The attached written testimonies were received by the Clerk at the December 14, 2010 Environment and Transportation Committee meeting.

Councilmember Pete von Reichbauer 515 Third Avenue, Room 1200

**King County Courthouse** 

Seattle, WA 98104

## Dear Councilmember Reichbauer:

I am writing you today Councilmember as a follow-up to a meeting we had about three years ago regarding the proposed expansion plans for Pacific Raceways located in Auburn, WA. At the time of our meeting, I was a member of the homeowners association board of Diamond Ridge Estates (DREHA), a 99 home development just south of Pacific Raceways. During our meeting, which was also attended by Joe Fain, I communicated the concerns of the residents in Diamond Ridge Estates about the expansion plans of Pacific Raceways. Our concerns were not about the rights of the raceway to run their business, but rather about the noise pollution, and traffic congestion caused by the raceway. Diamond Ridge Estates home owners were and remain strongly against any increase in activity at the raceway that will further disrupt the peace, quiet, and tranquility of the country side environment where we live.

During our meeting, you expressed that Pacific Raceway would be held to a higher standard and that they would be required to undertake major noise abatement enhancements that would even diminish the current noise levels. There was a commitment by the owners of the Raceway to the DREHA that they would perform noise monitoring during major events and that they would share that data (decibel levels) with the DREHA. My understanding is that they have not lived up to that commitment and have repeatedly violated the existing conditional use permit. I invited you to visit the development during the major drag racing events during the summer so that you could personally understand just how egregious the noise pollution has become; and will increase should the Raceway be granted expanded hours of operations.

Unfortunately, I cannot attend the Environmental and Transportation Meeting on December 14, 2010 where comments will be made regarding the expanded use, but I should be able to attend future meetings.

Sincerely:

William G. Deaver

33422 135th PI Se

Auburn, WA 98092

Tel. (253) 973-8380

mer, ... \_ will be a peanut dropping contest —
mplete with a prize. Dessert will be peanut but-

Imission: \$3 donation if over 60, \$6.00 charge if rider 60

### utional Storytelling Day

ednesday, Oct. 6, 10-11 a.m.

r cookies.

u're invited to tell the story of your life, where u are from, your childhood, where you worked or t a fun story. Muffins and coffee will be served.

## ickey Mantle's Birthday Lunch

dnesday, Oct. 20, 11 a.m.

Home Run Derby" will celebrate the birthday of s great baseball player. Three strikes and you are that a home run nets you a prize. Contest is at a.m. with lunch at 11:30 and a special treat for sert.

mission: \$3 donation if over 60, \$6 charge if ler 60

## cial Security 101

sday 5, 12:30 p.m.

c Larson, western Washington public affairs cialist for the Social Security Administration, explain how Social Security works, how it prospout at retirement or if you become disabled, benefits for your family if you should die. In will discuss retirement benefits and eligity; how early retirement affect your benefits; benefits are figured; facts about Medicare, bility, and spouse benefits; what you can do ne with the SSA, and ways to maximize your efits.

nission: Free

### lloween Luncheon

ay, Oct. 29, 11 a.m. contest, 11:30 a.m. lunch

mpetition of tossing apples into pumpkins will rmine who will be the head Goblin of the ton Senior Center. There is a prize for the winand a special dessert for everyone.

ission: \$3 donation if over 60, \$6 charge if er 60

ou have an upcoming event you want ers to know about, we want to hear n you. Please send information about revent to events@pugetsoundpublishcom all us at 425-271-9300.

The tallest trophy

requires something extra

avid Williams is the director of the Hydroplane and Race Boat Museum in Kent. I

had the privilege of presiding at his wedding when he married Linda Thompson. It was a package deal. Linda is the mother of two boys, Shane and Ryan. David had to introduce the boys to hydroplanes and racing. The boys took to the sport like ducks to water.

The boys race what are called "J" boats. They are eight feet long, have 15 cubic inch motors and can reach speeds of 40 mph.

In 2007, at the age of 13, big brother Shane won the J-Hydro National Championship. Younger brother Ryan coveted the very tall trophy that Shane won.

This summer, the boys returned to the national championships. Shane, as a 16-year-old, raced in the A-hydro and A-runabout class. It is the same boat with the same motor, the only difference being the restrictor plate.

Ryan would race in the J- Class going up against two elite drivers from the East Coast, Grant Hearn and Tori Chew. In his first heat Ryan got a good start. All three boats ran side by side for the first two laps. Then, Grant and Ryan pulled ahead of Tori. On the last turn of the last lap, Grant slid a little wide to try to force Ryan out. Ryan cut inside and grabbed lane one. The two boats had a drag race to the finish with Ryan barely winning.

The second heat was almost identical to the first. It soon became obvious that Tori was acting as a "blocker" to allow Grant to pull away from Ryan. Eventually Ryan got past Tori and started to reel in Grant, almost catching him on the last lap. But he fell a few feet short, ending up with a second place.

Grant and Ryan, each with a first and a second, were tied on points. The championship would go to the boat with the fastest overall elapsed time. After several minutes of checking and rechecking, the scorers announced that Grant's time was 0.4 seconds faster than Ryan, so Grant got first.

A nice, tall second-place trophy would be Ryan's. After a few wonderful moments of celebration, David began to prepare the boat for racing the next day in a



Kirby Unti COLUMNIST

different class. When he opened his tool box he noticed the "J" restrictor plate sitting in the top tray. His heart sank. The motor had not been legal.

There was only one thing to do: tell the inspectors and face being disqualified. That night, back at the hotel Ryan asked David, "Does this mean that I won't get a trophy?"

