

Legislation Text

File #: FCD17-03, **Version:** 1

A MOTION relating Lower Green River Corridor Plan; describing the Plan as a proposal; describing the goals, purposes and alternatives of the proposal; setting the reasonable alternatives of the proposal for SEPA EIS scoping; directing the responsible official to begin SEPA review; and establishing the charter for and membership of a Lower Green River Corridor Plan Advisory Committee and Technical Working Group.

WHEREAS, the King County Flood Control District (“District”) through Resolution FCD2016-05 directed the District executive director to prepare a work plan and budget for a Lower Green River Corridor Plan (“LGRCP”) and to initiate a request for proposal for a consultant to prepare a State Environmental Policy Act (“SEPA”) programmatic environmental impact statement (“EIS”) for the LGRCP; and

WHEREAS, the LGRCP is a follow-up plan to the Interim System-Wide Improvement Framework ("Interim SWIF") submitted to the United States Army Corps of Engineers for acceptance in February 2016, and accepted by the Corps on March 31, 2017; and

WHEREAS, the Interim SWIF maintains eligibility for flood damage repairs under the federal PL 84-99 Program, but does not include projects to extend flood protection and does not address multiple objectives; and

WHEREAS, through Resolution FCD2016-05 the District determined that the broader objectives supported by stakeholders who participated as SWIF advisors can best be achieved through a long-range planning process that includes a SEPA EIS that can analyze cumulative impacts and reasonable alternatives for accomplishing the objectives of flood protection, economic vitality, equity and social justice, habitat restoration, housing, recreation, salmon recovery, water quality, and other issues to be defined through the environmental impact statement scoping process; and

WHEREAS, Chapter 86.15 RCW established the purposes and powers of a flood control zone district which includes planning, constructing, acquiring, repairing, maintaining, and operating all necessary equipment, facilities, improvements, and works to control, conserve, and remove flood waters and stormwaters as well as taking action necessary to protect life and property within the district from flood water damage; and

WHEREAS, the District through Resolution FCD2014-09.1 adopted provisional levels of protection for *43.7 shoreline miles** of the Lower Green River; and

WHEREAS, the District through Resolution FCD2016-04 adopted SEPA procedures that state in Section 4 that the district executive director shall be the SEPA responsible official for all proposals on which the District is the lead agency and the responsible official shall make the threshold determination, supervise scoping, prepare any required EIS

and perform any other functions assigned to the lead agency under FCD2016-04; and

WHEREAS, FCD2016-04 Section 5D states that the District shall be the lead agency for the LGRCP; and

WHEREAS, FCD2016-04 Section 6 states that the responsible official shall begin any required environmental review at the earliest point in the planning and decision making process when the principal features of the proposal and its probable environmental impacts are reasonably identified; and

WHEREAS, the District desires to initiate the planning process for the proposal that will result in the LGRCP, by adopting the goals and purposes of the proposal which shall guide the development of the proposal; and

WHEREAS, in conformance with WAC 197-11-442, the District desires to describe the principal features of a set of alternatives that will accomplish the goals and purposes of the proposal and that will be the reasonable alternatives for the EIS scoping process; and

WHEREAS, the District desires to engage in a robust public involvement process in the development of the LGRCP and EIS; and

WHEREAS, the Lower Green River study area includes flood risk reduction facilities in multiple jurisdictional ownerships and is surrounded by mixed land uses, including agricultural, commercial, industrial, open space, recreational, and residential; and

WHEREAS, the Lower Green River study area is the largest warehouse and distribution hub in the entire Northwest, supplying the region with groceries, food service products, gasoline, medical supplies, and other critical provisions and includes many of our region's major employers; and

WHEREAS, preliminary planning finds that levee overtopping that exceeds design protection will result in floodplain inundation of one to 10 feet or more; system-wide annual damages due to flooding are estimated to be \$47.1 million; present value damages due to flooding are estimated to be \$1.1 billion and 5,371 residential structures are estimated to be located in the Lower Green River planning area; and

WHEREAS, the District desires to update the membership of the LGRCP Advisory Committee and Technical Working Group established through FCD2016-12.2 and to provide charters to guide their work; and

WHEREAS, when complete, the LGRCP shall be formally adopted by the District; now, therefore,
BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KING COUNTY FLOOD CONTROL ZONE DISTRICT:

SECTION 1. The goals and purposes of the proposal for the LGRCP are to provide an integrated and reasonable long-term approach to reduce flood risk within the Lower Green River Corridor while balancing multiple objectives within the study area including but not limited to economic vitality and environmental protection. The integrated approach is intended to protect people, property, and jobs while reducing conflicts between flood facilities, agricultural land use, economic development, equity and social justice, habitat restoration, housing, recreation, salmon recovery, water quality, and other issues to be defined through the SEPA EIS scoping process. The integrated approach also is intended to reduce flood risks while supporting the economic prosperity of the region and improve fish habitat.

SECTION 2. The alternative means of accomplishing the goals and purposes of the proposal of Section 1 are described below and will be the reasonable alternatives for the EIS scoping process consistent with RCW 43.21C.110, WAC 197-11-408, and FCD2016-04. The District acknowledges that the EIS scoping process may result in modifications to the alternatives.

