, under next steps, the first step should be modified by stating that the Executive and Council agree with the concept of the forestry commitment agreement.
5. There is probably a need to develop a right to forest law; however, this law should not be drafted in such a way that people or affected parties cannot take action to stop or modify a practice that will harm personal or public resources. The term "accepted" forestry practices needs to be defined, too.

Strategies

6. The sentence on page 10 under the cost section does not make sense. Perhaps the word "the" should be eliminated.

Chapter Six- Strategies (cont.)

7. In subsection a on page 12, the sentence discussing coho should be modified as follows: "For instance, if Puget Sound coho salmon stocks are listed, then it could affect rural land owners."

I agree that the success of the program may depend in part on providing landowners with regulatory certainty through something like the forestry commitment; however, I cannot agree with the consensus statement as it is written. The statement reads as if the only thing blocking such an action is agreement from state, tribal, and federal governments, not the landowners commitment to avoiding short and long term impacts that lead to, in part, to changes in regulations. Throughout the committee meetings, I have indicated that there are certain data and information requirements to address site specific and cumulative impacts that should be met before, we could support a forestry commitment agreement.

8. The bulk of the discussion on modifying existing regulations is not applicable to the rural forest lands and should be eliminated from the report.

We do not believe that regulations such as shorelines are redundant. However, there are inconsistencies in the administration of regulations. For example, local jurisdictions are allowed flexibility in their administration of shorelines. King County does not have exactly the same requirements as Auburn as does Issaquah. The SMA allows these differences. The main inconsistency stems from how the Department of Natural Resources informs applicants of existing regulations such as shoreline and hydraulic project approval requirements which are administered by other agencies. Furthermore, there are inconsistencies between King County and the Department of Natural Resources as to how waterbodies are classified and protected.

9. Class II, III, and IV(G) permits should be stated as such to be consistent with the Forest Practices terminology.

10. The other main difference between IV(G) and II or III permits, is that IV(G) permits must go through SEPA before they are approved. The only way a Class II or III permit can be approved for a legal conversion is if the site meets King County's Sensitive Areas Ordinance requirements or the site has been restored per King County requirements. The sentences on pages 13 and 14 regarding this issue are misleading.

11. The issue involving the 1960 rule is that this date does not necessarily reflect the actual conditions on the ground nor the landowners intent. There are lands that were platted before 1960 where the landowner already has a house on site and is seeking to convert the land to another use such as pasture or orchards which may or may not be required to get a Class IV(G) permit. Another example is the property owner that wants to take down some "hazard" trees on already developed property without replanting them and is issued a Class II or III permit. My experience indicates that the DNR is inconsistent as to which type of permit they require which may make the 1960 rule ineffective.

I don't think that there was consensus from the committee on this issue and it shouldn't be stated so.

12. I am not convinced that encouraging increased development while allowing forestry to continue on remaining parcels while conserve the forest land base. Furthermore, there are environmental issues raised in my October 19th letter which must be addressed before I could support such a proposal.

The transfer of development rights should be encouraged in the urban zone before it is used in the rural zone. There are properties within the urban area that are not currently zoned to the maximum potential (since 1995 Comprehensive Plan amendments for examples) which could be increased if King County could develop the mechanism and public outreach programs to do so.

The annual monitoring described on page 32 must include a time frame and be a part of King County's benchmark program.

13. The mitigation banking section on page 39 should be modified by including the Muckleshoot Indian Tribe in the section on the Mill Creek Special Area Management Plan (we're a member) and to include the Tribe in the section on inventorying and determining which lands should be preserved in cooperation with King County and other agencies. Again, there are other agencies responsible for the management of fish and wildlife resources than King County.

14. The concept of allowing licenses to provide for restoration or additional protection needs to be explored in more detail (pages 42-42). There was no consensus on this issue.

15. I am not convinced that we should encourage non-forest uses exclusively on rural lands (pages 44-45) and I don't think that there was consensus on this issue. These uses need to be narrowly defined before we should make such a recommendation to Council.

16. There should be more recent information than 1991 regarding King County's revenue from the timber tax (page 45).

17. On page 46, the report discusses the Bureau of Land Management Revenues. How does King County receive revenues without having BLM land in its jurisdiction? Perhaps these revenues should be from the US Forest Service. If these revenues are from the BLM, then the report needs to document those revenues from the US Forest Service.

#### Chapter Seven- Implementation

1. There is too much money being allocated toward the implementation of the farming program when there is more acreage involved with the forest lands. I cannot concur with the proposed allocation.



King County  
Department of Development  
and Environmental Services  
3600 - 136th Place Southeast  
Bellevue, Washington 98006-1400

November 9, 1995

TO: Craig Larsen, Director, Parks, Cultural & Natural Resources Department (P,C & NR)

FM: Bob Derrick, Director, Development & Environmental Services Department (DDES)

RE: DDES Comments on Farm and Forest Report

DDES staff have completed a review of the report "Farm and Forest, A Strategy for Preserving the Working Landscapes of Rural King County". Kathy Creahan, a member of the Staff Advisory Committee for the project, was the primary reviewer, but she consulted with other staff and with me to formulate the following comments. They include general comments about the report as well as concerns specific to DDES.

The report is a successful representation of a major effort by the study team, county staff and many citizens. It includes many valuable ideas. The following comments are suggestions to improve the report and to help move the County toward implementation. We have not attempted to comment on every strategy identified in the report. For example, we have not had adequate staff time to reach conclusions about some of the very significant proposals for forestry, such as the Forestry Commitment Program.

**The report should more clearly present what the study team is proposing immediately, such as the district designations and policy changes (see below). It should also propose an overall realistic strategy to make move forward from here. As discussed below, more work is needed to set priorities and to develop the ideas presented into proposed work programs.**

#### **Designation of the Districts**

The report does not accurately describe the level of analysis used to designate the rural farm and forest districts. Chapter Two lists very detailed parcel-specific criteria to be used in determining whether study areas should be designated. Chapter Three begins by saying that these criteria were applied to the study areas. Our understanding is that the study team did not conduct a parcel-specific analysis of the study areas to determine which parcels should be designated. They did a general review of the areas, and are making general recommendations as a result. The report's description of the analysis is therefore, not accurate, and should be changed.

The report claims a GIS analysis was part of the study area review. Included in the report are thirteen GIS-generated maps, each showing a theme. The reader might infer that the mapped information was used in the analysis. However, the report does not reference most of the maps, and does not indicate how the mapped data were used in the analysis. The reader might assume the information on the maps were combined to determine whether properties should be part of the districts. The maps should be removed from the report unless they are referenced with a description of what the maps mean, how they were used in the analysis, or how they might be applied to future decision-making.



County staff worked with the study team to determine what aspects of the report would result in a Comprehensive Plan amendment. Based on these discussions, my staff put forward two policy amendments and the proposed map changes as part of the Comprehensive Plan amendments. It was our understanding that the report would provide the rationale and background for those proposed amendments. However, neither the proposed amendments nor the rationale are included in the report. The primary issue is that the districts are being designated now without incentives available, and without the accompanying zoning. I agree ~~with~~ that may be the best course to take based on the public process that the study team conducted. However, the report should include the proposed Comprehensive Plan amendments, the rationale, and a recognition of other Comprehensive Plan policies or Countywide policies that will need to be amended in the future.

### **Landscapes Concept**

It is useful to have the specific descriptions of each of the study "landscapes", and the goals identified for each. The proposal for acquisition of farmland development rights refers to the landscapes. Outside of that proposal, there is not an apparent link between the strategies and the landscapes. It is not clear if the study team tailored strategies to landscapes or if they are proposing that further work on the strategies target the individual landscapes. The report should indicate how the landscape concept was applied and give direction for applying it as the strategies are further developed.

### **Strategies for Preservation**

The report includes numerous worthwhile strategies to preserve farm and forest land. However, many of the ideas have not been fully analyzed for costs and benefits, nor have the proposals been developed far enough that they can be implemented. Generally missing is discussion of pros and cons, especially the opposition viewpoint. Most of the proposals do not include a request for funding, and even those that do, such as the acquisition program, do not propose funding the staff effort that is needed to develop or administer the program. I am particularly concerned if the strategy calls for unfunded DDES staff effort. I am also concerned by the high expectations of existing staff in other county departments, and of the Agriculture and Forest Commissions.

It would be very helpful if the report would provide guidance as to which strategies are likely to produce the greatest benefits. The timeline suggests that the County begin twenty-four of the strategies in 1996. This is unrealistic; it would help if the report suggested where to begin.

### **Comments on Specific Strategies**

#### Expedited Permits and Fee Reduction

This is an example where there is not adequate analysis of how effective this strategy will be to preserve farming nor identification of funding to carry it out. Most DDES customers would like fees and permit turn-around times reduced; however, a reduction requires a fee subsidy. My recommendation is to 1) expand the residential permit class to target farmers and forest landowners, as suggested in the report; 2) expand the education program to provide on-site technical assistance in advance of or during the permit process; 3) provide training for County staff on forestry issues, as suggested in the report; and 3) fund additional permit staff at DDES to specialize in farm and forest permits (See next item). The first three items would require funding of the DDES environmental education staff.

Farmbudsman/ Friend of the Forest

A more effective use of the funding for these positions would be to fund the permit staff in DDES who process farm or forest-related permits. If staff were not funded by fees, they could take more time to help applicants through the process, or to answer questions related to other agency permits. But unlike the ombudsman, they would also be progressing on the permit itself. An ombudsman outside of the department might actually slow the process by using DDES staff time trying to get answers for the customer. I recognize that the report's description of the Farmbudsman/Friend of the Forest includes other issues not related to DDES. My suggestion is that the team consider more thoroughly what the problems are, such as lack of information about tax programs, and direct the funding to that task, rather than to an ombudsman.

Other strategies

My staff intends to prepare additional comments on other specific strategies. The hectic pace of the Council review of the Comprehensive Plan amendments has made it difficult for staff to take the time necessary for thorough review of every proposal. Kathy will let you know when she can complete those comments.

**Monitoring**

The report calls for monitoring the farm and forest lands and effectiveness of incentive programs. The monitoring is **crucial to future land use decisions** for the district, including **possible downzoning**. This is a major work program that does not include a proposal for funding.

**Missing Pieces**

The Natural Resources Initiative, which provided funds and guidance for this report, identifies the A-60 zone and agriculture zoning within the urban area parcels to be analyzed in the farm and forest program. The report makes no mention of those issues. The study team should report on their conclusions about those issues.

In closing, I congratulate the study team on the success of their efforts. My suggestions are offered to help improve the report and the effectiveness of the programs the County will develop as a result. The need for interdepartmental cooperation in the success of future work is obvious. I look forward to the DDES participation as the County continues its efforts to preserve farm and forest lands and industries.

RSD:KC

cc: ✓ Gene Duvernoy, Project Manager, Land Use and Environmental Services  
John Howell, Project Manager, Cedar River Associates  
Tim Ceis, Executive Policy Director, King County Executive Office  
Clint Lank, Acting Chief, Agriculture and Resource Lands Section, P,C & NR Department  
Nancy Laswell, Acting Chief, Natural Resources Section, Natural Resources Department  
Ikuno Masterson, Manager, Environmental Division  
ATTN: Kathy Creahan, Acting Chief, Regional Planning Section  
Claire Dyckman, Acting Chief, Environmental Education Section

**MEMORANDUM**

**November 7, 1995**

**To: Tom Beyers**

**From: Anne Biklé, Cedar River Basin Steward**

**Subject: Cedar River Watershed Council Comments  
on Farm and Forestry Initiative**

I am transmitting comments on the Farm and Forestry Initiative from two members of the Cedar River Watershed Council (CRC). Since neither of the members were involved with the ongoing public process you conducted for the Farm and Forestry Initiative, many of their comments are actually questions or requests for clarification. However, both members are interested in receiving the final report and providing further comments if appropriate. Thanks Tom.

**Comments from Cedar River Watershed Council Member Kim Odstreil on  
*King County Farm and Forest Project, Ideas for Public Discussion, September  
1995***

- The Draft Forest Commitment document must be readable and user-friendly if it is going to be effective. A draft of the Forest Commitment document should go through public review as well.
- "Friend of the Forest" is a great idea, especially if they would help property owners fill out all of the paper work associated with getting these Natural Resources Initiative (NRI) benefits.
- How will the budget would be allocated on these NRI recommendations? Would be helpful to have the budget broken out next to each recommendation so that readers can understand where the most emphasis will be placed.
- It is difficult to know how much of an incentive many of these recommendations would be to property owners without knowing how much money property owners would actually save. For example: p. 4 reducing inheritance tax; p. 5 forest tax \$2.50/year; p. 5 excise tax; p. 8 \$50/year. There needs to be more background information for these incentives. Terms should be fully defined and examples given of how they would work on a particular property and how much money a typical landowner would save.
- In the final document terms need to be fully defined. For example, Class II, Class III, Class IV Department of Natural Resources permits should be defined for the layperson.
- The Public Benefits Rating System needs more publicity in the Cedar River basin. An article about the program's incentives should be sent to local newspapers and a seminar should be held explaining the program to interested property owners.

November 5, 1995

Eugene Duvernoy  
Land Use and Environmental Service  
1150 19th Avenue East  
Seattle, WA 98112

Dear Gene,

This is to correct several errors in the Farm and Forest Strategy Draft and to explain in more detail why your continued insistence on bonus density in the rural districts is inconsistent with the goals of the strategy.

On the first page of the report three farm study areas are reviewed. The third describes the lands upriver from Fall City. The narrative is correct as to land use but the airstrip and suburban homes are on the North side of the river and east of the golf course lying north of the river. There is a new smaller golf course next to Fall City on the south west but to the east of this new golf course and south of the river are active farms and a significant nursery. I believe the change that should be made is:

Therefore, the team recommends deleting the portion of the study area north (~~south~~) and east (~~west~~) of the river, and designating the balance of the study area as a rural farming district.

In Chapter 6 on preserving Rural Forests at Page 18(original draft) the second paragraph discusses impacts on junior taxing districts of further reducing property taxes for rural forest lands. I think this statement may be incorrect. Most of the taxes raised are in the form of bonds and levies. These are fixed amounts that are distributed across the taxing district and the rate per assessed value is determined by the total assessed value in the district. If the assessed value for taxing forest land is reduced the impact is to increase slightly the tax rate for the other lands. At least this is how Richard Tucker explained the PBRS system to me. Since there is very little forest land not already in CUT and since the vast amount of assessed value in these districts is from development there should be little increase in the tax rate due to a small reduction in the forest land taxes.

On page 32 there is a reference in the paragraph on "cost" to the Rural Farm District. Is this supposed to be the Rural FOREST District.