"I'm sorry, buddy" David answered, "But no, you won't be getting any trophy."

Ryan noticed when he walked into the awards ceremony that in place of trophies, the race committee was awarding plaques, with the exception of one tall trophy, off by itself.

The master of ceremonies began the awards. When he came to the J runabout section, he announced, "This weekend we had something very remarkable happen. We had a young man who drove an incredible race and won his heat, but then after returning to the pits realized that he was missing his restrictor plate. This young man came forward and confessed to the mistake.

"This type of honesty would be difficult for an adult, but coming from a 13year-old boy, was truly amazing. In recognition of his driving ability, honesty and sportsmanship, the race committee has made a special trophy called 'Driver Performance and Sportsmanship,' so Ryan Thompson, please come forward and accept the 'Driver Performance and Sportsman' of-the-year trophy!"

The crowd was on its feet, giving Ryan a standing ovation as Ryan picked up his very tall trophy.

Who says honesty doesn't pay? Congratulations, boys!

Renton Magazine / October 2010

SNOTALOUS SNOTAL

12/14/10 Larry Worden Speaker # 4

track2

My name is Larry Worden.

13445 SK 288 TH Street
Auburn, WA. 98092

I have lived by track for 40 years.

In 1984 after more than a year of hearings, the county hearing examiner, Mr Berteig, finalized the permit conditions that the track could run under in this area.

Here lies the first major problem with the proposed ordinance. It does not incorporate the conditions of the permit that the track has operated under for the last 29.5 years.

Second, the ordinance does not adhere to our state's environmental laws.

My business had to operate within these state environmental laws just like any other business in this state. If the track can't operate within the Co. examiner's approved existing permit and can't operate within the state environmental laws, then they need to go someplace else where the environment is more suitable to their business.

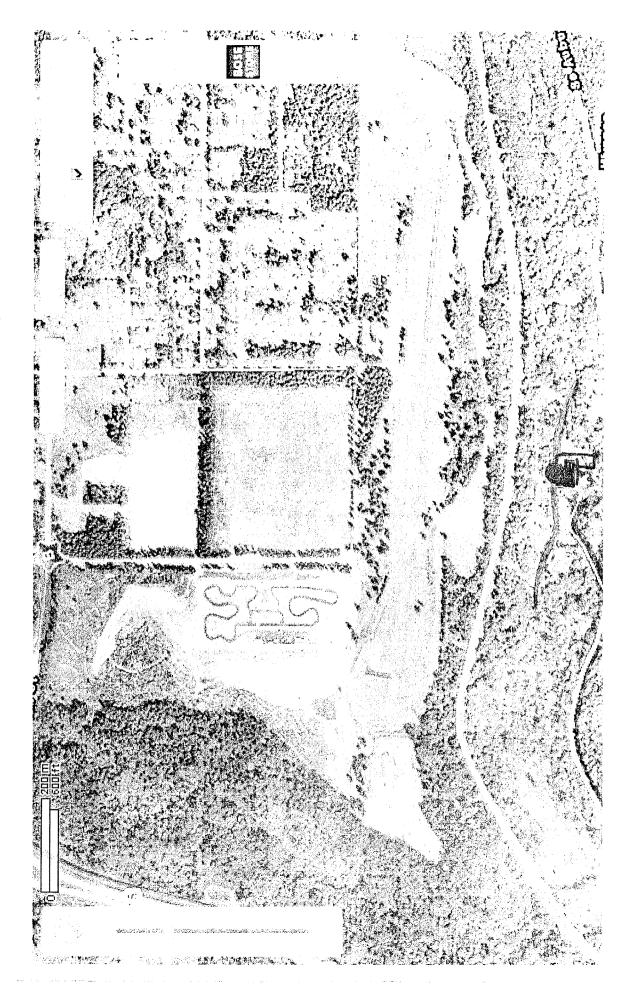
Third.

## track2

We, the 1,000's of residents in this area have not been represented in the Co. council. I appreciate these 2 minutes, but (our) Co. representative is Mr VonReichbauer. Mr VonReichbauer is sponsoring this ordinance and is representing the track Not the 1,000's of residents that live by the track. The residents in this area whose quality of life, property values and environment will be endangered by this Ordinance have not been heard.

We are entitled to have a livable environment just like the rest of you on this council.

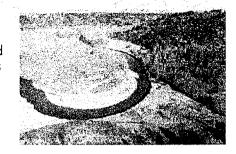
- IRKI TELTOR Spaker #7



## DUWAMISH/GREEN RIVER BASIN ECOSYSTEM RESTORATION PROJECT

## WE RECOGNIZED A NEED

Home to more than 462,000 people and diverse populations of fish and wildlife, the Duwamish/Green River Watershed has been dramatically transformed by human activities in the last 140 years. Several plant and animal populations are declining and three species of fish—Chinook salmon, steelhead and bull trout—have been listed as "threatened" species. The projects recommended in the Ecosystem Restoration Project provide multiple benefits including additional flood capacity, wildlife habitat, and passive recreation opportunities. Implementing this project advances the ecological recovery of Puget Sound and is consistent with the Howard Hanson Dam Additional Water Storage Project and Green River flood protection measures.



### WE CREATED A PARTNERSHIP

The Duwamish/Green Ecosystem Restoration Project is the culmination of a decade of collaborative efforts to improve this watershed. Beginning in 1995, the Army Corps of Engineers, the Muckleshoot Indian Tribe, King County, all 15 cities in the Duwamish/Green Watershed, the City of Tacoma, and numerous public agency and non-governmental groups have been working together to understand ecosystem problems and come up with robust solutions. In recognition of their work, Congress authorized the Duwamish/Green Ecosystem Restoration Project for construction in the Water Resource Development Act of 2000 and appropriated initial construction funding in 2004.

