

## LEGISLATURE TAKES BIG STEP FORWARD ON TRANSPORTATION

What a difference a year makes! With allies for sound transportation in charge of the state House and Senate, the Legislature made genuine progress toward fixing some of the state's most serious problems.

Futurewise State Policy Director Genesee Adkins and countless Futurewise citizen activists pressed hard for a package that focused on critical repairs to major roadways and improving transportation choices.

The bill that passed in the final hours of the legislative session met the challenge. The package, funded by a phased-in 9.5-cent per gallon increase in the gasoline tax, will raise some \$8.4 billion over 16 years to fund major safety and maintenance road projects and improved transportation choices like public transit bike lanes and sidewalks.

What remains is the future of a regional Puget Sound companion measure to the state funding package. Language in the package requires the region to approve its own funding package by Fall 2006 to pay for the balance of the largest projects. Without passage of a regional ballot, the state funding for the Viaduct, the SR 520 Bridge, and other projects could be reallocated to other needs. Negotiations on this outstanding issue are already underway.

In addition to the funding package, the Legislature passed several other good transportation reforms this year with Futurewise support.

- A law authorizing a study of how cities and counties can meet concurrency requirements — the requirement that transportation infrastructure

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**W**e write a lot about policies and places, but in the end our work is actually mostly about people. It's about working with people to achieve outcomes that protect our future and our quality of life. It's both about large numbers of people, working together to change decisions, and it's about a few critically important people whose leadership really makes a difference for the state.

As I looked through the articles in this newsletter, I was struck by how important the contributions of three very special people have been. It's impossible to understand our success without appreciating their leadership and hard work.

Geoff Simpson is a firefighter from Covington, a small but fast growing city in southeast King County. He got involved in local politics and was elected to the Covington city council because he was concerned about the impacts of poorly planned growth on his community. Then he ran for the Legislature so he could make a bigger difference on the issues he cares about. Now he is the chair of the House Local Government Committee, the committee that handles growth management for the Washington House of Representatives.

Geoff's professional training as a firefighter has proved invaluable, as defending the Growth Management Act in Olympia is not unlike entering a burning building on a rescue mission. He took tremendous quantities of heat while single-handedly rescuing the Growth Management Act from countless fires, both large and small, during the past year.

It would be difficult to overstate the importance of Geoff's role in protecting growth management in the Legislature. The bottom line is very simple -- without Geoff Simpson the Growth Management Act would be sporting some pretty painful holes.

Representative Ed Murray's contributions to our cause have also been outstanding. He led the Legislature to the adoption of a huge transportation funding package that targets the priorities we have been advocating for years.

He moved the Legislature off of its traditional obsession with building new highways and directed three quarters of the new funds into safety and

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COUNTY SPOTLIGHT

**Futurewise Convenes Diverse Coalition to Protect Whatcom County**

What comes to mind when you think about Whatcom County? Maybe it's the stunning views of snow-covered Mount Baker, a family bike ride along Bellingham Bay, eating fresh oysters from Drayton Harbor, or a morning spent picking raspberries on a working family farm.

Like much of Washington state, these very features make people want to live in Whatcom County, but the resulting growth and development threatens people's quality of life. Whatcom is one of the fastest growing counties in the state, and the way that it grows will shape the future of its lakes, rivers, and shorelines, the quality of education for its kids, the traffic people have to sit through on their way to work, and the fate of family farming in one of our state's great agricultural counties.

Rather than stand by and just hope that Whatcom County plans wisely for its new influx of citizens, Futurewise is actively involved in shaping a smart future for the county. This year, Whatcom County will pass an updated critical areas ordinance (CAO). The CAO protects people from flooding and landslides, preserves our drinking water quality, and safeguards our salmon streams and oysterbeds from pollution.

Working with great local partners—family farmers, Realtors, conservation organizations, shell fishermen, and more—Futurewise Program Director Ellen Gray

and Field Director Kate Jackson are organizing citizens, analyzing policy, and meeting with decision-makers so that people's voices are heard on this important issue.

We have talked to people whose land has been flooded when a neighbor upstream filled in their wetland illegally. They know first-hand that the best part of the critical areas ordinance is that it helps people be good neighbors and protect resources that are used by the whole community.