On page 34 in acquisition criteria there is one that they be "cost effective". On what basis is the acquisition to be evaluated for cost effectiveness?

A year ago you began arguing that the County should allow transfer from rural to rural and that it should have bonus density. I am pleased that you have noted that both of these are in conflict with the Countywide Planning Policies. I have listened to your arguments and admit that in the abstract they make sense. My concern is what it means on the land. It is not my purpose to preserve open space, and I do not believe that was the intent of the Rural Character Task Force or the GMPC in adopting the policies. Yet, that is the thrust

of this policy. The CPPs and the Comprehensive Plan strongly argue for 20 acre zoning on the rural forest districts. This incentive puts the zoning at 2 1/2 acres.

Let me give you an example of how what you are proposing will be implemented on the ground. From my window I look at a hillside logged a few years ago by a developer. I think there is 40 acres and it should be zoned 10 acres now. He attempted to develop the land after logging but the cost of meeting regulations for steep erosion hazard slopes made it uneconomical. Now he hears of your bonus density program. He quickly calculates that he has 4 buildable lots of about 10 acres. These are now selling for anywhere from \$70,000 to \$100,000. He may be able to get this for the raw land but it is not going to be simple to sell them. But he can figure his value at from \$300,000 to \$400,000 for the incentive to be based on.

He has a about 7 acres that are close to the road and which are on the less steep land. So he figures he can now put 14 sites on these 7 acres using the bonus density clustering options offered. He assumes a developed 1/2 acre site will sell for about \$25,000. So his 14 sites are values at \$350,000. His land fits the forest incentive. He places the 33 acres in forest use taxation - it isn't replanted but then he couldn't care less and besides the incentives have funds to do that for him.

So now rather than 40 acres which are so steep and erosion prone that fewer than a few acres could be used having maybe 4 residences, we have 14 residences in the Rural Forest District. And based on your monitoring benchmarks this will be considered very successful. After all 82.5% of the forest land has been preserved. At least that is what the data in the files will show.

On the ground the difference will be somewhat different. The chances of more than 5 or 6 acres of these 40 being converted to impermeable surface is small to insignificant given the regulations and the nature of the land. So the incentives program will result in a net loss of forest land and other lands that act as natural buffers and wildlife areas. And the incentives will bring 14 dwellings of a very suburban characteristic into the forest district.

That is one example which can be replicated innumerable times throughout the valley hillsides along streams and rivers in the forest districts. So where natural landscape has been successful in limiting development, the bonus density incentive with the generous 10 to 15% gratuity will open the land to suburban enclaves.

The other example is directly related to the large landowners who have wanted to benefit from converting their rural forest lands since the agreement made in the 1985 Comprehensive Plan process. Citizens had succeeded in getting bonus density removed from the rural forest lands in the Snoqualmie and Enumclaw Community Plans. Even without the bonus density the growth in these community plan areas has been far in excess of what the County had planned. To paraphrase the planners - the rural areas took their "fair share" of growth and much more. Check the Annual Growth Reports. The rural area is the fastest growing area. Is this what GMA is all about? Is this what the CPP

policies support. No this is what the County designed pre-GMA, and this is what bonus density will continue.

Back to the large landowner holdings. Will they convert if they have to break their land into 20 acre lots? Probably not. Will they convert if they are allowed to cluster at the 1994 zoned density. According to Mike Stevens, probably not. If they don't what is the result? The forest land is conserved and forestry continues.

Now throw in the bonus density with the 10 - 15% payback. They can't afford not to utilize it. They get to keep most of their forest land and they get to make more profit than was available before GMA. They get to have their cake and eat it too.

And what will the landscape look like. The forest developers will use the same argument as the developer mentioned above. They will find ways to achieve the 2 1/2 acre density. The impact will be that the 25,000 acres owned by the large land owners will result in 10,000 dwelling units being "zoned". To be sure they will be in small "rural character" suburban units nicely tucked into the landscape. So 5,000 acres will be converted to impermeable use. And with this change in the forest districts the number of dwelling units potentially in the rural area will go from 25,000 to about 50,000.

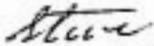
It will be these two landowner types who benefit from the bonus density incentive. The small landowner will not have the resources or the knowledge to take advantage of it. I note as I write this that those who will benefit are the same who contribute to political campaigns, and those who don't benefit usually don't have the resources to influence politicians. Am I being naive in assuming any other outcome was possible? I do recall the many times you told me the votes weren't there in the Council.

However, as you noted these options are not permitted under the CPPs. There is a reason for this. The Cities want the growth in rural lands to stop. The cities want to have a rural landscape in King County, and while it may be right that they just want open space, that isn't the input that I am getting regarding the Farmland Preservation Program. People feel betrayed that the money they spent to preserve farms is resulting in playgrounds and other non-resource uses.

It seems to me, Gene, that you have been pushing bonus density far more than the landowners. You have from the beginning refused to consider zoning which is clearly called for by the CPPs and the Comprehensive Plan. I have always argued for incentives, but as can be seen from the above examples, incentives alone cannot achieve what is desired. I guess what bothers me most is that the first incentive offered is the one that will do the most for the least and goes against the CPPs. I would be much more pleased if the other incentives and variations of them were promoted first. I would see a bonus density for transfer out of the forest districts as the first option. A second might be clustering with bonus density transferred out. A third might be transfer to the "new rural" along the line and could include bonus density. The very last should be bonus density in the forest districts and I will always remain doubtful that it will achieve its purpose.

But I give up. If the advisory group, the consultants, and the Council want to have 2 1/2 acre zoning in the rural forest districts I am sure there is nothing I can do to prevent it. I can probably succeed in getting the Growth Hearings Board to agree that it violates GMA but to what end. They wont require the County to fix it. They might even find it an innovative technique in landuse planning. Only the current rural characters, the working rural landscape, the wildlife and the habitat will notice the loss of rural King County.

Sincerely,



Steve Hallstrom

November 3, 1995

TO: Clint Lank and Nancy Laswell

FM: LeRoy A. Jones *LeRoy A. Jones*

RE: Farm and Forest Project Report

This memo presents the results of my review of the Farm and Forest Project Report. The commendations, comments and concerns expressed reflect not only my review of the report itself but also my involvement in the development of the farm portion of the report and my personal thoughts and concerns for the future of agriculture in King County.

I must begin with a strong commendation to the consultants for both the amount and quality of work they accomplished in the short duration of the project. In retrospect, the magnitude of the project was simply too great to achieve the level of detailed analysis and decision contemplated last February. Nonetheless, the consultant's public outreach program and their open and even-handed manner of soliciting and accepting public input have created a very positive environment for gaining public support of the contained recommendations.

Concerning specific content of the report, again with primary emphasis on the Farm portion, I offer the following.

1. Analysis/designation of Rural Farm Districts: The data compiled for consideration of designating Rural Farm Districts was simply insufficient and/or too late in the process to be of use. Although small exclusions of readily apparent non-farm properties could be made, there was insufficient data and time to carefully analyze the agricultural character of other districts or determine how they might best be assisted in maintaining the agriculture activity they contained. Moreover, the potential impact of designation on non-farmed lands within the Rural Farm District boundaries has not been considered at all. Although no zoning is recommended and only beneficial-to-farming programs are proposed, there is still insufficient analysis of potential impacts to support designation beyond "further study."
2. Map Data and Analysis: The maps prepared thus far are of questionable value for two reasons; a) they have not undergone sufficient inspection to insure the requisite level of accuracy for useful analysis and b) they have not been used for an analytical purpose that would determine if the information they produce is useful. It is unclear at this point who should do the analytical work or if the consultant's maps are any more useful than existing county GIS information. Nonetheless, to the extent the consultants were to develop maps and use them to analyze the potential impact of proposed zoning amendments or program development, this task was not accomplished.

3. Agricultural Production Districts/Rural Farm District Focus: Few, if any, of the proposed incentive programs are targeted within the APDs or Rural Farm Districts. Admittedly, the report recommends that all acquisition occur within APDs but the other incentive programs recommended for NRI funding would benefit farming anywhere in King County. Some unfunded incentive programs such as right to farm legislation, building permit regulations and tax incentives may be designed to differentiate between farms within and without the designated areas but until they are on-line it is difficult to assess whether they would make landowners want to be designated.

4. County Staff Work Programs: The Farm and Forest Project Report is rather cavalier in its recommendations concerning county staff involvement in implementing proposed incentive programs. I imagine the Council will expect property specific recommendations for acquisitions. Unfortunately extensive staff time will be required to both identify the procedure for selection, conduct the procedure and design/refine the acquisition instrument. Moreover, there needs to be significant staff time dedicated to leveraging the proposed \$3 million through mitigation efforts for proposed flood control, road construction and wetlands enhancement projects.

5. Funding Allocations: Finally, concerning the proposed allocations to the Farm Link Program, the Agricultural Research Endowment, the Farmer's Marketing Association and the Revolving Loan Fund it appears that each of these programs will require extensive county administrative and budgetary oversight. I am uncomfortable with assuming these responsibilities within the Agriculture and Resource Lands section as now constituted. Perhaps the Arts Commission and/or Cultural Heritage grant programs may serve as adequate models but granting administration of such funds to the Agriculture Commission without benefit of professional legal and finance counsel could be disastrous.

## MEMORANDUM

**DATE:** 10/31/95  
**TO:** Gene Duvernoy  
**FROM:** Paul Sommers, Northwest Policy Center, UW  
**SUBJECT:** Forestry Incentives Report

Overall I think this is a very good piece of work. I have a few notes and quibbles to offer:

1. List of Committee Members: It is generous of you to list me as a committee member considering my attendance record, but if you do, I work at the Northwest Policy Center/UW.

2. Ch. 6, p. 2 list of differences between farming and forestry: re Land Requirements: do you have any data on distribution of farm sizes and woodlot sizes? Strikes me that we have a handful of large farms still. If you take the 6 big corporate players out of the forestry picture (your program could be targeted to those below a certain size threshold), would the size distributions be so different? On point 4 re nature of activity, much of this is could be challenged, though maybe the distinctions are not all that important. However ... seems to me I have seen some dairies that are 100% dairy, and orchards that are 100% orchard, whereas forests almost always have some distribution of different tree species with perhaps one or two dominant species. There is an entire specialized profession of timber cruiser who estimate the distribution of species so that an outfit bidding on a logging contract can estimate the value of a stand. So I don't know about that claim that the forest crop is more uniform. It's all fruit from an orchard and all trees from a forest; in both cases there are multiple species involved. Furthermore, some forest owners gather special forest products (floral green, mushrooms, etc.), or license others to gather such products on their lands. The income can be enough to pay the property taxes so it is non-trivial. This is real different from agricultural practices where gleaners went out decades ago. On point 5, types of owners, you get into the data that may justify the claim at the bottom of the page, but I was thinking of the thousands of non-corporate forest land owners that belong to groups like the Washington Farm Forestry Association. I would make clear that you are talking about concentration of

ownership in corporate hands, and if possible offer some comparative data. I suspect this difference in concentration is due to the rather marginal nature of the remaining agriculture within King County as opposed to the still very significant forest lands.

page 7: Who is doing a small owner landscape planning model? I would be very interested in this.

p. 12: I wasn't present for discussion re Forestry Commitment Agreements, but I am wondering how these agreements would handle new scientific evidence that leads to radically different preferences by regulatory bodies. I am thinking about the spotted owl case in particular, as well as new forestry paradigms involving leaving behind snags, seed trees, debris, etc. and relying partly on natural re-seeding as well as deliberate nursery stock replanting rather than clearcutting and slash burning before replanting. It was consideration of such issues that lead NPC's Forestry Working Group to hone in on the idea of certainty of harvest/management practice rights for a period of time in exchange for a commitment to avoid conversion to non-forestry uses, followed by a period of greater flexibility for both forester and regulator.

p. 13 Observing that inadequate training and coordination across agencies is not an inconsistency of law does not help the beleaguered forest owner. I think you should have an action item re getting the Council to recognize this issue and do something about it, perhaps using the Forest Commitments as a tool along with a "clean up your act" message from the Council to the agencies. This sort of messy implementation issue is often swept under the rug yet may lie behind much of the anti-government rhetoric we encounter these days.

pp. 14-15 Re Ombudsmen and Friends of the Forest: these sorts of allegedly friendly bureaucrats are often still perceived as bureaucrats. Another approach is to contract with someone in the private or non-profit sector. The committee evidently suggested consultants active in the forestry industry. Another possibility might be an industry association. Most effective would be to get a comparable commitment from the state so that state and local government could fund a single entity to provide an integrated service across levels of government to the smaller forest land owners.

Friend of the Forest is a title that invites a fight with environmental groups who will see the conditions of friendship differently than production minded foresters. To be honest it should be called Friends of the Timberland Owners, or maybe just Forest Ombudsman. (My title is good though because you could have FOTO finishes - successfully completed permitting operations-yuk yuk).

p. 21 Forestry Research Compilations: for \$6,000 annually I would emphasize compilation not conducting research. Further, I would add a few more bucks for supervision and administrative costs to get a faculty member minimally involved. But this could be an interesting endeavor if a student regularly scoured journals, the Forest Service Experiment Stations, a short list of universities, and maybe an association or two for interesting stuff. It would have to be a work study qualified student for that kind of money to yield much, and a key would be to get the attention of an individual faculty member or the Center for International Trade in Forest Products at the College of Forest Resources. Note the name of the school. People to talk to about this include Chad Oliver and Jerry Franklin, the competing gurus of different schools of "new forestry" approaches. Since you mention coop extension, it may be worth talking to this county's extension agent, or the statewide office at WSU in Pullman as well. Alternatively, you may want to keep it entirely out of coop extension to avoid inter-university politics, and just deal with UW College of Forest Resources. Another approach is to house the work study at the proposed FoF office (renamed FOTO of course) and then just go to the UW to recruit a student. It would be good to bump the budget up a bit and get some minimal level of faculty involvement in my judgment.

A \$20,000 research budget would have to be carefully managed. Who sets the priority for the research, and who makes the actual decisions on who does what. Maybe the proposed Forestry Commission could set priorities and award one or two grants per year out of the \$20K budget on a competitive basis. Maybe you could ask for \$50K given a compelling research agenda developed by the Commission in consultation with a convincing number of landowners.

p. 23 Technical Training: you could go to the WA State CERT (advisory body to which one applies for funds under the Clinton Administration Economic Revitalization program for owl impacted areas) for funding to develop and put this into initial operation. It would be a nice complement to the Jobs in the Woods program they have funded that focuses on the workforce employed in the woods. You could also look into collaborative strategies with the Logging Institute in Port Angeles which is getting some federal support. Their focus is on new wave logging technologies from what I know, so if you got a broader land owner management program going, they might be complementary which would be appealing to the feds. There are two years left to the Clinton program, assuming Congress does not do away with all of the underlying programs they serve as an access and coordination point for, so the sooner the better. One CERT member you could talk to to see how to apply is Ted LaDoux of the Evergreen Partnership in Tacoma.