Alternative 1 - No Action:

The State Environmental Policy Act (SEPA) requires the no action alternative. The no action alternative provides a baseline for comparison of potential effects of the other plan alternatives. Under the no action alternative, the District would maintain the current level of protection for the existing 16 miles of the PL 84-99 levee systems. It assumes the District completes the projects in the currently approved (2017-2022) 6-year CIP, and assumes the District completes the (currently funded) Interim SWIF Capital Projects. It also assumes the District continues to make repairs to the PL-84 99 levees as in the past as needed, in accordance with the Interim SWIF Vegetation Management Plan. Under the no action alternative, there would be no system-wide increase in the level of protection.

Alternative 2 - Primary Flood Risk Management and Limited Increase in the Geographic Extent of Level Of Protection.

Under this alternative the District would provide 19 miles of flood facilities built to meet the 500-year level of protection. *(Projects would be designed to accommodate a flow of 18,800 cubic feet per seconds, plus three feet of freeboard.)*

This alternative includes the 16 miles of the existing PL 84-99 levee system and fills in three-miles of gaps between PL 84-99 levees. Under this alternative, the District would minimize additional real estate easements and relocations. The District would implement all of the Interim SWIF identified capital projects, those included in the no action alternative as well as those currently unfunded.

*Approximately 40% of the projects (eight miles) *would be in-place replacement projects with minimum standard levee side slopes (2:1). Project footprints would be minimized. This project type would likely require off-site mitigation.*

*Approximately 60% of the projects (11 miles) *would have somewhat flatter side slopes (2.5:1 -3:1) with a slope that can be planted with vegetation and/or a bench, large woody debris, scour protection, and enhanced vegetation. This project type would likely require more land acquisition or easements and are more likely to be self-mitigating. Under this alternative the District would provide offsite habitat mitigation, only if required. Existing recreation facilities would be maintained and minimal recreational enhancements would be funded by the District if feasible as part of a flood facility. Agricultural areas would be provided the same level of protection as they currently have. No habitat enhancement would*

be provided beyond required mitigation.

Alternative 3 - Primary Flood Risk Management with Integrated Habitat and Recreation, Greater Increase in the Geographic Extent of Level of Protection, Agricultural Protection Facilities, and Non-Primary Flood Habitat Restoration Project Partnerships.

Under this alternative the District would provide 25 miles of flood facilities built to meet the 500-year level of protection. *(Projects would be designed to accommodate a flow of 18,800 cubic feet per second plus three-feet of freeboard).*

This alternative includes the 16 miles of the existing PL 84-99 levee system, fills in the three-miles of gaps between PL 84-99 levees, and extends the system by six-miles including extending the Desimone Levee in Kent and Tukwila to I-405, flood protection at Frager Road in Kent and Kent Airport, and extending the Reddington Levee in Auburn to South 277th Street. This alternative includes modest real estate acquisitions. The District would implement all of the Interim SWIF identified capital projects, those included in the No Action Alternative as well as those currently unfunded.

*Approximately 20% of the projects (5 miles)** would be in-place replacement projects with minimum standard levee side slopes (2:1). Project footprints would be minimized. This project type would likely require off-site mitigation.

*Approximately 70% of the projects (17.5 miles)** would have somewhat flatter side slopes (2.5:1-3:1) with a slope that can be planted with vegetation and/or a bench, large woody debris, scour protection, and enhanced vegetation. This project type would likely require more land acquisition or easements and are more likely to be self-mitigating.

*Approximately 10% of the projects (2.5 miles)** would include levee setbacks with benches, possible acquisition and relocations, enhanced shade, and more opportunity for aquatic enhancement. Agricultural land could have drainage improvements and agricultural structures could be flood-proofed to achieve the same level of protection as they currently have. Recreation could be enhanced at multiple project locations. The District could provide incentives for partnership funding to create habitat restoration opportunities within WRIA-9.

SECTION 3. The District reestablishes a Lower Green River Advisory Committee and sets forth membership seats on the Committee, as listed below. The District Executive Committee will approve the list of names to fill the membership seats. The charter for the Advisory Committee is to participate in the EIS scoping process for the EIS, to provide feedback on the Lower Green River Corridor Plan at key milestones in the planning process and to provide expertise on subject matter within member jurisdiction.

Agency/Entity/Stakeholder

County: King County Flood Control District, Chair or designee

County: King County Flood Control District, Vice Chair or designee

County: King County Executive or designee

Federal: Corps of Engineers

Federal/Environmental: National Marine Fisheries

State/Permitting: Governor's Office of Regulatory Assistance

State/Environmental: Puget Sound Partnership

City: City of Tukwila

City: City of Kent

City: City of Auburn

City: City of Renton

Environmental: WRIA 9

Business: Leader

Business:

Agriculture:

SECTION 4. The District reestablishes a Lower Green River Technical Working Group (TWG) to be comprised of permit agency representatives from the United States Army Corps of Engineers, National Marine Fisheries, Washington State Department of Ecology, Washington State Department of Fish and Wildlife, the Muckleshoot Tribe, other permit agencies and local jurisdictions, and directs the District Executive Director to identify the appropriate personnel within these agencies to participate in the TWG. The charter for the TWG is to work with the District and the District's EIS consulting team to identify opportunities for greater permit efficiency through the development of performance standards for projects in the LGRCP and to assist in developing a strategy for programmatic permit approvals.

SECTION 5. The District executive director is directed to begin SEPA review of the proposal described in this Motion.