Futurewise is making good progress, but your help is still needed to pass a smart, strong critical areas plan. The Planning Commission's draft has now been introduced to the County Council, which will hold hearings on the plan in late June. The Whatcom County Council will make the ultimate decision on how we protect critical areas in Whatcom County — so there is still a lot of work to be done.



The best way to make a difference is to attend a hearing and speak in support of protecting people, property, and our quality of life. Please check our website, [www.futurewise.org](http://www.futurewise.org) to find out when and where the hearings will be held.

For more information, contact Ellen Gray ([ellen@futurewise.org](mailto:ellen@futurewise.org) or 425-308-2839) or Kate Jackson ([kate@futurewise.org](mailto:kate@futurewise.org) or 206-343-0681).

**Futurewise is working in Whatcom County to make sure that streams at the bottom of steep slopes are protected from the effects of growth and development.**

AT THE CAPITOL

2005 Legislative Session in Review

After 105 long days and nights in the marble halls of Olympia, the 2005 legislature adjourned on time and with many accomplishments. Thanks to strong leadership in the House, the Senate, and the Governor's Mansion, the capitol shook off its reputation for getting nowhere and instead brought home wins in many areas, including transportation and the environment.

Futurewise, too, has plenty to be proud of — good bills we helped to pass and bad bills we helped to defeat. Here's a wrap up of what we accomplished this legislative session.

Growth Management

The usual suspects were at it again in Olympia, pushing bills to undermine the Growth Management Act and other critical environmental and land use protections. Futurewise successfully fought off attacks to roll back affordable housing and urban densities, Best Available Science, GMA periodic update schedules, citizen rights to appeal bad land use decisions, designation of farmland, and much more.

Thanks to the legislative advocacy of Futurewise and the leadership of courageous legislators like Rep. Geoff Simpson (D-Covington) and Sen. Craig Pridemore (D-Vancouver), GMA rollbacks were stopped dead in their tracks. A list of specific bills that were stopped appears on the Futurewise website.

Sound Solutions

Sound Solutions: Saving Hood Canal and Puget Sound was one of four environmental community priorities. Sound Solutions addressed comprehensive water quality problems with bills for septic review and better development protections and incentives. While most of the bills encountered obstacles, we laid the groundwork for similar legislation next year.



The good news is that SB 5620 was signed into law by Governor Gregoire on May 6th. SB 5620 requires counties to give priority consideration to lands with voluntary or required buffers in their open space plans and public benefit rating systems. It is

a tax incentive that will affect more than a dozen Washington counties and thousands of property owners who are doing the right thing for water quality.

Transportation

As outlined in our cover story, we made major progress this year with an historic transportation plan. The plan goes a long way to providing fundamental services that we all depend on, like buses, bike lanes and sidewalks. It puts road safety and maintenance first, which is good for public safety and the environment. The plan raises about \$8.4 billion over 16 years and is funded through a phased in 9.5 cent gas tax as well as vehicle weight fees.

In addition to the funding package, the Legislature passed several other positive transportation reforms this year with Futurewise support. A list of these bills, as well as details on the state transportation plan, can be found at [www.futurewise.org](http://www.futurewise.org)

Kids and farms win with passage of ballfields bill

In a victory both for children and Washington's working farms, Gov. Gregoire has signed into law a plan that will save youth sports fields built on protected farm land in Snohomish County, while maintaining important protections for the state's increasingly scarce agricultural land.

The new law, sponsored by Rep. Hans Dunshee with support from Futurewise, will apply to sports fields in Snohomish County built on protected farmland prior to Jan. 1, 2004.

"The Snohomish County Council failed to plan for ballfields," said Futurewise Executive Director Aaron Ostrom. "Our work with Rep. Dunshee lets the kids continue to play and creates a framework for solving the problem of inadequate sports fields for the long term, without destroying farmland every time a need for more fields arises."

Based on a wink and nod agreement from some elected officials, a Snohomish County youth baseball league illegally built ballfields on prime farmland. The County then had a change of heart, and threatened to evict the kids if the Growth Management Act wasn't amended to allow recreational uses (including golf courses, motocross tracks, and RV parks) on designated farmland.