I note that you have put the technical training piece off to 1998 in your workplan on p. 48. You will miss the opportunity to access any of the special timber plan federal dollars if that program is still active once the federal budget process ends this year. In addition the opportunities to coordinate efforts with Jobs in the Woods and the Logging Institute may pass by the county as well. I would move this one up to 1996.

And as long as I am lobbying for my favorite ideas among the lengthy list of programs you have sketched in this document, I would suggest moving up the conducting and compiling research piece. It would be very easy to get the compilation part going and wait on the conducting piece until we see what a bit of concentrated student digging and dissemination of research results can accomplish.

I think I ran out of energy half way through the document so I hope these notes on the first half are of use.

1 November 1995

TO: Clint Lank  
Nancy Laswell

FM: Derek Poon



RE: Natural Resources Initiative, Consultant Report

This memo clarifies points discussed regarding the recent consultant report on the Farm and Forest Project. I hope it will be helpful to your design of a future course of action.

1. The consultants did a yeoman's job under a very difficult situation. They compiled an impressive amount of very valuable information, and coordinated an excellent outreach process.
2. The information compiled is most usable as a baseline for development of future work programs, but not for immediate program implementation.
3. Council intended to have incentives available before designation and zoning.
4. Based on the consultant's report, most forestry incentive options are not implementable in the near term until logistical, and in some instances, statutory questions, are adequately addressed. Those incentives that are implementable, such as Public Benefits Rating System and the federally-funded Stewardship Incentive Program, are understaffed or underfunded or both, and will require fiscal attention.
5. Absent available incentives and support staff, landowners have no programs into which they can enroll, or they will not know what is available. This undermines the notion of voluntary enrollment before zoning.
6. Even if voluntary incentive programs are available, designation and zoning will need an adequate analysis of opportunities and constraints. The consultant's district designation basically converts the study area into a district, with minor technical corrections, when the intent of defining a study area is to identify a subset of the study area, plus possibly new parcels outside of the area, for district designation. The latter is a difficult but doable task.

Finally, the challenge is to take the good work done by the consultants and turn it into a road map to improve management of our rural resource lands.

cc: Kamuron Gurol, Kathy Creahan, John Howell, Gene Duvernoy

To: Clint Lank  
From: Marilyn Freeman *mf*  
Date: 10/30/95  
Subject: Comments on draft of Farm and Forest

Thank you for providing a copy of the draft for review. I have asked others within the WSU family to review the executive summary and selected excerpts from the viewpoint of whether WSU can/will respond to some of the recommended strategies. Juana Royster, Curt Moulton, Jim Kropf, Arno Bergstrom, and Woody Bernard may respond to you directly, as I will be out of the office on Tuesday and Wednesday. I hope this was an acceptable way of handling WSU review.

My comments follow:

I think the consultants have done a thorough job given their tight time frame and the essential but time-consuming citizen involvement. I especially like the non-academic nature of the writing and find it easy to read.

Most of my comments are minor and about grammatical or typographical fine points. I have attached copies of the pages with my marks indicating where I suggest such changes.

Can it be stressed somewhere that the county should place measurable goals on these implementation measures? For example, "farmland has been disappearing at the rate of X acres per year since 19--. the goal of this proposal is to reduce that rate by one-half (or whatever)." Not that the consultants need to come up with these figures, but urge the county to do so.

When the final document is published, can the Farmland Advisory Committee and the Forest Advisory Committee listings be more consistent? One lists name and location only, the other lists affiliation.

Please be sure the pages of the executive summary are numbered.

The executive summary refers to figure 1, so don't forget to include it, and maybe have a list of illustrations at the beginning of the document.

Executive summary implementation section: here and on (unnumbered) page 6, why not indicate that the budget lumps the \$3 million of the NRI funding with \$1.4 million from the PDR program?

Similarly, in the background section, why not say a few words about the \$\$ Council allocated for this project, when it was established, etc.?

I am having problems applying the concept of mitigation banking to the preservation of forest lands. I apologize for not commenting on this topic before, but I have not been as deeply involved in forest as in farm issues. As I understand it, the county would identify lands important to preserve, issue credits for these preserved acres, and someone who has acreage to convert would purchase those credits, thus providing money for preservation.

It seems that for every acre identified for preservation, the county is establishing an acre to be converted. Doesn't this lead to the possibility that half the existing timber land could be converted?

Mitigation banking has traditionally been used when development destroys or harms a resource and has to make up for it by providing a substitute resource. A resource which already exists and is in prime condition is not a substitute. A more appropriate substitute might be marginal land which is somehow improved to be better timber land, or the preservation of land which was certain to be developed prior to the developer acquiring it for mitigation.

My only concern at this point, since I am too late to be involved in discussing this issue, is to be cautious in presenting this strategy, especially in the executive summary. State more openly that there may be problems with this approach and the recommendation is merely to study the possibility.

Thanks again for letting us comment.

October 30, 1995

To: Gene Duvernoy  
Land & Environmental Services  
1150 - 19th Ave. East  
Seattle, Wa. 98112

From: Doreen Johnson *D. Johnson*  
31404 S.E. 392nd, Enumclaw, Wa. 98022

Re: Rural Forest Districts Report

Your "Farm and Forest Report" was received on Oct. 28. It is difficult to evaluate when not seen in its entirety, so the comments below are on information received.

Chap. 3, Introductory paragraph.

This paragraph incorrectly implies that the citizen committee analyzed GIS data and visited sites, when actually the CAC did not have time to study GIS data or specific districts. My understanding is that this would be priority work as a part of the implementation in 1996, and citizens would be asked to continue to participate.

Chapter 6, Strategies

2., page 12, re regulatory certainty. There was not consensus on this within the committee for two reasons: (a) Uncertainty on what the duration and substance of a Forest Commitment Agreement would be; (b) Questions re legality of exempting landowners from future legislation. What the committee did seem favorable toward was the possibility of Habitat Conservation Plans for small landowners and continue to meet with the State Dept. of Fish and Wildlife re such a model being tried in King County.

3.(a), page 13, re modification of existing regulations. This section is misleading as written because on page 14 it implies there was consensus on the committee re all three strategies when in fact there was consensus on only the second and third parts. The first part re King County jurisdiction for the Shorelines Mgmt. Act was a hotly-disputed issue, and there was no agreement reached. The last sentence incorrectly states: "King County should grant this permit relief on lands on which a Forest Commitment has been signed." Again, when the duration and substance of a Forest Commitment Agreement is unknown, it is impossible to grant permit relief. Secondly, it is likely to be illegal to grant relief from future legislation. As I pointed out repeatedly, the Shorelines Mgmt. Act was passed by the vote of the citizens of the state, and county jurisdictional authority has been affirmed in court. It is not appropriate for promises or even recommendations to be made on such a statewide law in our advisory committee forum. I hope you will clarify this in your final draft.

3.(b), page 14. First paragraph needs re-writing to clarify intent. Delete first sentence. Start with 4th sentence: "Many landowners..." Continue as follows: "The regulatory construct is technically complex and multi-jurisdictional and sometimes is perceived as burdensome and misdirected. A forest ombudsman program could provide invaluable assistance to these smaller farm foresters in understanding the various harvest requirements and technical assistance programs available." Continue as written with "This service..."

Clustering and transfer of development rights, pages 27-31. It is confusing when  $\frac{1}{2}$ -1 acre,  $\frac{1}{2}$ -2 acre, and  $\frac{1}{2}$ -2 $\frac{1}{2}$  acres are used without major principles clarified. The committee never considered anything larger than 1 acre for a clustered lot, and if so, would lose the advantage of clustering to conserve maximum acreage for forestry. On page 31 where density increase of 1 per 2 $\frac{1}{2}$  acres is mentioned for transfer credit, that is actually a density bonus if 1 per 10 is the zoning, although being transferred off-site. The discussion I recall was adding additional units off-site as the off-site zoning could accept and to make it economically viable for saving the forest land base. The intent gets lost in the numbers, whereas we focused on the concepts, which need emphasis.

Acquisitions, pages 33-35. My position orally and written was that the most land could be conserved for forestry through purchase of development rights. This is not mentioned in the report, and instead outright acquisition is described. This may be a recommendation from your staff, but needs clarification that it is not a committee recommendation. In fact, I thought we had agreed that recommendations on the \$2.5 million would be delayed to 1996 as part of the GIS analysis and site visits. We discussed a weighted criteria for evaluating sites and that development rights purchase would be preferable to outright acquisition unless site was of unusually high natural resource value and could only be preserved through acquisition. Therefore, it is incorrect to say on top of page 35 that there was consensus on the committee. The same comments apply for page 45, sentence stating "The allocation of the \$3 million..." and for implementation in Chapter 7.

Chart of Strategies, page 48. No mention is made of GIS analysis and site visits re designation of districts. See previous comments for necessity of this.

Two final suggestions:

- (1) QRE and 4:1 programs need to be more closely coordinated or folded into the Rural Forestry Districts program.
- (2) There is no mention made of a combined Rural Forest/Ag District. We discussed that these were compatible and would encourage re-forestation in formerly high-production lowland forest areas.

Overall, your report includes great amounts of valuable information and thought-provoking issues for King County government and citizens to consider. I hope the effort can be continued into 1996 and implemented for producing forests in King County's Rural Area in perpetuity.

cc: Clint Lank  
Derek Poon  
Toby Thaler, WEC



Monday, October 30, 1995

Clint Lank  
King County Department of Agriculture  
506 Second Avenue, Suite 612  
Seattle, WA 98104

Clint:

Marilyn Freeman shared a copy of "Farm and Forest: A strategy for Preserving the Working Landscape of Rural King County" Draft report with me for my perusal and comments. As well, she shared copies with Curt Moulton and Woody Bernard, former faculty in Cooperative Extension, King County and, who are Chairs in Pierce and Snohomish Counties, respectively; and with Arno Bergstrom and Jim Kropf, Pierce/King area faculty in forestry and commercial horticulture, who are based in Pierce County. The four individuals will contact you directly regarding their comments on the draft report.

When I read the document over the weekend I became very excited. I see Cooperative Extension playing an active, integral role with the Farm and Forest project in the following ways:

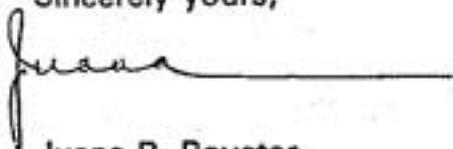
- **Technical Support.** The current vacant agriculture position will be filled by January 1996. The person hired will have technical expertise in livestock and small farm production and in time, will assist with mentoring, conflict resolution, mediation, and the like.
- Our WSU statewide dairy team is ready to meet and discuss King County dairy issues and next steps. In fact, Dr. Roger Cady, WSU Dairy Specialist, has arranged to meet with the King County dairy industry Thursday, November 16, 1995 for that very reason. You, LeRoy and other staff members are welcome to join us.
- We welcome an opportunity to establish and maintain a learning demonstration farm. About four or five years ago we came close to

such an idea with King County Parks. I envision the two new agriculture faculty (King/Pierce and Pierce/King) teaming on this project.

- Since we produce newsletters, news releases, brochures and the like, I feel we can develop a farm report.
- Developing information on regional and national farmers' cooperatives/associations and assisting with securing permanent sites for farmers' markets, is something we do well.
- What really excites me is an avenue for Cooperative Extension to partner with King County, community colleges and other agencies/organizations through Washington State University's integration process, extended learning centers [ELCs] (see attached information). Dr. James J. Zuiches, Dean, College of Agriculture and Home Economics (CAHE), and Director, Cooperative Extension and Research, is working in concert with Dr. Thomas "Les" Purce, Vice President, Extended University Affairs, to select five (05) ELCs for 1996-1997. Of course, I put in a strong bid for King County (see attached).

Considering the very short time frame and just in case they would like to contribute information and/or ask you questions directly, I sent Drs. Zuiches and Purce each a copy of the Farm and Forest report. They have hectic schedules and may not contact you. However, I trust my information will assist you in some way. Should you have any questions please call me at 6-3900.

Sincerely yours,



Juana R. Royster  
Chair, King County

Enclosures: (03)

cc: Dr. Les Purce  
Dr. James Zuiches  
Dr. Harry Burcalow  
Sadikifu Akina-James

JRR:aa  
C:\W\J\10-26-CL

COOPERATIVE EXTENSION



Washington State University

KING COUNTY

506 Second Avenue, Suite 612  
Seattle, WA 98104-2394  
206-296-3900/TTY-TDD 296-5242  
FAX 206-296-0952

Friday, October 20, 1995

TO Dr. James Zuiches  
Dean, CAHE, Director, Cooperative Extension and Research

FM Juana R. Royster   
Chair, King County

RE Additional Rationale for King County

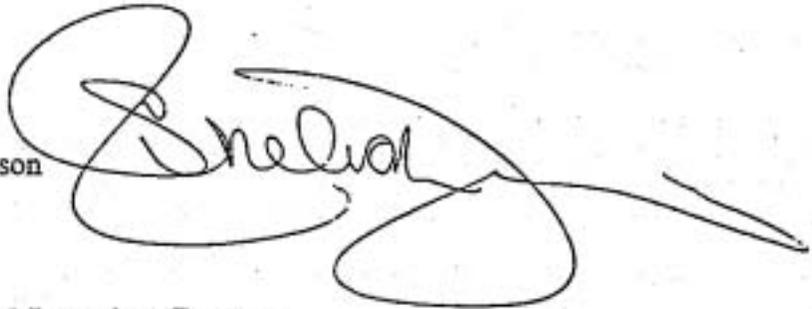
- Greatest diversity
- Strong WSU presence
  - Strong support, once leaders and communities understand and see WSU's commitment to urban setting.
  - Maximize concept community learning
  - Although surrounded by other institutions of higher learning, WSU's Distance Learning Centers would be community-based.
  - Great center for hands-on, applied research.

WSU CE KC Admin  
JRR:as F-10/20/95  
c:/wjr/rationale

## WSU COOPERATIVE EXTENSION KING COUNTY

October 20, 1995

TO: Juana Royster  
FROM: Sheliah M. Johnson  
CC:  
RE: CAHE Extended Learning Centers



### ADDITIONAL THOUGHTS:

1. King County should be listed as number one for the following reasons:
  - a. In terms of sustainability, Seattle is considered a "city state". Meaning that it has access to technology, imports, exports and considered viably self sustaining. In terms of economic and growth projections, 300,000 additional people will be added to the King County area during the next 3-5 years. That will mean additional jobs, industries, taxes, income, use of public schools, universities and other services. It is projected that most of the influx will come from California, Oregon, the mid-west and east. No other county in the state has these types of growth or economic projections.
  - b. During each period of phasing in sites, WSU should seek to have sites added throughout the state in a balanced manner. This should be done to ensure:
    - Rural, urban, suburban and others have equal access to the centers.
    - Adequate preparation, input and promotion time is allowed, so that citizen's can help plan how the centers will enhance their communities.
    - One WSU campus should be added during each phase period. This should be done to enable everyone to have an opportunity to participate without the highest priorities being given to WSU campuses.
    - Community college in-put should be sought, so that they will be able to maximize the use of the centers and produce employable graduates.