## WE HAVE BEGUN BUILDING PROJECTS

Since 2004, Congress has appropriated \$10 million in federal funding to begin building these projects. Using these funds, the Corps and local partners have completed three projects:

- North Wind's Weir estuary restoration has resulted in the creation of two acres of mudflat and marsh, essential for salmon recovery, and revegetated one-half acre of riparian area.
- The Meridian Valley Creek project replaced a concrete culvert and 1000-foot long concrete flume with a natural stream channel and planted two acres of riparian area with native plants.
- The first phase of Lake Meridian Outlet Relocation established a waterway to provide salmonid rearing habitat and passage into Lake Meridian. The second and third phases are scheduled for construction this year.

In addition, funding to date has paid for designing four more projects (Riverview Park, Upper Springbrook Creek, Upper Russell Road, and Mill Creek).

## WE ARE ACCELERATING WORK IN 2010

In 2010, design is underway on the Riverview Park, Upper Springbrook Creek, Upper Russell Road, and Mill Creek restoration projects (see map on reverse). Construction will commence in 2010 on Riverview Park, Upper Springbrook Creek, and Lake Meridian Outlet projects.

## WE REQUEST SUPPORT TO CONTINUE OUR PROGRESS

To build on our successful partnership, 17 local governments are requesting additional funds for the Army Corps in the FY 2011 Energy and Water Development Appropriations bill. These projects will improve ecosystem health and benefit fish, wildlife, and people throughout the watershed and Puget Sound.



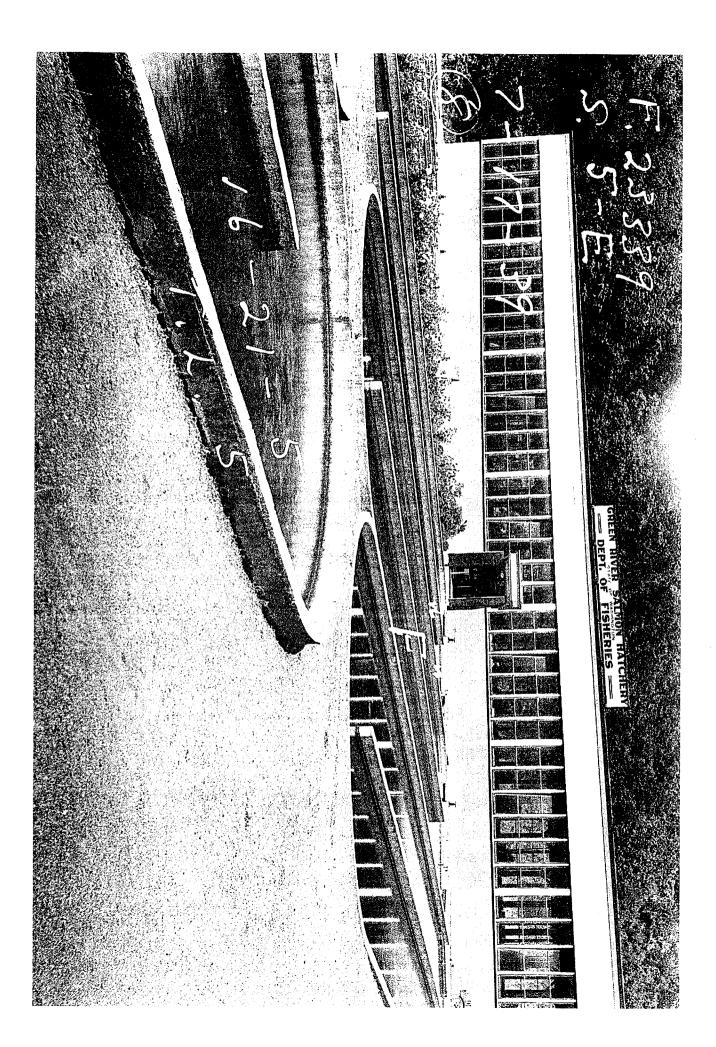






The local government watershed partnership consists of the cities of Algona, Auburn, Black Diamond, Burien, Covington, Des Moines, Enumclaw, Federal Way, Kent, Maple Valley, Normandy Park, Renton, SeaTac, Seattle, Tacoma, and Tukwila and King County.





Sandia Gaither #20

December 14, 2010 King County Council Transportation and Environment Committee Larry Phillips, Chair

I am here in opposition to Pacific Raceways Overlay Ordinance 2010-0189 and any subsequent alterations there of--including the so-called Striker version. My family has lived on Soos Creek since 1948, and built our family home in 1953. I have written to each and every one of you explaining our history, our struggle with the racetrack, and damage to our health, home and well-being from overwhelming decibel levels of racing noise, often 100 decibels and above.

I would like to share with you a photo of our home taken from the Auburn-Black Diamond Rd., clearly in the background you can see the back side of the raceway bleachers--these located at the starting line of the drag strip. Below the bleachers is the roadway racetrack even closer to us. We are within 500 to 800feet of all of this--not the property line, but the racecars. How would any of you feel? Well, let me tell you. As the glassware rattles and conversation abruptly ceases, actual ear pain is produced and a physical compression develops that impacts the body and leaves one breathless.