The Snohomish County Council has been attempting to use this ballfields controversy to eliminate the Growth Management Act's protections for farmland, and to pit Little Leagues against the GMA.

Futurewise has maintained that there are plenty of good sites to build ballfields in Snohomish County other than designated prime farmland, and released a report last fall identifying dozens of alternatives sites. The County's last remaining prime farmland (5% of the land in the county) — and its farming — will not last long if protections are waived every time someone needs cheap land.

Dunshee's very narrow bill — grandfathering in existing fields but prohibiting future exceptions — solved the problem and undercut the County's attempts to undermine growth management.

Had the Dunshee-Futurewise bill not passed, the 16 fields near the town of Snohomish would have been shut down in May, leaving hundreds of children without a place to play ball, and allowing the Council to successfully pit little leagues against Growth Management.

Legislation proposed by the County would have weakened the state Growth Management Act by opening agricultural land to virtually any recreational development. Their proposal died early in the legislative session.

The Legislature's clear intent was to give the Snohomish County kids a place to play without, as the law says, "diminishing the designation and preservation requirements of the growth management act pertaining to Washington's invaluable farmland."

The new law also will establish a committee to study the sports field shortage and work to create long-term solutions that serve existing communities while maintaining protections for rural lands.



Futurewise Field Organizer Kristin Kelly, Representative Hans Dunshee, other participants and a bunch of Little Leaguers crowd around Governor Christine Gregoire at the ballfields bill signing.

## WHY CITIES NEED DENSITY

Several of our current cases address a fundamental problem of good land use planning under the GMA. That problem is the continued practice in several Puget Sound cities to maintain zoning that allows development on extremely large lots – sometimes as large as five acres!

When one city allows extra large lots, it decreases the number of total houses that the city can accommodate. This means that houses that could have been built in that city must instead go elsewhere. The pressure to develop cascades from city to city, and ultimately onto rural land and farmland.

Limiting housing inventory within the urban area leads to housing patterns that are not affordable to many people who work there. Road congestion results because people are forced into long commutes.

In order to mitigate these fundamental issues of sprawl, Futurewise is asking the Growth Boards to instruct cities like Normandy Park, Issaquah, Kent and Auburn to go back and rezone areas to allow no fewer than four houses per acre.

to rezone tens of thousands of acres of rural land that currently allow development at densities that will result in the loss of these valuable lands to urban development.

We've also challenged several King County cities (Normandy Park, Issaquah, Kent and Auburn) that refused to rezone areas within their jurisdictions that allow residential development on huge lots (see box below).

Growth Board decisions on these cases will be made over the next few months. In the next issue of *Outlook* we'll tell you how we did and what positive steps have been made toward fostering healthy communities and protecting resource lands that we've brought about through our legal efforts.

For a look at our complete legal docket, please visit our web site at [www.futurewise.org](http://www.futurewise.org).



Northwest Landing in Dupont is a good example of a neighborhood that is both dense and livable.

## LEGAL PROGRAM RAMPS UP

We are now six months past the date when the first nine Western Washington counties were required to conduct the first major update of their comprehensive plans and revise any preexisting provisions that didn't comply with the Growth Management Act (GMA).

The good news is that many jurisdictions have adopted updated comprehensive plans that contain many good provisions that reflect a commitment to effective implementation of the GMA.

The bad news is that in other places some major provisions have fallen short. To bring these jurisdictions into compliance, Futurewise has filed 13 appeals with the Growth Management Hearings Boards over the past six months.

For example, Pierce County has adopted resource land protections that guarantee that hundreds of acres of high quality farmland will not receive the level of protection from sprawl development required by the GMA. Thurston and Whatcom counties have refused

## Futurewise Saves Island Crossing — Again

Futurewise has long been involved in a dispute over Island Crossing in Snohomish County. More than 110 acres of prime farmland in the floodplain has been subject to repeated attempts to rezone the area for strip malls, auto dealers and big box retailers.

On May 11, Futurewise's attempts to protect this area was given more teeth. Snohomish County Superior Court Judge Linda Krese agreed with Futurewise that Island Crossing met the Growth Management Act requirements for agricultural lands of long-term commercial significance.