OK  
F. 10/20/95

**RESPONSE NEEDED**  
**BY 5 P.M. 10/20/95**

**Washington State University**

College of Agriculture and Home Economics

Office of the Dean

Pullman, WA 99164-6242  
 Telephone 509-335-4561  
 FAX 509-335-1065

**TO:** Participants in CAHE Learning Center Workshop  
**RE:** Recommendations For Pilot Sites for Extended Learning Centers

At the October 17, 1995 CAHE Learning Center Workshop, the following sites were recommended to be pilot efforts in the development of extended learning centers. Please complete the matrix, prioritizing your choice of sites for the supplemental request, the next biennium, and beyond and list the reasons for your choices in the comment section. Attached is the criteria for site selection, as defined by the October 17 workshop participants. A detailed description of each proposed site, as given by its nominator, is also attached. Please return this form no later than 5:00 p.m. on Friday, October 20, 1995, to **Dean Zulches, 421 Hulbert Hall, Pullman, WA 99164-6242; fax: 509/335-1065; e-mail: zulches@wsu.edu.**

**RECOMMENDED SITES**

Stevens County (Tri-County Group)  
 WSU Puyallup  
 Pierce County—Salishan  
 Spokane County/WSU Spokane  
 Coulee Dam Area  
 WSU Wenatchee  
 Yakima County

King County  
 Chehalis Tribe—Puget Sound Tribal Council  
 Jefferson County  
 WSU Vancouver/Goldendale/Longview/Long Beach  
 Skagit County (Multi-County NW Cluster)  
 Walla Walla County

Ranking	1996-97 Supplemental	1997-99 Biennium	1999-2000
1	KING		
2	CHEHALIS		
3	SPOKANE		
4	WSU VANCOUVER		
5	WSU WENATCHEE		
6		PIERCE	
7		PUYALLUP	
8		YAKIMA	
9		COULEE DAM AREA	
10		STEVENS	
11			SKAGIT
12			JEFFERSON
13			WALLA WALLA

Name JUANA R. ROYSTER and Staff, Cooperative Extension, King County

Comments (please use reverse side or a separate sheet):

*WASHINGTON STATE UNIVERSITY AND COUNTY GOVERNMENT PARTNERSHIP  
WORKING TOWARD THE FUTURE*

*August 22, 1995*

Washington State University has made several changes since President Sam Smith spoke at the 1994 WSAC Convention. Cooperative Extension has been reorganized into the Extended University Affairs division, and the reorganization has eliminated an administrative layer within the College of Agriculture and Home Economics. The process for filling positions, allocating resources and enhancing entrepreneurial efforts will need to be modified with input and agreement among all partners. Commissioners and county council members will have the opportunity to participate in a round table discussion with Vice President Thomas L. Purce; Dean of College of Agriculture and Home Economics and Director of Extension Jim Zuiches; Director of Extended University Services Muriel Oaks, and Organization Development Specialist Kelsey Gray at the Fall WSAC District Meetings. We feel it is critical that we share in the further development of working partnerships between WSAC member counties and WSU Cooperative Extension. From this discussion we anticipate identifying a working group to:

- Develop joint partnership working agreements.
- Identify options for overcoming bureaucratic roadblocks.
- Identify optional mechanisms for resource development and allocation.
- Develop a workable communication system involving local County Extension chairs, County Commissioners, and County Council members.

This effort is important to both county government and the university. WSU and the counties must continue to build upon their mutually supportive relationships that have sustained the partnerships for many years. We envision a unique outreach program which is able to change with community needs as assessed by the community and its elected officials.

WSU, like many other institutions, is in the process of change. Our university has begun to respond to societal needs in more fluid and dynamic ways. WSU sees its organization and structure as a system; as a learning organization and as one possessing a self-renewing capacity. A central element of WSU's historic land-grant mission is providing access to education and information to people statewide. WSU has created Extended University Affairs, a division of the university, that will bring additional educational services to students and constituents. This means welding two major units that extend learning—Cooperative Extension and Extended University Services.

As we continue partnerships between WSU and county government, we anticipate developing learning centers in each area of the state—typically at Cooperative Extension offices. In counties with WSU campuses or research units, the centers would be collaborative efforts with a site that best meets local needs. The learning centers—front doors to WSU in every part of the state will:

- Provide access to higher education at the both bachelor's and master's degree levels to an increasing number of prospective students;
- Provide citizens access to educational cultural resources, and expertise to the entire WSU system;
- Improve opportunities for citizens of the state to obtain credit and non-credit education using distance education technology;
- Contribute knowledge that helps individuals and communities solve pressing problems, build sustainable families and communities, and preserve the environment;
- Build a more diverse funding base necessary due to the restrictions imposed by Initiative 601 and other changes in state allocations; and
- Increase efficiency through entrepreneurial endeavors.

Today, a live, interactive television system links WSU's teaching locations, including branch campuses in Spokane, Tri-Cities, and Vancouver. The Washington Higher Education Telecommunication System (WHETS) has also expanded to serve new sites statewide—from 6 in 1985 to 12 in 1995. This process offers education to working adults in cost effective ways. In 1992, WSU launched an Extended Degree Program to provide bachelor's degrees in social sciences to serve rural areas of the state; in 1995 it

became available throughout the state. New delivery systems make it possible to bring credit classes, degree programs, and professional development programs directly to communities statewide. Courses are available wherever students live, with student services and professor interaction available through a variety of proven distance education technologies.

Cooperative Extension satellite system, with downlinks in every county, has produced 32 satellite broadcasts on subjects including *Community Decision Making*, *Health Care Reform*, *Canada Free Trade Agreement*, and *School Age Child Care as a Small Business* reaching over 1091 sites. To provide such services for communities in change is no different from what Cooperative Extension has done for agriculture and 4-H and its supporting infrastructure since inception of the Land Grant system. Serving all of the community in such diverse ways will affect Cooperative Extension's relationship with the university as a whole and require a persistent effort by both Cooperative Extension and county officials.

Critical to WSU's responses to these challenges are the strategic communications with our county partners. The relationship between Cooperative Extension and county government in Washington State is properly called a partnership. As with many partnerships it is sometimes characterized by silence, ignorance, and benign disinterest. Crisis, usually triggered by staffing or budgetary decisions, forces contemporary questions about the nature of the partnership to the fore. These questions may include:

- What is Cooperative Extension and how is it funded?
- Why is it connected to county government?
- Who directs and controls Cooperative Extension? Is power shared?
- Have changes in agriculture changed Cooperative Extension?
- What other services might Cooperative Extension provide for the citizens of the county?
- Are their services and information, unrelated to Cooperative Extension's agricultural past, available from WSU for which Cooperative Extension could be the conduit into the community?

A major part of this ongoing effort will be the clarification of partnership between county government and WSU. True partnerships exist when four factors are in place: common goals, interdependence, commitment, and accountability. **Common Goals:** Goals are expressed as articulated outcomes. Jointly developed, future oriented goals are critical to meeting community needs. **Interdependence:** Neither the university nor the county offices can manage the partnership alone. Sharing and developing new resources require equal collaborative efforts. **Commitment:** Commitment must be demonstrated toward the goals and the process for attainment. This means a commitment to sharing power and decision making. Decisions related to recruitment, hiring, and both program and grant development must be shared. **Accountability:** Finally, it is crucial that the partners together be held accountable for the outcomes or agreed upon goals. It is through this sharing of power and rewards that the collaborative system is most effective. Partnering is the establishment of a relationship, not a deal. If it is only a deal, high priority is placed on what the organization gets out of the deal right now. A relationship is more than a deal because it ensures an option for future opportunities by requiring mutuality, or the sharing of benefits as well as responsibilities.

As communities face population growth, demographic changes, shifting economic forces, environmental degradation, and new regulatory controls, there are needs for programs to train and retrain the work force so our citizens can develop the skills necessary to compete in complex new systems. All of these shifts create demand for new and different services that do not presently exist in all communities. The demands are essentially educational and can be provided by the university if it is willing, and if there is a mechanism in place to match needs with university capabilities.

Critical to WSU's success in serving the people of the state is the county partnership. In keeping this partnership strong, strategic communication is essential. It is anticipated that this paper will act as a catalyst for this type of communication.

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This collaborative paper was developed based on correspondence from Gary Lowe, WSAC Executive Director, July 19, 1995; Muriel Oaks, Director, Extended University Services; Kelsey Gray, Organization Development Specialist, WSU Spokane Cooperative Extension and from the Concept Paper for the Extended University Affairs Division of Washington State University, Spring 1995.

CRITERIA FOR PILOT SITE SELECTIONS FOR  
WSU EXTENDED LEARNING CENTERS

A. University Priorities and Criteria

- Increasing access and geographic distribution
- Expanding diversity of participation
- Strengthening partnership relations
- Building on faculty resources and infrastructure
- Community investment in effort
- Legislative commitment

B. General Criteria

- Local demand and leadership, both faculty and community
- Ability to maximize resources on site and local area commitment (site, space, technology)
- Costs of moving to the next stage and timeline to success
- External funding opportunities in addition to legislature
- Readiness to deliver a meaningful curricula to the area
- Partnerships—internal and external (community colleges, other colleges, Partnership 2020, PRI, EDP, nursing school, WHETS)
- Geographic distribution—rural/urban, regional clusters
- Technological awareness of county, faculty, and people involved
- Political strength of the area and its ability to contribute to the effort going through the legislature
- Model for others

King County—even though close to Puyallup and Pierce County, they have a different set of things going on that are hard to link with other counties; King County and Metro are merging into one effective January 1, 1996; this is a major reorganization for the extension office; major issues for King County are families and children, youth violence, environmental stewardship; Community Block Grant office and Housing Opportunities Fund have moved to their division within the last few months; White Center implementation plan has been promoted for some time; executive's top priority for children and families and youth violence; extension is very involved in that center; faculty member has moved with Cliff Moore to establish a center within White Center; talking with Seattle Community College system about an extended degree program center within each of their 3 campuses and to also establish a distance learning center; have a relationship with the Center for Urban Horticulture; extensive job readiness program with young people and 4-H youth development; extremely diverse county. University of Washington is there; have a satellite office within the central area of Seattle; SBDC, WSU West, and WSU Restaurant and Administration are there; county is in the process of establishing a local area network and <sup>wide area</sup> ~~area~~ network; started training classes to ensure that everyone in the office is prepared for the reorganization process; in 13 or 14 community centers out of 23 centers in Seattle; getting into more of them; excellent relationship with Seattle Parks & Recreation Department and good relationship with King County; good relationship with Seattle School District; faculty are very interested in having a distance learning center there; they want to teach courses within their area of expertise.

Project 2020, <sup>proposed</sup> applied research center.

COOPERATIVE EXTENSION



Washington State University

SNOHOMISH COUNTY

800 128th Street SE  
Everett, WA 98208  
206-338-2400

TO: Clint Lank  
(Fax: 206-296-1473)

FROM: *Woody Bernard*  
John W. Bernard

DATE: October 30, 1995

RE: Farm and Forest Strategy

Thanks for the opportunity to respond to the plan for preserving agriculture and forest lands in King County.

I think it is a well done document. I'm faxing hand-written comments on the document. There are a couple of items which I believe could be added.

1. There was no statement about support services. Those would be like equipment dealers and repair services. Also, suppliers that are handy and in the area. Maintaining a large area of similar crops encourages adjoining support services.
2. Three "Farmbudsman" may be unrealistic, but might be more palatable if those people also offered technical support. As I indicated, those could be Cooperative Extension employees.
3. There is a lot of discussion about Cooperative Extension's role. Much of this could be done if the Extension budget was unlimited. This is, of course, not the case. What was not addressed was doing this with Extension personnel who are not faculty. These people could be hired as Extension people, tied to the WSU resources, but with primary funding by King County.

Hope this will be helpful.

cc: Juana Royster  
Marilyn Freeman

Forests Project are tailored to the unique circumstances of each district. The "landscapes" are:

- The Sammamish Valley
- The Bear Creek Plateau
- The Lower Snoqualmie Valley
- The Mountain to Sound Greenway
- The Cedar River Watershed
- The Middle Green River Valley
- The Enumclaw Plateau
- The Kent Valley
- Vashon Island

With the diverse needs of the landscapes in focus, the study team and its advisory committees began to identify the obstacles to farming and forestry within the districts and to create strategies to overcome them. These strategies are designed to emphasize incentives rather than regulation. This choice was made based on the advice of citizens on the advisory committee and at the public meetings who strongly asserted the view that the residents within the rural areas are still adapting to the changes in zoning that have occurred in conjunction with the Comprehensive Plan, and that the impact of those changes remains to be seen. They also pointed out (and the team observed in its public meetings) that there is currently a high degree of uncertainty about the County's intentions among many residents of the rural area. In that environment, strategies based on incentives were perceived to have more promise than further regulation. Committee members also pointed out that, should the incentive measures fail to produce the desired results, the County would retain the option to consider future changes in zoning.

Based on this analysis, the study team devoted its energies to developing a comprehensive list of incentive strategies for preserving farming and forestry in King County.

#### A STRATEGY TO PRESERVE FARMING IN KING COUNTY

King County's visionary Farmlands Preservation Program succeeded in securing the development rights on approximately 12,500 acres of prime agricultural lands within the county. These protected lands represent less than one-third of the remaining agricultural lands in the County. Although it was an impressive beginning, the Farmlands Preservation Program did not secure the future of farming within the County. There are two major issues that must be addressed if farming is to be preserved:

1. The protected land base for farming must be expanded to assure that a critical mass of land remains available for farming; and
2. The practice of farming must be encouraged by County policies and programs.

\* Also availability of support services. For example, equip. dealers, supplies, etc.

concept of incentives to protect farming and forestry were stressed as the County's preference.

From this perspective, designation of the Rural Farm and Forest Districts will serve multiple purposes:

- It will reinforce the public's perception of the County's determination to preserve the working landscape within the rural zone;
- It will provide an important signal to farmers and foresters that their activities are ~~an~~ important to the County;
- It sets the stage for efforts to protect agriculture and forestry through "right to farm" and "right to forest" protections within the districts;
- It will provide a benchmark for measuring the impact of preservation strategies; and
- It will allow the County, when necessary, to target its funding and staff resources to the areas in which they can be expected to have the greatest impact.