It is unbelievable that you, our King County representatives are even considering sanctioning more noise, more unrestricted hours of operation with multiple racetracks and activities unsupported and without the basic infra-structures that you would require of any other development. Surface water runoff into Soos Creek, destruction of vegetation and animal habitat, and noise--unrelenting Noise? Please reject this Ordinance. Please Protect your citizens.

Please notify citizens--especially those of us with adjoining property and those clearly impacted by change and development--of pending legislation and decisions that will change our lives. Transparency of process and citizen participation should be automatic, not something for which we must beg. And please exercise fairness: as homeowners, we cannot even cut brush along Soos creek, and yet the raceways can destroy vegetation and impact salmon habitat? How can that be environmentally fair on any level?

Sandra R. Gaither, 18835 SE 214<sup>th</sup>, Renton, WA 98058 Ruth E. Lundberg, 15032 SE Auburn-Blk.Diamond Rd., Auburn, WA 98058

Sadra R. Houther

### Columbia Encyclopedia:

## noise pollution

noise pollution, human-created noise harmful to health or welfare. Transportation vehicles are the worst offenders, with aircraft, railroad stock, trucks, buses, <u>automobiles</u>, and motorcycles all producing excessive noise. Construction equipment, e.g., jackhammers and bulldozers, also produce substantial noise pollution.

Noise intensity is measured in <u>decibel</u> units. The decibel scale is logarithmic; each 10-decibel increase represents a tenfold increase in noise intensity. Human perception of loudness also conforms to a logarithmic scale; a 10-decibel increase is perceived as roughly a doubling of loudness. Thus, 30 decibels is 10 times more intense than 20 decibels and sounds twice as loud; 40 decibels is 100 times more intense than 20 and sounds 4 times as loud; 80 decibels is 1 million times more intense than 20 and sounds 64 times as loud. Distance diminishes the effective decibel level reaching the ear. Thus, moderate auto traffic at a distance of 100 ft (30 m) rates about 50 decibels. To a driver with a car window open or a pedestrian on the sidewalk, the same traffic rates about 70 decibels; that is, it sounds 4 times louder. At a distance of 2,000 ft (600 m), the noise of a jet takeoff reaches about 110 decibels-approximately the same as an <u>automobile</u> horn only 3 ft (1 m) away.

Subjected to 45 decibels of noise, the average person cannot sleep. At 120 decibels the ear registers pain, but hearing damage begins at a much lower level, about 85 decibels. The duration of the exposure is also important. There is evidence that among young Americans hearing sensitivity is decreasing year by year because of exposure to noise, including excessively amplified music. Apart from hearing loss, such noise can cause lack of sleep,

irritability, heartburn, indigestion, ulcers, high blood pressure, and possibly heart disease. One burst of noise, as from a passing truck, is known to alter endocrine, neurological, and cardiovascular functions in many individuals; prolonged or frequent exposure to such noise tends to make the physiological disturbances chronic. In addition, noise-induced stress creates severe tension in daily living and contributes to mental illness.

Noise is recognized as a controllable pollutant that can yield to abatement technology. In the United States the Noise Control Act of 1972 empowered the Environmental <u>Protection</u> Agency to determine the limits of noise required to protect public health and welfare; to set noise emission standards for major sources of noise in the environment, including transportation equipment and facilities, construction equipment, and electrical machinery; and to recommend regulations for controlling aircraft noise and sonic booms. Also in the 1970s, the Occupational Safety and Health Administration began to try to reduce workplace noise. Funding for these efforts and similar local efforts was severely cut in the early 1980s, and enforcement became negligible.

**Noise pollution** (or <u>environmental</u> <u>noise</u>) is displeasing human, animal or machine-created sound that disrupts the activity or balance of human or animal life. The word <u>noise</u> comes from the Latin word <u>nauseas</u>, meaning seasickness.

The source of most outdoor noise worldwide is mainly <u>construction</u> and <u>transportation</u> <u>systems</u>, including <u>motor vehicle</u> noise, <u>aircraft noise</u> and <u>rail noise</u>. [1][2] Poor <u>urban planning</u> may give rise to noise pollution, since side-by-side industrial and residential buildings can result in noise pollution in the residential area.

Indoor and outdoor noise pollution sources include <u>car alarms</u>, emergency service <u>sirens</u>, mechanical equipment, <u>fireworks</u>, compressed <u>air horns</u>, groundskeeping equipment, barking dogs, appliances, <u>lighting</u> hum, audio entertainment systems, electric <u>megaphones</u>, and loud people.

## **Effects**

## **Human health**

Main article: Noise health effects

Noise health effects are both health and behavioral in nature. [citation needed] The unwanted sound is called noise. This unwanted sound can damage physiological and psychological health. Noise pollution can cause annoyance and aggression, hypertension, high stress levels, tinnitus, hearing loss, sleep disturbances, and other harmful effects. [3][4][5][6] Furthermore, stress and hypertension are the leading causes to health problems, whereas tinnitus can lead to forgetfulness, severe depression and at times panic attacks.

Chronic exposure to noise may cause <u>noise-induced hearing loss</u>. Older males exposed to significant <u>occupational noise</u> demonstrate <u>significantly</u> reduced hearing sensitivity than their non-exposed peers, though differences in hearing sensitivity decrease with time and the two groups are indistinguishable by age 79. A comparison of <u>Maaban tribesmen</u>, who were insignificantly exposed to transportation or industrial noise, to a typical U.S. population showed that chronic exposure to moderately high levels of environmental noise contributes to hearing loss. [3]

noise pollution: Definition from Answers.com

Page 5 of 9

High noise levels can contribute to <u>cardiovascular</u> effects and exposure to moderately high levels during a single eight hour period causes a statistical rise in <u>blood pressure</u> of five to ten points and an increase in <u>stress<sup>[3]</sup></u> and <u>vasoconstriction</u> leading to the <u>increased blood pressure</u> noted above as well as to increased incidence of <u>coronary artery disease</u>.