This means that the Snohomish County Council's attempt to change Island Crossing from agricultural to commercial zoning violated state law. Further, the judge ruled that the property holder, the car dealership owner Dwayne Lane, should not have brought the lawsuit because the courts had previously ruled against him and nothing had changed.

This is the third time Island Crossing has come before our state courts. Every time the courts have held that the land meets the legal definition of farmland and cannot be rezoned for strip malls and auto dealerships.

The Island Crossing property has prime farmland soils and has recently been farmed. It is also subject serious flooding and, if built on, will increase flood damage on neighboring properties. Futurewise's partners in this appeal included farmers from this area and a flood control district. They

joined us because they know development of this site will harm family farmers and downstream property owners. Futurewise also represented Agriculture for Tomorrow and Pilchuck Audubon in the case. The Washington State Department of Community, Trade, and Economic Development also joined the appeal because of the state interest in protecting prime farmland.

For more information please contact John Zilavy, (206) 343-0681 or [johnz@futurewise.org](mailto:johnz@futurewise.org).

## How Not to Do Public Involvement: An Island County Story

At Futurewise, we are used to battling misinformation about land use issues, particularly Critical Areas Ordinances. But even we were surprised by an April meeting notice sent out by Island County that was both fallacious and inflammatory.

The Island County notice stated that due to a recent court ruling it is "highly possible" that County residents and property owners in the rural zones will not be able to farm, have vegetable gardens, graze animals, raise animals, lease pasture, or have children in 4-H who raise animals on their property.

These claims are untrue - and could only occur if the county itself chose to adopt regulations that go far beyond what good sense requires and what the Growth Management Act allows. Many other counties have carefully crafted provisions that enhance agriculture and conserve the environment.

Futurewise is working with local citizens in Island County who support of land use measures that will protect clean water and healthy forests, encourage family farming, and maintain your quality of life. We seek to elevate the discussion beyond the half-truths and work together to keep Island County a great place to live and visit.



Three times a charm? Futurewise has successfully protected this plot of farmland three times in the hearings boards and courts.

FUTUREWISE PEOPLE

Seattle Developer Sees Smart Growth as Region's Savior

Through his own eyes and those of his family, Futurewise's newest board member, Greg Smith, has witnessed 150 years of change in the Puget Sound region.

The Seattle developer—he calls himself an environmentalist who does development—is more than a little alarmed by what he has seen in the past 20 years.

His childhood home of Issaquah is a prime example. Then a one-stoplight town of trees, farms and clean water, it now suffers the classic symptoms of unmanaged growth: traffic jams, strip malls, fouled streams.

Smith is not about to give up hope. Instead, he has committed himself professionally and personally to reshaping the region in ways that protect our remaining forest land, use rural lands smartly and make cities vibrant places full of culture, great public transit, green buildings, walking trails and people of all stripes.

"I am optimistic," says Smith, 44. "I really think the biggest issue is people aren't well educated on the issue (of managing growth). Once people understand the options, there is really only one."

And that, Smith says, is to focus our energy on building in existing urban centers so they are attractive and livable to everyone in society, not just an urban elite with big paychecks and no kids.

"If we don't manage growth," he is fond of saying. "Growth will mismanage us."



Smith is in a position to influence the debate over what we build and where. He has been in the real estate business, as his father was, since 1981. His Martin Smith Development Corp. was behind Seattle's Millennium Tower and played a major role in the IDX Tower among many other Seattle projects. He recently formed

a new company, Gregory Broderick Smith Real Estate, devoted to smart growth, sustainable development and increased urban density.

Among his new projects is a regional hub for businesses devoted to environmentally sound technologies in Seattle's Pioneer Square neighborhood.

Smith, a father of two adult children who now lives at the Pike Place Market, carries his passion for a new vision of Puget Sound growth outside his workaday life. He sits on Seattle Mayor Greg Nickel's Green Ribbon committee to promote American cities to join the Kyoto Treaty on global warming. He helped found the Urban Land Institute's Seattle District and serves on the board of the Sustainable Development Center. He recently joined the Futurewise board of directors.

Soon, he's headed to a conference in Berlin on alternative technologies like photo-voltaic energy production that can reduce the strain new buildings place on the environment.