It is important to note, however, that many of the incentives recommended in this study (particularly those for farming) are intended to be used *County-wide*, and will not be applied exclusively within the districts. Nevertheless, it is likely that designation will become more important over time as the County seeks ways to target limited resources. Therefore, the team suggests that the County establish procedures to designate additional rural farm and forest districts upon the request of citizens. The team's recommended procedures for requesting additional designations (or deletions) are contained in Chapter 3 of the report.

#### THE LANDSCAPES OF RURAL KING COUNTY: GOALS FOR PRESERVATION INCENTIVES

The rural farm and forest districts play very different roles in the local landscapes in which they are located. For example, some forest districts are now important primarily as buffers between urban development and agricultural lands, others provide essential fish habitat; and still others remain highly productive commercial forests.

If incentive programs are to be successful in preserving the lands for these purposes, they must be designed with an understanding of the differences among the districts, their specific contributions to the varied landscapes of rural King County, and differences in ownership patterns and development potential.

To this end, the team established nine sub-areas or "landscapes" within the rural zone and developed goals to ensure that the incentive programs developed as part of the Farms and

The strategy we recommend attempts to address both those issues, and builds on the existing tools the County has put in place to preserve farming. One of the most important of these is the Agriculture Commission, which was re-established by the County in 1994. The Commission, through the advisory committee, contributed immeasurably to this study. Its members reflect a broad cross-section of the diverse farming interests in the County, and provide a ready-made panel of citizen experts to assist in implementing these proposals. We recommend that the Agriculture Commission's role be strengthened and expanded.

Second, we suggest that there is a need to address the fact that many farmers, foresters and other residents of the rural areas presently feel disenfranchised from their County government. This attitude has its most visible manifestation in the movement to form a new "Cedar County" comprised of the eastern portions of the County. Many of those who attended our public hearings voiced similar sentiments.

It is the study team's perception that this sense of disenfranchisement is not the result of any one policy or zoning action. Instead, we believe it is caused by the perception that the County simply does not place a very high priority on rural issues and concerns. Participants in the public meetings seemed upset over what they perceived to be "over-regulation", but when questioned closely, seemed more upset by the lack of information and responsiveness of the County than the regulations themselves. Members of the study team frequently questioned participants at the hearing about how they had attempted to handle problems that had arisen with the County. One typical response was "I don't know who to call. When I have a problem I have to take a whole day off, drive into the Courthouse and start going from office to office until I can get an answer, and sometimes nobody gives me one."

Some participants reported that they had good luck in getting help from a member of the County Council, but that they "hated to bother the Council member with things that really should have been handled by someone else". In general, however, there was a consensus among those attending the public meetings that the County needed to do much more to be responsive to residents of the rural areas.

To address this need, the study team recommends that the County create the position of "Farmbudsmen" to serve as an advocate, problem solver, and interpreter of County policies and regulations to the farming community, and of the community's concerns to the County. Those who play this role should be skilled in working within the bureaucracy, but they also need to be knowledgeable about farming and the communities they represent. Although they would spend a portion of their time solving problems for farmers at the courthouse, their base of operations should be in the rural communities.

The team suggests that three of these positions be created. One would serve the farmers in the Agricultural Production Districts and the rural farm districts north of I-90, a second

*Suggest these people include technical support  
for Agriculture - Could be Cooperative  
Extension employees - (2 of the 3).*

X  
Boss  
CE?

would serve the districts south of I-90, and a third would serve farmers outside the districts and provide staff support for the Agriculture Commission.

Once this organizational framework is in place, the County will be prepared to move forward to address the specific barriers that stand in the way of farming in King County. Those barriers, and the strategies recommended to address them, are summarized below:

#### **Barrier I: The High Cost of Land**

Many of the farms which have not been protected by the farmlands preservation program are facing intense development pressure. New farmers can no longer afford to purchase farmland, and existing farmers cannot afford to expand their operations. In this environment, many farmers feel pressured to sell their land and get out of farming.

#### **Potential Strategies:**

- 1. Acquire additional development rights for key farmlands.**

The study team is recommending that \$ 3 million in Arts and Natural Resources Initiative funding be used to purchase development rights to unprotected farmlands in the agricultural production districts. Since funding for this purpose is severely limited, we recommend that these funds be carefully targeted within the Lower Green River APD, the Enumclaw Plateau and the southern portion of the Lower Snoqualmie Valley in order to create a critical mass of protected lands in these areas. In order to preserve the practice of farming as well as the land base, the team suggests that the criteria for the selection of lands include the extent to which farmers are willing to commit to participate in the "farm-link" program and other measures to assure continuity of farming activity on their land.

- 2. Include farmlands preservation as an integral part of a future open space bond measure.**

Although the County has succeeded in acquiring the development rights on more than 12,600 acres, this represents less than one third of the lands within the County in agricultural use. Acquiring additional lands in the APDs and the rural farm districts would serve multiple purposes. It would enable the County to enlarge the relatively contiguous lands within the APDs, and solidify farming as a permanent part of the landscape. It would also assure that there is a critical mass of farmland so that the infrastructure necessary for farming ( suppliers, marketing outlets, etc.) remains viable.

- 3. Create a "Farm Link Program" matching retiring farmers with people who will continue to farm the land.**

Could also be Coop Extension position.  
good back-up at WSL.

Farm Link Programs are now being used in 23 states to reduce the rate of conversion of farmland. The programs are designed to match farmers who are planning to retire with younger people who are interested in acquiring the land to farm. Since more than 50% of the nation's farmlands are owned by farmers who are over age 55, this strategy is especially important.

\* POSS  
CE?

How about  
a initiative  
to the legislature.

The Team recommends that King County establish a Farm-Link Program modeled on those underway in Pennsylvania and Nebraska, which have proven to be highly successful. If possible, this program should be developed in cooperation with Snohomish, Pierce, and Thurston Counties, where farmers face similar problems. To get this program started, the team is recommending that the County allocate \$300,000 to fund the start-up of the Farm-link Program during its first three years of operations.

4. Acquire farmland or use land that is currently owned by the County to create a lease-back program for new farmers.

Many of the people of King County who wish to earn their livelihoods by farming have no land, and no realistic prospects for acquiring land to farm without assistance. Included among these people are many refugees from Southeast Asia and other areas of the world whose strong agrarian traditions would help to renew and diversify the practice of agriculture of King County.

A few local experiments are underway which seek to make land available to new farmers. The City of Bellevue has recently acquired lands within its borders that were traditionally used for farming and is leasing the land to new farmers. The Farmland Preservation Trust has also acquired 12 acres in the Sammamish Valley to lease to those who would otherwise be unable to farm.

The Study team recommends that the County initiate an effort to identify lands within its inventory which can be used to establish a farm-lease program, and in the event insufficient lands are identified, consider purchasing lands for this purpose.

5. The County should consider clustering, transfer of development rights and density bonuses if it can be demonstrated that will encourage landowners to keep their land in agricultural use.

#### Barrier II: The low profitability of farming

The farmers in King County are under intense pressure from national and even international economic forces that make it difficult for them to compete. While there is little the County can do about these major economic forces, the advisory committee did identify a number of actions King County could take to improve the financial prospects for local farming.

**Potential strategies:**

1. Enhance the existing current use taxation programs to provide additional protection for farmers.

The current use taxation program has helped many families stay in farming by providing a measure of protection from property tax increases that result from nearby development. More than 1,900 owners of farm properties are now enrolled in the program.

Nevertheless, the program does not provide as much benefit as it could to farmers because it applies solely to the value of the land, and not to farm buildings and other improvements on the land. The study team recommends that King County take the lead in attempting to secure State legislation which would grant the local option to extend current use taxation to include farm building and improvements.

There may also be some cases in which the County's Public Benefit Rating System may afford farmer's with greater protection than the standard current use taxation program. The County is just beginning to apply PBRS to farm properties, and these efforts should be continued.

2. Allow greater flexibility to farmers to pursue commercial activities which are directly related to agriculture.

Farmers in rural King County are very restrained in the commercial activities they can pursue. For example, farm stands are limited to no more than 500 square feet of covered area, and there is a requirement that at least 60% of the produce sold must be grown in King County.

The team recommends that the regulations governing these activities be reviewed to provide farmers with greater flexibility to be entrepreneurial in seeking to market their products and sustain their families.

3. Develop a cost-sharing program to help farmers meet environmental requirements.

In recent years, farmers have been asked to comply with increased regulation designed to protect water quality and soil conditions. These regulations are designed to achieve important public benefits, but they have proven costly to many farmers who are operating a very thin financial margin. Although some federal programs currently provide limited assistance, the advisory committee believed that additional assistance from the County would be beneficial and serve the dual purposes of speeding compliance and helping farmers to remain solvent.

*Need to look at cost of permits and delays.  
To many permits are tied to commercial development.*

The study team recommends that King County develop a grant or low-interest loan program to help farmers meet the costs associated with meeting County regulations. Based on the potential benefits to water quality, the team suggests the County consider funding the program through the Metro rates for sewage treatment.

#### 4. Assist farm families in securing health insurance

Members of the farm advisory committee and the Indochinese Farmers Association have raised the high cost of health insurance as a barrier to remaining in farming. Fortunately, Washington State has enacted a pioneering Basic Health Plan to provide health insurance to working people of modest means, and the Seattle-King County Health Department is currently organizing outreach activities to assist families in applying for coverage through the plan. The study team recommends that these outreach efforts be targeted to farm families as well as other underserved populations.

#### Barrier III: Insufficient technical support

*Some mention of looking at alternative crops, ex. grains beyond popo.*

Both veteran farmers and new farmers report difficulty in obtaining the technical assistance and education they need to operate their farms efficiently and adjust to changing markets. As the farming community in King County has diminished in recent decades, so have the resources that offer this kind of support.

#### Potential strategies:

- Hand* (C)
1. Work with the Cooperative Extension Service to assure that King County farmers have dedicated agents for livestock, and horticulture, and adequate resources from a state-wide dairy team.
  2. Create an endowment fund to provide grants for specific research projects and educational programs that would aid local farmers.

The study team recommends that \$400,000 be allocated from the Arts and Natural Resources Initiative funds to establish an endowment for these purposes. The endowment would be expected to produce about \$30,000 annually with which the Agricultural Commission could commission research on issues that are specific to the challenges of farming in King County.

3. Develop a mentoring program (in conjunction with Farm Link) to provide a mechanism for experienced farmers to share their knowledge with new people entering the field.

A recent study by the Minnesota Department of Agriculture found that the best way to encourage sustainable farming practices was to foster mutual support

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CE

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CE

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CE



**MUCKLESHOOT INDIAN TRIBE**  
**FISHERIES DEPARTMENT**



October 19, 1995

Gene Duvernoy  
Duvernoy Land Use and Environmental Services  
1150 19th Avenue East  
Seattle, WA 98112

**RE: King County's Forest Advisory Committee Proposals and Final Report**

Dear Gene:

The Environmental Division of the Muckleshoot Indian Tribe has reviewed all of the proposals and documents that were presented and discussed in the Forest Advisory Committee and offer specific comments on each (enclosed). As promised at the last meeting, you will also find some language suggestions with respect to environmental issues in areas that will be converted that should be addressed in the decision-making process.

We are disappointed that the forest study districts will not be proposed with zoning changes as a result of the Committee's efforts. In lieu of designations and zoning changes, we recommend that the existing rural forest study district map be kept without modification for the time being, while the Tribe works with King County and other agencies to see that the incentives measures are aggressively pursued. With an intensive outreach effort combined with an increased understanding of the existing and future conditions of the rural forest study areas, King County may be able to conserve the majority of the 66,000 acres identified as forest lands.

We had hoped that our participation in the Forest Advisory Committee would have stimulated the establishment of a rural forestry program in Crisp Creek. Although it was not possible to look at individual study areas, we anticipate that such an effort will be done in the Crisp Creek watershed in the upcoming year.

We appreciate the opportunity to be involved in the issue of forest land conservation and conversion within King County. We look forward to continuing these initial efforts on the newly-created Forestry Committee. If you have any questions regarding our comments, please call me at 931-0652 extension 116.

Sincerely,

Karen Walter  
Watershed Coordinator

## I. INCENTIVES FOR RURAL FOREST MATRIX

### 1. Goal of Incentives Package

The priority goal for the incentives should be to conserve the forest land base in the rural area so that this land retains its public and private benefits.

### 2. Urbanization interferes with good forestry practices

We agree with all of the responses to the obstacle of "surrounding urbanization interferes with good forestry practices". An additional recommendation should be added to the response list that creates a 'model forest' where inspiring or current landowners could come and learn more about best management practices and effective forestry techniques.

The recommendation to create rural forestry fee access programs should be phrased so as to not preclude agency personnel (federal, tribal, state, and local) from having access to properties to perform their work duties.

### 3. Uncertainty about the breadth and scope of future regulations and how they may affect rural forestry

It is our understanding that the Committee generally found that the regulations are consistent; however, how they are implemented may vary. We could argue that there are inconsistencies between King County regulations and the cities which may result in an increase in annexation and eventual conversions for some of the study areas. We recommend that this issue be examined in detail in the Rural Forestry Committee and brought to the attention of the Growth Management Planning Council as needed.

Another response that is missing from this obstacle would be to have King County continue and expand the information on its Growth Management Act Hotline. There are two basins within the Rural Forest Area (Bear and Issaquah Creeks) that have significant restrictions on clearing and grading; however, forestry conducted under a Class I, II, III, and IV Special permits are exempt. This information needs to be transmitted to King County residents as soon as possible because recent newspaper articles contained misleading information.

### 4. Existing regulations prevent land owners from efficiently engaging in forest practices

Another broadcast response would be to facilitate the conversion of idle farm land to working forest where possible and identifying and removing any potential obstacles such as tax programs.

The specific suggestion of having the "Friend of the Forest" provide landowners with information about available grants is okay, but it should be more specific because many grants are not applicable to private landowners themselves. It would be useful to identify some possible examples such as King County's Community Stewardship Grants. The Friend of the Forest should also provide information regarding land trusts and conservancies who may be interested in securing the development rights of the sensitive areas while leaving the landowner the remaining area to be managed for forestry.

The Friend of the Forest should coordinate and supplement the technical assistance to what is already available from WSU, DNR, and other providers.

We believe that existing King County funding should be diverted from programs such as 4:1 to initiate the Friend of the Forest program. King County should hire someone with forestry experience who can negotiate and deal with people for this position.

The exemption to platted after 1960 rule may work, but we should modify the recommendation by also requiring a forest and road management plan in addition to the affidavit.