Noise pollution is also a cause of annoyance. A 2005 study by Spanish researchers found that in urban areas households are willing to pay approximately four <u>Euros</u> per decibel per year for noise reduction. [9]

## **Environment**

Noise can have a detrimental effect on animals by causing stress, increasing risk of death by changing the delicate balance in predator/prey detection and avoidance, and by interfering with their use of sounds in communication especially in relation to reproduction and in navigation. Acoustic overexposure can lead to temporary or permanent loss of hearing. [10]

An impact of noise on animal life is the <u>reduction of usable habitat</u> that noisy areas may cause, which in the case of endangered species may be part of the path to <u>extinction</u>. Noise pollution has caused the death of certain species of whales that <u>beached</u> themselves after being exposed to the loud sound of military <u>sonar</u>. [11]

Noise also makes species communicate louder, which is called <u>Lombard vocal response</u>. Scientists and researchers have conducted experiments that show whales' song length is longer when submarine-detectors are on. It creatures do not "speak" loud enough, their voice will be <u>masked</u> by <u>anthropogenic</u> sounds. These unheard voices might be warnings, finding of prey, or preparations of net-bubbling. When one species begins speaking louder, it will <u>mask</u> other species' voice, causing the whole ecosystem to eventually speak louder.

<u>European Robins</u> living in urban environments are more likely to sing at night in places with high levels of noise pollution during the day, suggesting that they sing at night because it is quieter, and their message can propagate through the environment more clearly. The same study showed that daytime noise was a stronger predictor of nocturnal singing than night-time <u>Light pollution</u>, to which the phenomenon is often attributed.

drag strip, road course, as well as Junior Dragster program later.

Sandla Xuller Speaker #20





The Bleacher from our bock dock the Starte adjoins the

12/14/10 Tender Worden Speaker #26

We have lived on a tributary to Little Soos creek for over 40 years. It supports salmon, trout, herons, muskrat, eagles and other wildlife

In the last 25 years, the dept of fisheries spent thousands of dollars helicoptering in logs and debris to Little Soos, and re-did the culvert under hwy 18 to restore natural salmon spawning grounds

For the past 15 years we have planted 1500 salmon fry each spring in our tributary to help in this restoration project.

The proposal before you will nullify 25 years of environmental improvements along Little Soos Creek. It has the potential to set back, or even annihilate a restored salmon environment, and other wildlife that inhabit this corridor

Mr Fiorito insists that he cannot continue to operate this facility without major expansion. He is requesting to develop a huge facility on environmentally sensitive property. His grandiose plan envisions huge development that will cover over a million SF of pervios land without sewer lines in place, noise studies, hours of operation, traffic studies, critical environmental restrictions, without surface water drainage plans or retention ponds.

In this present location Pacific Raceway should be allowed to continue only as stipulated in the 1984 cup decision. Further expansion must only be considered in a different location that will not have disastrous environmental consequences.

Instead of actually representing the population you have been elected to represent, you are considering handing over jurisdiction to the very person that has repeatedly ignored county mandated conditions that have been in place since 1984.

## We have lived on a tributary to Little Soos creek for over 40 years. It

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It is implausible to consider this ordinance when this same facility could be located in different area without the potential for disastrous environmental consequences

If you vote to support this fiasco, your grandchildren will have the dubious honor of knowing that their grandparent helped to set environmental protections back to 1950s standards.

I implore each of you to do the right thing. Reject this mind-boggling, unethical ordinance.

#29 Pete Tellow 12/14/10

- weekend day each month, May through September; The cessation of noise by the required time; Noise reduction requirements; Raceways. Specifically, but not limited to: The required quiet days of Monday and Tuesday; The required posting of one quiet 1) The King County Council enforce and uphold the Conditional Use Permit (A-71-0-81, April 30, 1984) granted to Pacific Onsite monitoring and ongoing noise studies.
  - County's approval of many established residential developments, over the years, raceway expansion is an incompatible use that The King County Council REJECT proposed Ordinance #2010-0189, or any proposed raceway expansion. Due to the would impact a large residential area. It creates landslide hazards and endangers salmon spawning grounds. (S)

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Albert Kitze			
MARY AWN KRISTEK	33603-132 BUBURN	Mary and Kristel	
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Joanne Sena	33700-13554mSE Auburn WA 98052	\(\frac{1}{2}\)	
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Roxanna Mittelstadt	33912 135 Ave SE Aubun WA 98 292	Hopen Mittetel	
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Print Name	Print Name Address Signature Er	Signature	Email Address
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DANK L. SKOUMAL	13414 5.E. 342254 AUBURN, WA 98092	Cane & Sound	
Steven L. Skoumal	134145E 342md ST Aubwn, wa 98092	Steven L. Shound	
PECCY A. CHRISTIAN	13423 SE BYDAG ST AUBURN, WA 98092	Saga O Christian	

The proposed new Ordinance File # 2010-0189 refer to and create conditions to enforce and uphold the Conditional Use Permit (A-71-0-81, April 30, 1984) granted to Pacific Raceways.

This permit has not been enforced by King County up to this date:

- 1. The required quiet days of Monday and Tuesday have not been observed or enforced (CUP condition 1.a)
- 2. The required posting of 1 quiet weekend day each month, May through September has not been fulfilled to date (CUP condition b.2) [until Sept.]
- 3. The cessation of all noise by eleven PM has also not been fulfilled by Pac Raceways.
- B. That King County holds a full public hearing on the new proposed ordinance and the Pacific Raceways petition for expanded track facilities and racing schedule (Pacific Raceways Proposed Ordinance 2010-1089).