Spend a few minutes talking with Smith about his passion, and it becomes clear that he, like many who look closely at the issue of growth and development, views managing society's inevitable growth as the cornerstone for all other environmental battles.

"If we can't stop the damage of a place like this," he says, referring the Cascadia region of western Washington and British Columbia, "it's game up for the world.

"Every person has the obligation to look at their world, their job and ask how they can make it better."



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must accommodate new development – through transit, bike, and pedestrian improvements.

- Creation of the Office of Transit Mobility at the WA Department of Transportation. Establishing this office at DOT restores the state's active role in transit, and acknowledges public transportation as a substantial entity in the larger transportation network.

- A commitment to examine new state transportation goals and benchmarks for moving people and goods that focus on the mobility of people and freight rather than simply on vehicles. Such a change would take the emphasis off of new highways and distribute the options for moving people and goods to other transportation choices.

- Increased support for the Commute Trip Reduction program and additional transportation choices for downtown businesses.

All in all, the 2005 legislative session brought a new light to transportation policy discussions.

"Our allies in Olympia did a great job fighting for our priorities and we owe them our thanks and continued support," said Aaron Ostrom, Executive Director of Futurewise.

Here are the details:

- It's a Fix-it-First package that prioritizes critical safety needs. Highlights include: \$2 billion for the Alaskan Way Viaduct (\$1 billion more than anyone predicted six months ago.), \$500 million for the SR 520 Bridge, and \$341 million for bridge replacements. Sizeable allocations also go to ferries, freight mobility, and local governments, which will receive a full penny distribution in the first two years.

- The funding for I-405 (generous, at \$972 million) is flagged for tolling and managed lanes. This is a giant step towards the I-405 plan that Futurewise and the Transportation Choices Coalition developed several years ago, a plan that ties road expansion to the economic realities of supply and demand.

- The package also funds \$800 million in new transportation choices funding through vehicle weight fees – a new, reliable, ongoing flexible funding source. Items of note include \$58 million for a new safe-routes-to-school and related transit/bike/pedestrian investments, \$50 million for special needs transit, \$14 million for rural mobility grants, and \$1.2 million for the implementation of an Office of Transit Mobility at the state Department of Transportation.



Seattle Smart Growth Developer Greg Smith has recently joined the Futurewise board of directors.

## FUTUREWISE CELEBRATES ITS 15<sup>TH</sup> ANNIVERSARY

On April 7—in the third month under its new name—Futurewise celebrated 15 years of tireless work to promote healthy communities while protecting farms, forests and open space all across Washington.

The 15<sup>th</sup> Anniversary Dinner & Auction was a great opportunity to recognize how far we've come since 1000 Friends of Washington was founded in 1990, and to look forward to the next 15 years as Futurewise.

Nearly 300 guests filled the South Lake Union Naval

Reserve Building.

The room was bursting with the new Futurewise colors of orange and blue. The guests spent a wonderful evening catching up with friends, bidding on great auction items, dining on tapas, and

learning about Futurewise accomplishments over the past year.

Due to our generous sponsors, donors and guests, Futurewise raised \$62,000 over the course of the evening. All of these funds will go toward programs that help manage growth and stop sprawl.

The staff and board would like to extend special thank yous to our Live and Silent Auction sponsors, who helped underwrite the event:

**Bricklin Newman Dold**, *Live Auction Sponsor*

**Zimmer Gunsul Frasca Partnership**, *Silent Auction Sponsor*

**Gendler & Mann**, *Silent Auction Sponsor*

Thanks also to the dozens of other sponsors, table captains and volunteers who helped make the auction night so successful, and to the nearly 250 businesses and donors who contributed auction items. We couldn't have done it without your wonderful support!

## Thank You!

**Futurewise heartily thanks the following sponsors, table captains, volunteers and others for their support at the 15<sup>th</sup> Anniversary Dinner & Auction.**

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Andrea Blukis, Susan Elderkin, Justine Guarda, Kate Jackson

## Transitions

After nearly eight years at Futurewise, Operations Director **Susan Elderkin** is moving on to other challenges. Our longest tenured staff member, she has managed two website overhauls, organized three different offices and five different office managers, and led a fundraising program that tripled our budget. She's managed six auctions, written more fundraising appeals and grants than anyone should have to in one lifetime, and provided a never ending stream of common sense.