6. The burden of estate and other taxes can make forestry unprofitable  
The reduction of the inheritance tax is a good idea, particularly for those lands that are idle or existing farm or pasture areas that could be converted to forestry.

The "Dynasty Trust" should be pursued because it seems like it would have the potential to keep forest lands between generations. However, it may not be possible to use this option for families without children or interested heirs. Would it be possible to create a structure that allows private investment into these lands? There should be a program that would give people the opportunity to buy forest land before allowing it to be developed.

The current use taxation program should be targeted for those who are not now in it now. There are numerous volunteer and activist groups (i.e. WETNET) who would be willing to get involved in this outreach that can supplement the dwindling County staff.

We support the use of excise tax monies collected on forest lands to be put back into the rural forest land program.

The application fees for regular forest practice permits and conversion permits should be the same to eliminate the current financial incentive.

Each district should have its own 'model forest' that is open to forest landowners and non-forest landowners alike. After every change in elected officials, there should be a field day that brings the newly-elected officials out to the model farms and forests to remind them of the importance of these programs.

Rather than the creation or enhancement of training programs for forestry students, perhaps the recommendation should be that landowners can get "free" or discounted forestry services if they let students and instructors help them manage their lands. This should be an issue that the Rural Forest Commission examine in detail.

#### 7. Aid in reforestation

There are existing programs that provide tree seedlings to assist in reforestation. This information should be collected and dispense to landowners throughout outreach and the "Friend of the Forest" programs. It may be possible that the applicable state and federal programs need to be enhanced or

modified. For example, it is unknown how the U.S. Forest Service administers this program in King County. It would be useful to work with the Army Corps of Engineers and/or the Federal Emergency Management Agency staff on this issue since forest retention is an important component to flood control.

8. Cash flow or emergency needs can interfere with or even preclude a landowner from practicing long rotations.

The financial resources needed to develop a cost sharing program to help landowners meet regulatory requirements should come from developing land. The County should also consider using Surface Water Management fees for such a purpose since these lands will retain water when mature.

The existing stewardship incentives program should be expanded; however, the acreage amount should be left at 1,000.

9. Many of these lands are not in optimal management units which increases the cost and difficulty of practicing forestry

The issue of manageable units needs to be examined in much more detail by the Rural Forestry Committee with considerable input from the WFFA and WFPA. We have not addressed the potential issue of access limitations of harvesting equipment on private roads that are commonly created in the rural zone. It will also be necessary to look into where roads will be built and how they will be managed to address environmental and trespass concerns.

We could support King County providing equipment and operators to cut brush to improve public access as long as sensitive areas were not involved. We do not support the use of herbicides for such a program.

10. Significantly smaller return from forestry compared to conversion for residential use in the rural zone creates major economic disincentive for long term forestry. We discussed this issue a lot; however, we never produced any physical data given the adopting of the 1994 Comprehensive Plan and zoning changes that occurred in Title 21. The Rural Forest Committee should explore this issue in detail for each of the study districts.

The proposed alternative to allow clustering of residences on a portion of the site and keeping the rest in forestry will allow impacts due to development and forestry to occur together in time and space. The following is a summary of environmental impacts that must be considered:

A. Water Quantity impacts - Changes in runoff volumes.

There would be differences between developing properties that have a portion left in forest retention (clearing and grading restrictions such as 35% maximum clearing) and those that are logged. The current literature indicates that runoff increases due to logging can last up to ten years after a site has been cleared. On the flip side, it also recognized that clearcut harvesting can increase low flows. The increase in low flows has to be compared to the increases in peak flows that would come from both developed and logged portions to see if the benefits outweigh the costs.

The increase in low flows due to forestry has to be compared to the decrease in low flows due to the creation of impervious surfaces. Even with mitigation to address the impacts of the increased peak flows, there are still adverse impacts such as increased duration of flows above the pre-developed conditions. These mitigation measures may not even be required for the rural zone given the proposed changes to the Surface Water Design Manual.

#### B. Water Quality Impacts

It is recognized that forest practices have the capability of increasing sediment delivery to stream channels. If logging is done in addition to increased development, then it may be possible for more sediment containing urban pollutants (heavy metals, oils, pesticides) to enter the streams and wetlands. The question is what is the ability of receiving waters to accept new impacts? It would not be desirable to increase these impacts in areas such as Covington Creek where there are documented water quality problems. It is also important to note that there are no mitigation measures that are 100% effective at eliminating the problems of pollution in stormwater that are generated by urbanization.

#### Environmental Impacts Recommendations

Given the uncertainty regarding impacts that may occur due to a combination of development and forestry on the same property, we have the following recommendations that should be used to modify the responses:

1. The Quality Rural Environment project should pursue this issue in one area as a pilot where there is significant existing information, i.e. an adopted basin plan. The project should be required to model the water quantity and quality impacts associated with development and forestry versus developing the land with the current zoning and restrictions.
2. Transferring the residences that would be allowed to be constructed on site to another property (Alternative I, Proposal B) is a good proposal for the large commercial landowners and may work for some of the small landowners. This proposal should be pursued.
3. Alternative II Proposals A and B that consider the purchase of a property's development rights and/or land trades involving land held in trust for the County by DNR should be pursued.
4. The recommendation to require developers in urban areas who want to destroy or alter wetlands to purchase permanently preserved wetland sites from landowners needs further evaluation before we can support it. The implied assumption that wetlands in urban areas are of less value is not always valid. Furthermore, we have no evidence that existing regulations (i.e. SAO) are not working except for the potential loophole that is augmented by differences between the Forest Practices Act and the SAO. There are several urban areas that should not have been designated as such based on sensitive areas. Alternative D needs further evaluation, too, in light of King County's proposed wetland mitigation banking agreement.
11. Difficulty selling rural forest land (especially, perhaps, those permanently conserved for forestry) to new landowners  
We support the recommendation to develop a forest link program. Again, it may be useful to look into the possibility of having unrelated people investing into a property that will be kept in long term forestry to encourage "cash poor but interested" people into owning and managing forest land.

12. Setting aside land for environmental and wildlife purposes can be prohibitively expensive for landowners.

Several comments can be made to this statement. First, this issue was not documented with data that could help the committee justify this recommendation. Second, one also needs to consider cost of the land that is voluntarily set aside by the landowner as a visual buffer along roads and existing developments which is not required by the current forest practice rules. This may be an issue for those landowners who are regulated by the forest practice rules and did not get full market value for their timber; however, without data is difficult to make this conclusion. The Rural Forest Committee should look into this issue in detail.

The programs to pay landowners for wildlife habitat, aquifer recharge areas, and endangered species habitat protection may work. The Rural Forest Committee should work with appropriate King County staff to determine how much this program would cost for Council consideration.

We cannot support the recommendation to allow "compatible non-forest" uses on rural forestry lands since these uses will encourage the conversion of forest land.

## II. FINAL REPORT

Since we do not have a draft final report to comment to yet, we would like to make a few suggestions that could be incorporated in its development. It is unclear if the study districts will be described and discussed in the report since we are not designating such areas at this time. If the individual study areas will be discussed in the report, then we suggest that this section follow the format that we submitted for the Enumclaw Plateau, Middle Green River, the Cedar River, and the May/Issaquah Creek study areas. The latest draft had several key pieces of information which needs to be gathered before drafting the report. We would be willing to assist you in gathering this information.





King Conservation District  
935 Powell Ave. SW - Renton, WA 98055 - (206) 226-4867

October 16, 1995

John Howell  
King County Farm & Forest Incentive Project  
2400 Smith Tower  
Seattle, WA 98104

Dear Mr. Howell:

A few weeks ago we met to acquaint you with the Conservation District activities in an effort to determine the proper role the Conservation District should or could play in the Farm and Forest Incentive Project. I was to get back to you with some of my ideas as to what functions King Conservation District could carry out.

Since we met, you have forged ahead with public meetings and advisory committees in your effort to define problems and develop solutions to those problems related to farming and forestry in King County. You are to be commended for your work on this project. I suspect it is the most comprehensive look at the subject ever done in King County, or most likely, in the state..

To formulate an answer about King Conservation District's role in the future of King County's Commercial forest and agriculture life, I think it might be beneficial to briefly look at the evolution of the District since 1949 when it was started.

In King County the first people to bring local farmers together to discuss formation of a Conservation District was Cooperative Extension. The advantage of forming a Conservation District was to get the expertise of the US Department of Agriculture's Soil Conservation Service (SCS). The District sponsored SCS agents could provide soils information that was not then available, but badly needed. Also available would be technical assistance on the subjects of drainage of wet areas and also irrigation and soil erosion prevention and some flood prevention work. The first item of work for SCS once the citizens voted to form the Conservation District was to do the soil survey for the County. This soil survey was later updated in 1973 and provides basic information today on soil types and their descriptions. They are commonly used now by not only farmers, but more often by developers and sanitation engineers.

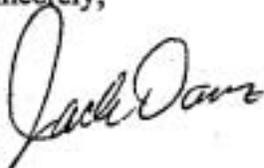
The idea of conservation districts being formed throughout the nation was to utilize local people in determining the highest priority projects in the local area for the US Department of Agriculture to work on. Since 1949 the SCS now called Natural Resource Conservation Service (NRCS), staffing level has been reduced while population increases have increased local problems. This has caused the need for District Supervisors to look for ways to hire their own local staff to carry out the varied work. The last few years the need for urban assistance with Natural problems has become more evident. Also the increase in noncommercial horse population spurred on the need for more assistance in management of the animals. In the mid

seventies the Board of Supervisors saw a need to better control soil erosion from the many development sites for housing and commercial building activities. In each case the Supervisors were able to work with local governments to help them develop a solution to the problem or for the District to develop their own programs to address the problem. Another recent situation where the Conservation District has been used effectively in a new role is the Federal Governments Urban Resources Partnership where seven Federal agencies were asked to work together in the Seattle Metropolitan Area to get their combined technical assistance into use solving urban natural resources problems. As a group without any common administrative structures they were not able to function as a team. Their solution in King County to this problem was to have the Conservation District hire the Director and administer the funds being provided by various Federal agencies. The Conservation District was chosen to do this work because the District is an independent agency working with everyone in the County from individual citizens to various cities on to County departments and Federal Government departments.

What I see happening in your Farm and Forest Incentive Project is determining new and different approaches to the many barriers being identified. The role of the Conservation District in assisting in this effort should probably be left to people and groups charged with developing the working solution to the barriers. I suspect some new role or roles will be developed as possibilities that I could not begin to address at this time. The Conservation District can play a lot of roles. The only restrictions the Board of Supervisors have been bound by in the part are the requirements in the State Conservation District law preamble (enclosed) and by their own determination to be non regulatory. The preamble provides a wide latitude of opportunity that generally revolves around soil and water protection, but also brings in other factors, such as wildlife, tax base, health, safety, and general welfare of the people of the state.

One stumbling block in the past to effective Conservation District work has been funding. Everyone sees a need for our work, but wants someone else to pay for it. As a result our projects are often hit or miss grant proposals or feeble local funding. In order to be effective the Conservation District needs a stable base level of funding. With that in place the Conservation District is quite flexible in being able to meet new needs in the County. Your project may identify some never dreamed of before.

Sincerely,



Jack Davis  
District Manager

# RECLAMATION, SOIL CONSERVATION AND LAND SETTLEMENT

**89.08.010 Preamble.** It is hereby declared, as a matter of legislative determination:

(1) That the lands of the state of Washington are among the basic assets of the state and that the preservation of these lands is necessary to protect and promote the health, safety, and general welfare of its people; that improper land-use practices have caused and have contributed to, and are now causing and contributing to, a progressively more serious erosion of the lands of this state by wind and water; that the breaking of natural grass, plant and forest cover have interfered with the natural factors of soil stabilization, causing loosening of soil and exhaustion of humus, and developing a soil condition that favors erosion; that the topsoil is being blown and washed off of lands; that there has been an accelerated washing of sloping lands; that these processes of erosion by wind and water speed up with removal of absorptive topsoil, causing exposure of less absorptive and less protective but more erosive subsoil; that failure by any land occupier to conserve the soil and control erosion upon his lands may cause a washing and blowing of soil from his lands onto other lands and makes the conservation of soil and control of erosion on such other lands difficult or impossible, and that extensive denuding of land for development creates critical erosion areas that are difficult to effectively regenerate and the resulting sediment causes extensive pollution of streams, ponds, lakes and other waters.

(2) That the consequences of such soil erosion in the form of soil blowing and soil washing are the silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors, and loading the air with soil particles; the loss of fertile soil material in dust storms; the piling up of soil on lower slopes and its deposit over alluvial plains; the reduction in productivity or outright ruin of rich bottom lands by overwash of poor subsoil material, sand, and gravel swept out of the hills; deterioration of soil and its fertility, deterioration of crops grown thereon, and declining acre yields despite development of scientific processes for increasing such yields; loss of soil and water which causes destruction of food and cover for wildlife; a blowing and washing of soil into streams which silts over spawning beds, and destroys water plants, diminishing the food supply of fish; a diminishing of the underground water reserve, which causes water shortages, intensifies periods of drought, and causes crop failures; an increase in the speed and volume of rainfall run-off, causing severe and increasing floods, which bring suffering, disease, and death; impoverishment of families attempting to farm eroding and eroded lands; damage to roads, highways, railways, buildings, and other property from floods and from dust storms; and losses in navigation, hydroelectric power, municipal water supply, irrigation developments, farming and grazing.

(3) That to conserve soil resources and control and prevent soil erosion and prevent flood water and sediment damages, and further agricultural and nonagricultural phases of the conservation, development, utilization, and disposal of water, it is necessary that land-use practices contributing to soil wastage and soil erosion be discouraged and discontinued, and appropriate soil-conserving land-use practices, and works of improvement for flood prevention of agricultural

and nonagricultural phases of the conservation, development, utilization, and disposal of water be adopted and carried out; that among the procedures necessary for widespread adoption, are the carrying on of engineering operations such as the construction of terraces, terrace outlets, check-dams, desilting basins, flood water retarding structures, channel floodways, dikes, ponds, ditches, and the like; the utilization of strip cropping, contour cultivating, and contour furrowing; land irrigation; seeding and planting of waste, sloping, abandoned, or eroded lands to water-conserving and erosion-preventing plants, trees, and grasses; forestation and reforestation; rotation of crops; soil stabilizations with trees, grasses, legumes, and other thick-growing, soil-holding crops, retardation of run-off by increasing absorption of rainfall; and retirement from cultivation of steep, highly erosive areas and areas now badly gullied or otherwise eroded.