King County response to Pacific Raceways must include:

- 1. All conditions required in the present Conditional Use Permit (A-71-0-81)
- 2. All, if not updated, noise reduction requirements set forth in the Pacific Raceway Track Relocation CUP (L08CU006).
- 3. All, if not updated, environmental setbacks and noise barrier reduction contained in both above permits and environmental protection for the Little Soos Creek.

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	// // // *	Don Huling 17117 SE 329th St.
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	and But to	Sharon Rider 17140 SE 329th St
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	× >1/ 1/	Diane Hershberger 17203 SE 329th ST
	Diene Xarshluiger	Auburn 98092
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	K. H. C. III.	Keith Criddle 17210 SE 329th ST
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		Florence Cook 17227 SE 329th ST
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environmental protection for the Little Soos Creek.	
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· Mall & Southers	Auburn 98092
D . C Ø n 10 /	Bruce Phillips 32800 – 171st AVE SE
· Mas hely	Auburn 98092 Carol Phillips 32800 – 171st AVE SE
Anna Metranami	
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·	Auburn 98092 Robert Laggart 32816 – 169th AVE SE
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Kathy Gregg 32618 - 171st AVE SE Auburn 98092
. Kay Kent 32604 - 171st AVE SE Auburn 98092
. Tan Cardinale Fay Cardinale 17026 SE 326th PL Auburn 98092
Sarah Smith 16916 SE 326th PL Auburn 98092
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. H. Euge H. Everett Hrubant 32508 - 169th AVE SE Auburn 98092
. Mark & Kathryn Fraser 16925 SE 325th PL Auburn 98092
Joe Lewis 32511 - 171st AVE SE Auburn 98092
• Fay Security Fay Lewis 32511 - 171st AVE SE Auburn 98092
• 5/601 Sharla Jack 32425 - 171st AVE SE Auburn 98092
Karen Rhodes 32420 - 171st AVE SE Auburn 98092
. Life Mutaling John Mitchell 17031 SE 323rd PL Auburn 98092
. Cattle & Michael Edette Mitchell 17031 SE 323rd PL Auburn 98092
. C ( )) Cris U. Daily Auburn 98092
Elva F.Huntzinger 17010 SE 323rd PL Auburn 98092
· 7/19 Auburn 98092
. Falmer (livery Palmer Avery 32142 - 171st AVE SE Auburn 98092
John Mickelson 32106 - 171st AVE SE Auburn 98092
Marilyn Mickelson 32106 - 171st AVE SE  Marilyn Mickelson 98092
Elmer Wheeler 32107- 171st AVE SE Auburn 98092
. June D. Wheeler June Wheeler 32107- 171st AVE SE Auburn 98092

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nvironmental protection for the Little Soos Creek.		•	
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	1/ /-	Ken Johnson	16913 SE 331th
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Print Name	Address	Signature	Email Address/
HEATHER GARKEN	16030 SE 322Med SI AUBURN, WA 98092	THE THE PARTY OF T	153.333.6653
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•	Edward Cale III 16931 SE 325th PL Auburn, WA 98092
•	Carolyn Cale 16931 SE 325th PL Auburn, WA 98092
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•	Craig Chandler 32127 - 169th AVE SE Auburn, WA 98092

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12/14/10 Don Heiling Speaker #032

Don Huling 17117 SE 329th St., Auburn, WA 98092 I'm here to speak against this ordinance/amendment.

Have any of you had to plan your outdoor leisure activities around a racing schedule for the best five months of weather the area has to offer? Have you ever followed up a noise complaint by spending the time to witness the noise intrusion firsthand? Have you ever been faced with trying to sell your home during a steady drone of road racing or intermittent blasts of dragsters in the background? Even selling in the non-racing season requires having to disclose the noise issue. If the new ordinance is enacted; there will be no off season; so, home sale prices that are currently impacted will suffer further erosion if the ordinance is passed.

If any of you live in one of the impacted areas, would you accept it as your duty to put up with more noise pollution to further the goals of a business that already devastates the surrounding community with excessive noise? Weather allows a 5-menth nace schedule; if the owner can't realize a sufficient return on investment, it's up to him to find a solution that doesn't further impact the neighborhoods.

If every household within the impacted area had been notified of council members sponsoring this proposed legislation from the beginning, the resistance level would have been much greater than it has been to date. The council's lack of transparency and the DDES' failure to enforce the CUP show a callous disregard for your constituencies.

The county will survive without super-sizing Pacific Raceways; and the estimated hundreds of jobs to be gained may not be significant in that many businesses would simply relocate from other county locations. You, as council members have a duty to protect the citizens from further harm. The ordinance cannot be good for King County if it infringes on the quality of life and lowers the home values of thousands of voting, tax paying citizens.

I present these additional and amendment comments for the record.

Thank you for hearing from a few of the future victims of this ordinance should be enacted.

#### **ADDITIONAL & AMENDMENT COMMENTS**

The Pacific Raceways owner said in the Oct. 13th CUP review meeting that he is losing money operating the raceway. His permit to relocate the drag strip is in reality a gravel mining permit as he is going to sell the 870,000 yards of gravel to finance his operation. If his racetrack operations are non profitable and since the gravel operation is profitable doesn't it follow that the raceway is a hobby business and the gravel mining the primary activity at this property. And with all the businesses he will be adding to the property the race track will be very secondary. In which case the King Co. code for all other businesses should be adhered to, not the special code for a race track. (If I were a business owner and I asked for a permit to landscape on a steep slope and the permit was rejected. I'd say wait a minute you allowed Pacific Raceways to do exactly what I'm asking for so why not me. The precident will have been set for non-regulation of business, environment, etc.)