Although we will miss her terribly, we know it's important to "share the wealth" and that other causes need her help as well.

We are sure that the baby (due in September) will be very cute, and we will make sure that whoever hires her after she returns to work knows how lucky they are!

Futurewise is very pleased to announce the hiring of **Angela Uhl** as our new Development Director. Angela has an extensive track record of fundraising and marketing experience. She served as the Executive Director of the Juvenile Diabetes Research Foundation for five years, and worked on events and marketing at Nordstroms for ten years. We are very excited to add her to our team.

Futurewise is also pleased to announce the appointment of two new members to its Board of Directors.

**Laura Dobbins** hails from Spokane, where she is a software engineer by day and citizen activist by night. She's worked on several political campaigns in the past and is particularly concerned with water quality issues and the future of the aquifer in the Spokane area.

**Greg Smith** is a developer passionate about smart growth, sustainable development, and urban density. Formerly with Martin Smith Development Corp., he recently formed a new company, Gregory Broderick Smith Real Estate, in order to embrace his smart growth principles (see article about Greg on page 8).

Sadly, we are also saying good-bye to Boardmember **Ray Gould**. Ray joined the Board in 1999, and impressed everyone with his deep knowledge of growth management and his excellent input on Board issues. During his tenure, Ray was the Futurewise representative to many citizen and government committees and the organization's longtime treasurer. We're going to miss him!



Susan Elderkin



Angela Uhl

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maintenance projects, including \$2 billion for the Alaskan Way Viaduct. He launched a significant new funding source for public transit and transportation choices (a vehicle weight fee), and created several new state programs to improve transportation choices.

These are huge wins on an issue where the politics have been stacked against us for a long time, and they were inconceivable without Ed's leadership.

The last person on my list is not a public official. She is a co-worker at Futurewise, Susan Elderkin. Susan has worked at Futurewise for almost eight years, as our Development Director and Operations Director. She is moving on to tackle other challenges, including starting a family. (See **Transitions**, left) Her fundraising, common sense, and organizational skills have been a cornerstone of the organization's growth and success, and we will miss her terribly.

Aaron Ostrom, Executive Director



Guests at the Futurewise 15th Anniversary Dinner and Auction peruse silent auction items.

## NEW OREGON LAW GUTS LAND USE PROTECTIONS; COMING NEXT TO WASHINGTON

The November 2004 election saw voters in Oregon pass a public initiative that threatens to undermine their land protection laws.



Ballot Measure 37 requires government to compensate property owners who can show that government regulations prohibited their use of their land. Governments are forced to either pay landowners or exempt them from current regulations.

Oregon is already facing more than 1,000 claims filed under Measure 37, and even though the law is new, egregious claims are already being approved by county governments. Claims have been filed to build casinos and golf courses in the middle of agricultural lands, and in April a claim was approved that clears 1 million square feet of farm land for commercial development.

### Washington Bound

It seems inevitable that a similar initiative will be introduced in Washington in 2006. The media has reported that the Washington State Farm Bureau has given its staff the go ahead to work on drafting a developers' initiative, also known as a takings initiative, and Tim Eyman has been campaigning in favor of the measure across the state.

The good news is that a recent poll suggests that there is no groundswell of support for such an initiative here.

According to a poll commissioned by Futurewise and two other groups in February, only 43 percent of Washington voters support an initiative similar to Measure 37 in Oregon after hearing a simple and objective explanation of what the measure would do. Support for the measure decreases to one-third after hearing pro and con arguments. Even more important, the poll found that despite recent media coverage, there isn't a revolution brewing. Seventy-one percent of Washington voters do not believe that government unfairly restricts the use of their property. The poll was conducted by Evans McDonough.

And there's more good news—a similar measure was defeated overwhelmingly in Washington in 1995. The No on Referendum 48 campaign repealed a law passed by Washington's Legislature that required government compensation for any regulation that limited property use. The vote was 59 percent to 41 percent to repeal the law.

It won't be an easy fight, and Futurewise will need your help, but Washingtonians have a history of saying "No" to this terrible idea, and we'll say "No" to it again.

futurewise

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