(4) Whereas, there is a pressing need for the conservation of renewable resources in all areas of the state, whether urban, suburban, or rural, and that the benefits of resource practices, programs, and projects, as carried out by the state conservation commission and by the conservation districts, should be available to all such areas; therefore, it is hereby declared to be the policy of the legislature to provide for the conservation of the renewable resources of this state, and for the control and prevention of soil erosion, and for the prevention of flood water and sediment damages, and for furthering agricultural and nonagricultural phases of conservation, development, utilization, and disposal of water, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, protect

the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this state. To this end all incorporated cities and towns heretofore excluded from the boundaries of a conservation district established pursuant to the provisions of the state conservation district law, as amended, may be approved by the conservation commission as being included in and deemed a part of the district upon receiving a petition for annexation signed by the governing authority of the city or town and the conservation district within the exterior boundaries of which it lies in whole or in part or to which it lies closest. [1973 1st ex.s. c 184 § 2; 1939 c 187 § 2; RRS § 10726-2.]





King County  
Department of Development  
and Environmental Services  
3600 - 156th Place Southeast  
Bellevue, Washington 98006-1400

October 4, 1995

TO: Kathy Creahan, Acting Chief, Regional Planning Section  
Sandra Towne, Four-to-One Program Coordinator

FM: Tom Fitzpatrick, Regional Planner

RE: Incentives to Cluster and Transfer Density in Rural Areas and Rural Resource Districts

The 1994 King County Comprehensive Plan (KCCP) calls for King County to study the costs and benefits of using clustering and density transfers as incentives to protect Rural Farm and Forest Districts. This memo has three purposes: first, to recap KCCP policy direction for clustering, density incentives and Rural Farm and Forest Districts in the Rural Area, and to note where policy amendments might be needed; second, to summarize the Zoning Code's provisions for clustering and transfers of development credits; and third, to evaluate the economic attractiveness to the private sector of clustered subdivisions and density transfers in the RA-5 zone, using very simplified assumptions about site design and development costs.

Let me state at the outset that, on the basis of King County Assessor sales data for lots in the Rural Area and Resource Lands from January, 1993 to July, 1995, there is no clear economic need to offer density incentives to developers to induce them to cluster.

#### I. KCCP Policy Direction

- Policy R-108 mandates establishment of Rural Farm and Forest Districts, and requires them to be designated and zoned by December 31, 1995.
- Policy R-203 states that density incentives should not be offered in Rural Areas except to protect farm and forest lands as designated by R-108. R-203 also provides for transfers of density from Rural Farm and Forest Districts to both Urban and Rural Areas.
- R-217 calls for a study of using density transfers to Urban Area sites (already allowed by the Zoning Code) to protect Rural Farm and Forest Districts; this appears to conflict with R-203, since its language only permits transfers to Urban Areas. The policy provides that even once they are downzoned (to RA-20), Rural Farm and Forest District properties could transfer density at the zoned densities in place in 1994 (in most cases, one home per 5 or 10 acres).

Although its language is very convoluted, I think Countywide Planning Policy LU-13 does allow the County to use density incentives with clustered development in the Rural Area. I will argue, however, that LU-13's stricture that the impacts of additional dwelling units must be mitigated, plus the policy direction in the GMA, other CPP's and in other parts of the Comprehensive Plan, means that if Rural Area density incentives are allowed, it must be no more than needed to make clustering economically competitive with non-clustered development. I think these other directives also mean that we should seriously consider limiting Rural Area density incentives to specific locations, such as near or adjacent to the UGA, within the "New Rural" areas, etc, as well as offering them only when clustering will protect lands meeting the criteria set forth in LU-13. All this interpretation of LU-13, however, may be moot given CPP LU-14, which allows density transfers in Rural Areas, but only if they result in "no net increase in density in the Rural Area." This appears to rule out use of density incentives in conjunction with density transfers, unless this language is amended.

Only one policy change is essential to allow density transfers and incentives in Rural Areas, namely a slight rewording to R-217 to make it consistent with R-203. If it appears doubtful that RA-20 zoning can be applied to designated Rural Farm and Forest Districts by the end of the year, then R-108 also should be amended to extend or eliminate its December 31, 1995 deadline.

## II. Cluster and Density Transfer Provisions of the King County Zoning Code

Clustered subdivisions have been allowed in what is now the Rural Area since 1979, when the G-5 zone was added to the old code. The AR zone included the clustering option when it was adopted in 1986, and the County carried the rules basically intact into the new code. The rules for clustering in the RA zone are found in KCC section 21A.14.040(B). The code limits clusters to no more than eight lots under 2.5 acres in size, prohibits more than eight lots under 2.5 acres from being served by a single cul-de-sac, and reserves for the County the authority to limit clustering "to a level that can be adequately served by rural facilities and services. These limits on rural clustering are aimed at large subdivisions, in an attempt to prevent large concentrations of one-acre lots that would feel and function like suburban areas (e.g. Wilderness Rim outside North Bend).

Density transfer rules are in Chapter 21A.36. The approach in the code is intended to be both simple (mechanically, a transfer works just like clustering and takes advantage of the same vesting rules applicable to a normal subdivision) and noncommittal (i.e. there are no floating or banked TDRs, so if the transfer option were later repealed nobody would be left holding unusable development rights).

In line with previous policy, the code currently allows residential density to be transferred from just about anywhere, but allows it to land on "receiving sites" only in zones used inside the Urban Growth Area. If there is wide support for allowing receiving sites in Rural Areas for density transferred from Rural Farm and Forestry Districts and therefore the kinks in KCCP Policy R-217 are removed, an amendment to KCC section 21A.36.040 would be needed. An amendment also would be needed to the density table in KCC 21A.12.030 to add maximum densities for Rural

receiving sites if it were deemed appropriate to have rules similar to those applied in urban residential zones.

### III. Clustering and Density Transfers, With or Without Density Incentives: The Bottom Line

In considering whether or not to offer density incentives for clustering and/or density transfers in the Rural Area, it is important to think clearly about how much incentive is appropriate. If developers find clustering financially attractive without density incentives, it would be inconsistent with the GMA, CPP's and King County's environmental, growth and development objectives for Rural Areas to offer them. If incentives are needed, they should be set at a level sufficient to make clustering financially attractive compared with non-clustered development, but no higher than necessary to make this happen.

As a means of gauging the need for and effect of density incentives, I have developed some simplified scenarios involving subdivisions of various sizes in the RA-5 and RA-10 zones. The scenarios allow comparison of the land and development costs and assumed "retail" value of clustered and non-clustered subdivisions, and density transfers, with and without density incentives, as a way to look at their relative economic attractiveness. The underlying assumption is that an economically rational developer or property owner will often, if not always, seek to develop a site using the most profitable approach.

In developing these scenarios I sought both public and private sector help in deciding what kind of numbers to use for development costs and land values. Residential appraisal staff in the King County Department of Assessments provided me with lot sales data for Eastern King County from January, 1993 through July, 1995 that I used to make assumptions about land values and possible retail prices of subdivided lots. This data was for vacant lots ranging in size from one acre to six acres. Two different developers very kindly shared with me their expertise about site development costs and about the relative market attractiveness of clustered versus non-clustered subdivisions. The street and utility development cost numbers used in the scenarios can be taken as very reliable. The surface water/environmental mitigation cost and land value assumptions are totally hypothetical, but sensitivity analysis shows that significant variation in these numbers does not change the conclusions about the need for or effectiveness of density incentives. The most important variable in these scenarios is the assumed difference in prices of five- and 10-acre lots in non-clustered subdivisions, and the nominal 1-acre lots resulting from clustered subdivisions. For purposes of differentiating between clustered and non-clustered scenarios, I assumed a much greater price spread between 1-acre lots and 5- and 10-acre lots than the data would support.

#### A. Clustered vs. Non-Clustered Subdivisions

To evaluate how density incentives would affect clustered development in the RA-5 zone (rural residential, one home per five acres) I modeled two development scenarios: an 8-lot subdivision on 40 acres, and a 128-lot subdivision on 640 acres. I assumed no holding costs, and no difference in marketability of clustered vs. non-clustered lots. (It should be noted that both developers I

consulted thought 1-acre lots would be more marketable than 5-acre lots, even if there were little or no price spread between them.) I assumed no difference in mitigation costs, because some of the mitigation might be for off-site facilities, even though surface water management costs should be less with clustering. I also assumed ideal site conditions for both subdivisions, allowing a very simple pattern of straight roads and standard 5-acre lots (660' X 330' rectangles) in the non-clustered alternative, and old-style 35,000 square-foot "horse acre" lots (135' X 260' rectangles) in the clustered alternative. (See Figures 1 and 2.)

Eight-lot 40-acre unclustered subdivision:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$200,000
Mitigation	\$1500/acre	\$60,000
<u>Streets/Water Lines</u>	<u>\$200/in. ft.</u>	<u>\$200,000</u>
Total Cost		\$460,000
Gross Proceeds	\$120,000/lot	\$960,000
<u>Less Total Cost</u>		<u>(\$460,000)</u>
Gross Profit		\$500,000

Eight-lot 40-acre clustered subdivision:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$200,000
Mitigation	\$1500/acre	\$60,000
<u>Streets/Water Lines</u>	<u>\$200/in. ft.</u>	<u>\$81,000</u>
Total Cost		\$341,000
Gross Proceeds	\$90,000/lot	\$720,000
<u>Less Total Cost</u>		<u>(\$341,000)</u>
Gross Profit		\$379,000

Under the assumptions stated above, the clustered subdivision appears less profitable by \$121,000 or about \$15,000 per lot, than the unclustered subdivision, even though development costs are less by almost the same amount per lot. This because of the larger (\$30,000) assumed retail price spread between 35,000 square-foot lots and five-acre lots. In fact, actual sales data indicate much smaller price spreads, if any, are the norm between such lots. Modeling these scenarios with a price spread smaller than \$15,000 per lot would lead to the conclusion that clustering is more profitable than not clustering even without density incentives.

128-lot 640-acre unclustered subdivision:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
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Land	\$5000/acre	\$3,200,000
Mitigation	\$1500/acre	\$960,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$4,224,000</u>
Total Cost		\$8,384,000
Gross Proceeds	\$120,000/lot	\$15,360,000
<u>Less Total Cost</u>		<u>(\$8,324,000)</u>
Gross Profit		\$7,036,000

128-lot clustered subdivision:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$3,200,000
Mitigation	\$1500/acre	\$960,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$2,088,000</u>
Total Cost		\$6,248,000
Gross Proceeds	\$90,000/lot	\$11,520,000
<u>Less Total Cost</u>		<u>(\$6,248,000)</u>
Gross Profit		\$5,272,000

Under the assumptions stated above, the 128-lot clustered subdivision is less profitable by \$1,764,000, or about \$13,800 per lot, than the non-clustered subdivision. Given the results in the above scenarios, and most importantly assuming no difference in marketability of 5-acre vs. 1-acre lots in the Rural Area, it would be reasonable to conclude that in most cases a developer would choose not to cluster, absent unbuildable environmental constraints or other site conditions that radically increase development costs for standard 5-acre lots. Again, modeling these scenarios with a smaller price spread supported by the actual sales data would lead to the conclusion that clustering would always be more profitable, even without density incentives.

Below are subdivision scenarios for subdivisions on 40-acre and 640-acre sites, first with a 10-percent density incentive, then with a 20-percent density incentive. Under the assumptions used here, the 10-percent incentive still results in less profit than a non-clustered development, but a 20-percent incentive makes clustering more profitable than a non-clustered development. Using price spreads based on the referenced lot sales data would lead to a conclusion that clustering with a 10-percent density incentive would be more profitable than a non-clustered development.

Eight-lot 40-acre clustered subdivision with 10-percent incentive (one extra lot):

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$200,000
Mitigation	\$1500/acre	\$60,000

<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$108,000</u>
Total Cost		\$368,000
Gross Proceeds	\$90,000/lot	\$810,000
<u>Less Total Cost</u>		<u>(\$368,000)</u>
Gross Profit		\$442,000

Under the assumptions stated above, the clustered subdivision still appears less profitable than the non-clustered subdivision, although the gap is greatly reduced. Development costs are slightly higher because more road and water line must be installed to reach the additional lot.

Eight-lot 40-acre clustered subdivision with 20-percent incentive (two extra lots):

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$200,000
Mitigation	\$1500/acre	\$60,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$108,000</u>
Total Cost		\$368,000
Gross Proceeds	\$90,000/lot	\$900,000
<u>Less Total Cost</u>		<u>(\$368,000)</u>
Gross Profit		\$532,000

Under the assumptions stated above, the clustered subdivision with a 20-percent density increase is more profitable than the unclustered subdivision by \$32,000.

128-lot clustered subdivision with 10-percent incentive (13 extra lots):

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$3,200,000
Mitigation	\$1500/acre	\$960,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$2,250,000</u>
Total Cost		\$6,410,000
Gross Proceeds	\$90,000/lot	\$12,690,000
<u>Less Total Cost</u>		<u>(\$6,410,000)</u>
Gross Profit		\$6,280,000

Under the assumptions stated above, the clustered subdivision is still less profitable than the unclustered subdivision by \$756,000.

128-lot clustered subdivision with 20-percent incentive (26 extra lots):

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$3,200,000
Mitigation	\$1500/acre	\$960,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$2,400,000</u>
Total Cost		\$6,560,000
Gross Proceeds	\$90,000/lot	\$13,860,000
<u>Less Total Cost</u>		<u>(\$6,560,000)</u>
Gross Profit		\$7,300,000

Under the assumptions stated above, the clustered subdivision with 20 percent more density is more profitable than the non-clustered development by just over \$260,000. Consistent with the Zoning Code's requirements, all the clustered development scenarios for the 640-acre assume that the lots are grouped into 8-lot clusters, each requiring the same amount of road and utility footage as the single cluster in the 40-acre development, plus about 4,000 feet of spine or collector street with water lines. Additional road and utility footage was added to each of the incentive-based scenarios to serve the extra lots.

From the scenarios outlined above, it is reasonable to conclude that for a wide range of subdivision sizes, a 20-percent density incentive will make clustered development more economically attractive to developers than non-clustered development in the RA-5 zone. However, given the 1993-1995 sales data referenced above, it is also reasonable to conclude that clustering with either a 10-percent density incentive or NO density incentive also would be more profitable under the same circumstances.

RA-10 Zone

Most of the designated Rural Area in King County is zoned RA-5. However, adjacent to the Forest Production District there is a significant amount of land zoned RA-10 (one home per 10 acres), including much of the land being studied for designation as Rural Forest District. Some of this land may be zoned RA-20, in accordance with KCCP policy R-108. Below are clustered and non-clustered subdivision scenarios for development of a 160-acre parcel at one home per 10 acres. Both land and development costs should start to change from the scenarios in the RA-5 zone, due to the lower density. Land costs should go down, but non-clustered road and water line costs per lot go up, due to the significantly greater lot frontage (660'). Environmental and facility mitigation costs should go down significantly at these densities; therefore, I used a figure of \$2000 per unit rather than the \$1500 per acre used in the RA-5 zoned examples. The scenarios below are for a 160-acre (quarter-section) site in the RA-10 zone, comparing non-clustered subdivisions with clustered subdivisions using both one-acre and 2.5-acre lots. I did not have the chance to review sales data for lots larger than six acres for Eastern King County, so I have no additional insight about the realism of the price spreads assumed between 10-acre lots and the smaller lots in the scenarios below.