Interestingly this gravel mine is assessed as of no value by the assessor's office. In fact it is assessed as of less value than the surrounding property. And while the line 43 states the owner has spent \$5 million, the assessor has the total property "improvements" stated as half a million. And the "improvements" do not include the race track, drag strip, shift cart track, parking lots, etc. all of which were there before the \$5 million was spent. (12/13 - the under-assessed value may have fixed per a note I received from the assessors office)

Amendment Comments to 2010–0189 Amendment 1 dated 14 Dec. 2010 line #

- 13 Where is this Master Plan? Have you seen it? Can I see it?
- 36 Have you seen this study? I have my doubts (and you should too) that 100,000 race fans come to an event that has only 11,000 seats, even if it is spread over 3 days. And \$10 million spending for even 100,000 fans seems ludicrous.
- 43 \$5 million spent, but assessor says all the improvements (non land value) at the raceway is worth only a tenth of that.
- 48 No noise reduction listed in their upgrades.
- 64 Centralizing will take jobs and businesses away from the rest of King Co. Right? So what is the gain for King Co.?
- 72 I fail to see how this will benefit the entire community when we are going to be inundated with more decibels and days/hours of noise. I guess those of us living within 5 miles of the track are not part of the race

track's community. This is just another idiotic statement.

77 - And more noise.

- 81 The CUP may govern, but is not adhered to by the racetrack nor DDES, and our property values and sanity are reduced by those facts.
- 92 Little Soos Creek is not the subject, but rather West Branch of Soos Creek which flows within the raceway's property. Clean ups of this creek basin have shown that has been used as a dumping ground for auto equipment (tires, batteries, etc.). The Soos Creek Salmon Fish Hatchery continually finds auto debris in their traps. With this kind of record by the racetrack owner, this is just another pipe dream by the county.
- 112 And where does that ground water go, but into Big Soos and West Branch of Soos Creeks, since the whole of the raceway property is of gravel and adjacent to the creeks. No one in their right mind would think otherwise.
- 118 Yes these would be a burden, as were the illegal activities the owner was cited for when he operated two other gravel pits. This is exactly why this owner should be saddled with additional requirements, not fewer.
- 126 "might include", why say this when it is obvious that the owner can't obey specific requirements (ie the CUP). There is no chance he would do any of this. And where is the public involvement, those of us who are victims of this expansion?
- 128 Just another way to prevent public involvement and slip under the radar.

138 - ditto.

146 - ditto.

151 – And we finally get to the item the raceways owner wants to get out from under as it has the potential for individual and class action law suits. The CUP is the "contract" developed by the courts, county and surrounding neighborhoods in the early 70s. From the get-go, SIR's owners ignored the conditions of the CUP and the facility was shut down for a short period in the early 80s. The CUP was then revised in favor of the raceway. However these new restrictions have continued to be violated even after the raceway changed to the current owner in 2002. The owner openly schedules and runs racing on Mondays and Tuesdays when he is supposed to be closed. Schedules racing on all weekend days when the CUP requires one weekend day per month quiet. Does not post the quiet weekend days, he is required to do. Runs drag racing after 5:30 pm or sundown which ever is earliest. (He has run drag racing as late as 11 pm and sometimes later.) Advertises on his web site for camping on site

which is forbidden except for racing participants. Loudspeakers shall be "prevented from disturbance to outside SIR boundaries." is another violation as I can hear it plainly at my residence over one mile from the track. The revised CUP dated 4/30/84 states in 19. (3) that "King Co. shall establish a complaint system with a phone number distributed to the community residents." No one I've talked with ever hear of such a thing happening, and some of these folks have lived here for over 40 years. In Attachment 1 to the CUP above. "13. SIR is encouraged to initiate noise control methods, including earth berms, sound barrier walls, or other physical measures as well as mufflers on vehicles. Upon successful implementation of a program that will meet the environmental sound level criteria of the noise ordinance (Chapter 12.88 KCC) without the exemptions for race tracks (KCC 12.94.105), the days and hours of operation may be extended to 9:00 am to 10:00 pm on Tuesdays and an additional hour Wednesday through Saturday. ...", as none of these requirements were met (or even attempted), why aren't these requirements in the new ordinance. The vehicles have only gotten noisier and the area/population inundated by unacceptable noise has grown since this was written.

Attachment B to the CUP identified above states in 9. ... Failure to comply with the operating conditions may result in bond forfeiture, and result in revocation of this Conditional Use Permit. Who is holding the bond? Why hasn't it been forfeited? And why hasn't the CUP been revoked based upon the preponderance of violations?

A May 1, 1984 letter by Zoning Adjuster Irving Berteig and attachments that reinstated the "Rules and Procedures for Seattle International Raceways", states in the first attachment paragraph 2. "SIR openly violated those Permit Conditions, and a second hearing was initiated by the Zoning Adjustor. The Adjustor's January 25, 1983 decision was to revoke the conditional use permit. That decision was upheld by the Zoning & Subdivision Examiner on April 27, 1983, and also upheld by Superior Court." The situation now is no different than it was then so why hasn't the raceways been shut down? And why would the county council now provide a method to skirt all the agreed upon conditions in the CUP? Boggles the mind!