16-lot non-clustered subdivision, RA-10 zone:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$3000/acre	\$480,000
Mitigation	\$2000/unit	\$32,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$792,000</u>
Total Cost		\$1,304,000
Gross Proceeds	\$180,000/lot	\$2,880,000
<u>Less Total Cost</u>		<u>(\$1,304,000)</u>
Gross Profit		\$1,576,000

16-lot clustered subdivision, RA-10 zone, one-acre lots:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$3000/acre	\$480,000
Mitigation	\$2000/unit	\$32,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$162,000</u>
Total Cost		\$674,000
Gross Proceeds	\$90,000/lot	\$1,440,000
<u>Less Total Cost</u>		<u>(\$674,000)</u>
Gross Profit		\$766,000

16-lot clustered subdivision, RA-10 zone, 2.5-acre lots:

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$3000/acre	\$480,000
Mitigation	\$2000/unit	\$32,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$396,000</u>
Total Cost		\$908,000
Gross Proceeds	\$120,000/lot	\$1,920,000
<u>Less Total Cost</u>		<u>(\$908,000)</u>
Gross Profit		\$1,012,000

In both RA-10 alternative scenarios, the clustered subdivision is substantially less profitable than the non-clustered subdivision, even with a 20-percent density incentive. However, it is apparent that the profitability of clustered vs. non-clustered development in all of these examples varies significantly with the assumed selling price of the finished lots and the assumed costs of land and mitigation. Also, it is assumed that the ownership interest in the open space created by the cluster is not sold with the lots; such an assumption might make many, if not most, clustered scenarios in

both RA-5 and RA-10 zones competitive or more profitable than non-clustered scenarios even without density incentives.

## B. Density Transfers

Use of density transfers within the Rural Area (i.e. transferring to a site with RA zoning) would require amendments to both KCCP policies as cited above, and to the Zoning Code. The first scenario below assumes density transfers are authorized to the RA-5 zone (or to a designated subset of RA-5 properties, e.g. those abutting or near the Urban Growth Area) on the same basis as now permitted in urban residential zones. This would mean a 150-percent cap on density increases on the receiving site, so that rather than 0.2 dwellings/acre (one home per five acres), maximum density on a receiving site with a transfer could be 0.3 dwellings/acre (plus or minus one home per 3.3 acres, depending on rounding).

The density transfer scenarios outlined below will be compared with separate development of the sending and receiving sites. The density transfer example below does not require that the density cap mentioned above be suspended or modified, but this probably would be needed if the density transfer option were to be attractive to owners of smaller receiving sites. The examples also assume clustered layouts and AR-10 zoning at the base density of the sending sites.

Eight-lot 40-acre subdivision, plus 4 extra lots transferred from a 40-acre sending site

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Receiving Site	\$5000/acre	\$200,000
Sending Site	\$3000/acre	\$120,000
Mitigation	\$1500/acre	\$60,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$121,500</u>
Total Cost		\$501,000
Gross Proceeds	\$90,000/lot	\$1,080,000
<u>Less Total Cost</u>		<u>(\$501,000)</u>
Gross Profit		\$579,000

In this scenario, the developer realizes an additional revenue of \$360,000 from the four extra lots. The added increment of development cost attributed to these lots is \$167,000 including land and streets/water lines. If mitigation costs also rose proportional with the added density (another \$30,000), the total added cost increment would be \$197,000, and profit would drop to \$549,000.

The separate development scenario would be the aggregate of the clustered development scenarios for the eight-lot 40-acre subdivision on the RA-5 receiving site and a 4-lot clustered development on the RA-10 sending site.

Eight-lot 40-acre clustered subdivision, RA-5 zone (receiving site):

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$5000/acre	\$200,000
Mitigation	\$1500/acre	\$60,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$81,000</u>
Total Cost		\$341,000
Gross Proceeds	\$90,000/lot	\$720,000
<u>Less Total Cost</u>		<u>(\$341,000)</u>
Gross Profit		\$379,000

4-lot 40-acre clustered subdivision, RA-10 zone (sending site):

<u>Item</u>	<u>Item Unit Cost</u>	<u>Total</u>
Land	\$3000/acre	\$120,000
Mitigation	\$2000/unit	\$8,000
<u>Streets/Water Lines</u>	<u>\$200/lin. ft.</u>	<u>\$40,000</u>
Total Cost		\$168,000
Gross Proceeds	\$90,000/lot	\$360,000
<u>Less Total Cost</u>		<u>(\$168,000)</u>
Gross Profit		\$192,000
<u>Total Gross Profit without density transfer</u>		<u>\$547,000</u>

The development scenario with a density transfer but no density incentives is more profitable than the separate development of each site under the assumptions outlined above by \$32,000. Since this is a difference of less than 10 percent between two very hypothetical situations, and since I did not add mitigation costs proportionate with the added density to the density transfer scenario (which would make the profit of the two hypothetical cases virtually identical), I will limit myself to concluding that the density transfer option is at least competitive with separate development of the sending and receiving sites, further assuming no downzoning of the sending site as required by KCCP policy R-217. If the developer chose not to cluster in either case, the competitiveness of the development transfer option would depend on the price spread between 3-acre lots and 5- and 10-acre lots (as opposed to 1-acre vs 5- and 10-acre lots).

Policy R-217 as adopted requires that the density transfer occur based on the zoning in place when the 94 KCCP was adopted; for much of the land being studied for designation as Rural Forest Districts, this would be RA-3 or RA-10. Policy R-108 further requires these lands to be zoned RA-20, so a 100- to 300-percent density incentive over the RA-20 zone is built into the density transfer option. The policy also requires designated Rural Farm District lands to be zoned RA-10;

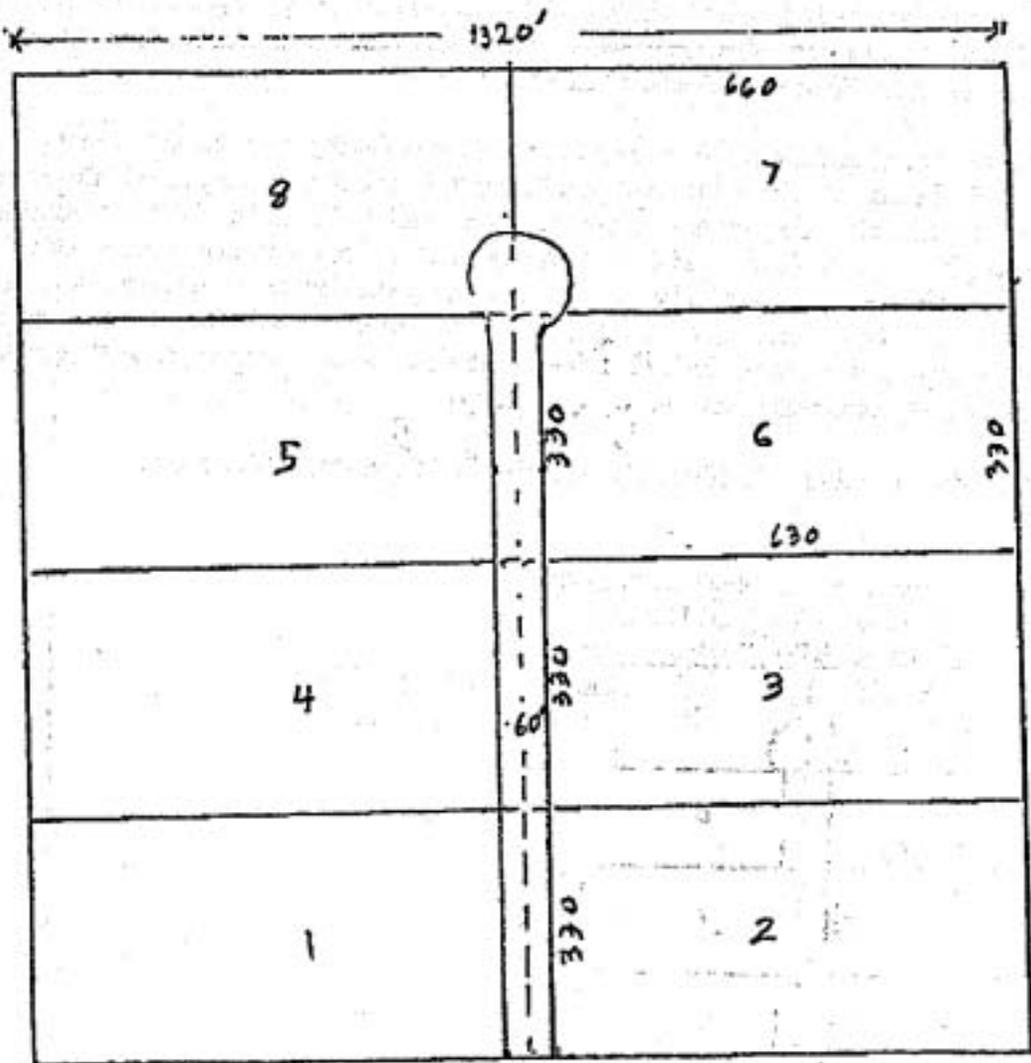
parcels previously zoned RA-5 would have a 100-percent density incentive built into the density transfer option over r the RA-5 zone. In the example above, if the sending site is downzoned to RA-20 as required by the KCCP, development costs could drop by \$40,000 or more (depending on how much less on-site road and water line installation is needed to service a two-lot cluster), but the gross proceeds drop by \$180,000, which means the total gross profit of the separate development scenario would drop to around \$407,000, which would be \$172,000 or almost 30 percent less than the density transfer scenario.

Based on modeling the scenarios above, I conclude that density transfers will be more economically attractive to most developers than development of sending sites in the Rural Resource Districts if they are downzoned consistent with KCCP policy R-217. Countywide Planning Policy LU-14, which addresses density transfers "to encourage retention of resource-based uses in the Rural Area," directs that such density transfers result in "no net increase in density in the Rural Area." From this I conclude that offering density incentives in conjunction with density transfers would be in violation of the CPP's as now adopted, as well as unnecessary from a strictly economic standpoint.

Please call me at 296-7125 if you have questions or comments on this paper.

cc: Doug Osterman, Regional Planner  
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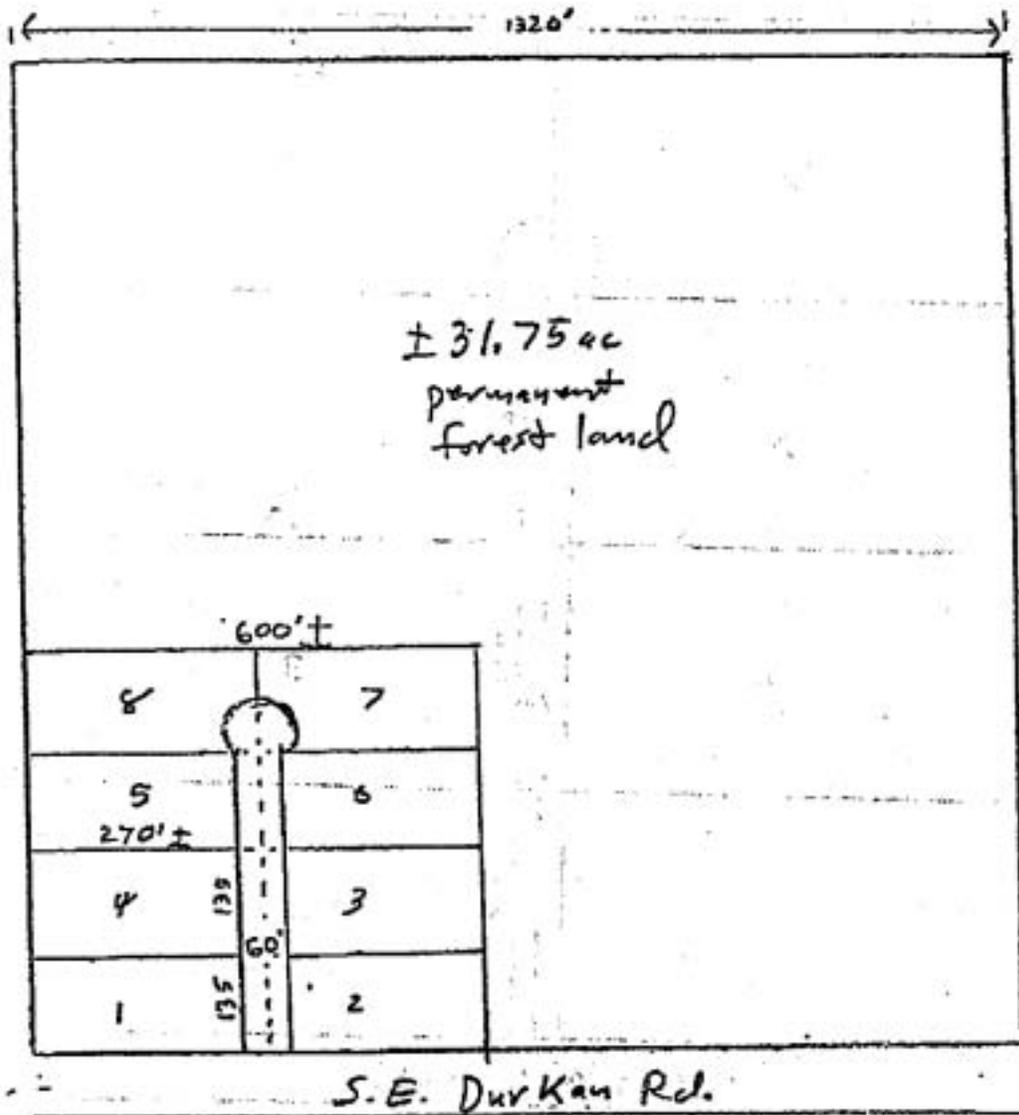
FIGURE 1.



Behring Wy. N.E.

8-Lot 40-acre Unclustered Subdivision  
(Each Lot approx. 5 acres, with 60' R.O.W.  
For public or private street, and water lines)

FIGURE 2.



8-Lot 40-acre Clustered Subdivision  
(Each lot approx. 36,500  $\pm$ , with 60' R.O.W.  
for public or private street, and water lines,  
with 31.75-plus-minus-acres in permanent  
management for timber production)