In Findings and Conclusions of the Reinstatement Order, the last paragraph of 1. (4) states "The revised track and grandstand facilities are

significant changes and are not authorized. A conditional use permit amendment which would be subject to public hearing and review as provided by Permit Condition 16 (see Attachment A) is necessary." None of these requirements were met at the time the grandstands were built as the CUP has no amendment relating to the grandstands and no public hearing was conducted that a resident who can see the grandstands was notified of. Another under the radar permit approval?

Also in the reinstatement order, 6. Racing Season Schedule (3), not only is the raceways taking extra weekend days they are taking extra racing hours. And in 11. ... Camping by other than racing participants is not allowed.

Again, why would the council provide this owner, who has no regard for the rules he agreed to, with a method to subjugate rules established under court and community involvement.

154 - What, pray tell, is so unique about a racetrack's commercial buildings that would eliminate the need for landscaping? If anything dense landscaping should be required around the raceway to hopefully reduce the noise impact.

168 – Since several slides have already occurred, isn't it obvious that the steep slopes are structurally unstable? No steep slope alterations should be even contemplated. And a 50 foot buffer zone should be established from the start of down sloping toward the steep slope. And no French drains should be allowed to stabilize the slope as they short cut the ground water filtration path from the raceway to Soos Creek.

175 - "buffer averaging" above steep slopes is an guaranteed way to make sure the slope will slide.

177 - Any construction at the top of a steep slope above or near the West Branch of Soos Creek will cause significant siltation into an endangered salmon species spawning area.

185 - What is this "department" that is referred to? DDES? And they have such a pristine record of not doing their job in enforcing the CUP.

188 thru 207 - All this stuff and no sewer system. All the waste generated at these facilities, it is assumed, will be treated in a septic system that drains to the ground water, that flows quickly thru the gravel and into Soos Creek just above the salmon hatchery, or to those private wells on the properties to the north and east. If there is ever a failure of this sewage treatment system the Soos Creek, the salmon hatchery and probably some of the Green River will be the in the killing zone of the

emitted pollution. And worse than that, this facility will have a high concentration of hydrocarbons entering the drains and ground water, then into the gravel and to the creeks. Is there any doubt why so many people are upset with this proposal?

211 – "public outreach" this process has worked so well in the past that hardly anyone had heard about the shift cart track permitting, drag strip relocation permitting, CUP annual meetings, grand stand permitting, etc. People with property abutting the racetrack have never been informed of these activities. Only now has some of the public been informed, and not by the county, but by individual citizen efforts. Of the over 100 people I talked to in my neighborhood, none knew of this ordinance before I started knocking on doors. None knew there was a CUP, or of the days/hours restrictions in it. None knew of the CUP annual meeting. This process isn't public outreach it is stealthy, under the table, dealings with a violator of county code and agreements such as the CUP. So again why is the county trying to help this owner slip thru the county regulations that the rest of us have to abide by?

215 – How would it be possible that an EIS would not be required? With salmon spawning on property, steep slopes that have slipped previously, noise that permeates the neighborhood for several miles, no sewers, traffic impacts and a requested development that could be a small city, no sane person would even suggest that there would be no EIS. Somebody is pulling our leg, right?

223 – Is this a revised SEPA check list? With all the possible development categories listed later, this is going to be one impressive check list with a ton of footnotes. Who gets to review/see this?

226 – Since the current racetrack operations exceed the allowed requirements of the CUP, this is an invalid statement. Noise studies done for the drag strip relocation said the noise measured exceeded the allowed level. The noise study completed this year also stated that the maximum noise level was exceeded.

230 - Where's the public meeting to comment on this?

238 - Shouldn't the dates and times be as required by the existing CUP? That's what was negotiated and agreed to with the neighborhood when the noise levels were significantly lower (smaller, less powerful engines, single event, etc.). If anything dates and times should be reduced to make up for the increased decibels we have to endure.

240 – The owner just did a "bait and switch" with the drag strip relocation where he requested and was approved for the N-S strip orientation which would have had minimal impact on W. Branch of Soos Creek, then without

any public hearing or approval by the DDES, is currently excavating for a NE-SW orientation for the strip. This location impacts the steep slopes above the W. Branch and additional steep slopes above Big Soos Creek. Why would you say that no additional land use and environmental review would be required when this owner has shown he won't follow the permit given him?

243 – Here we have a 10 or more year project and you are requesting only a report on status for the first 2 years. The valuable feedback will only come after those reports. Who is the director?

248 – Here's that wonderful "500 ft." notification statement which is never used by the DDES. The requirement has to be to all those impacted by this owner which extends to at least 5 miles. Some people I've talked to say it should be at least 10 miles because they are bothered by the track.

256 - Recommendations by whom, racetrack owner or DDES?

259 - Which department? Who is the project operator?

285 – This should be number 1 since it is the main profitable business to be in operation for several years. Where are all the requirements for a gravel pit operation (ie dust, road cleaning, noise, hours, etc.)? 290+ – Where are all the other uses listed in the following tables (ie dry cleaning, laundry, day care, paint ball, shooting range, campground, forest harvesting, farming, log storage, fish hatchery, livestock raising, asphalt/concrete plant, resource accessory uses, tire retreading, etc., etc., etc.)?

I could go on and on, but I'm getting tired of typing comments to something so ridicules it is a joke. And the crowning idiocy is to have this, a "new demonstration project to test new review processed for a Master Use Permit.", to be done with a property owner who has demonstrated for years he can't be trusted to follow the rules he even agrees to. Unbelievable you would even consider such a thing.

Don Huling 17117 SE 329th St. Auburn