RESTORATION PLANS, CRITICAL AREA REGULATIONS, FLOODPLAIN REGULATIONS, AND STORMWATER MANAGEMENT PLANS AND REGULATIONS IN ORDER TO PREVENT FLOOD DAMAGE, MAINTAIN THE NATURAL HYDRAULIC CAPACITY OF FLOODWAYS, AND CONSERVE LIMITED RESOURCES SUCH AS FISH HABITAT, WATER, AND SOIL.

GOAL 11.136 WHERE FEASIBLE, NON-STRUCTURAL METHODS TO PROTECT, ENHANCE, AND RESTORE SHORELINE ECOLOGICAL FUNCTIONS AND PROCESSES AND OTHER SHORELINE RESOURCES SHOULD BE ENCOURAGED AS AN ALTERNATIVE TO STRUCTURAL FLOOD CONTROL WORKS. NON-STRUCTURAL METHODS MAY INCLUDE, BUT ARE NOT LIMITED TO, SHORELINE BUFFERS, LAND USE CONTROLS, USE RELOCATION, WETLAND RESTORATION, DIKE REMOVAL, BIOTECHNICAL MEASURES, STORMWATER MANAGEMENT PROGRAMS, LAND OR EASEMENT ACQUISITION, VOLUNTARY PROTECTION AND ENHANCEMENT PROJECTS, OR INCENTIVE PROGRAMS.

GOAL 11.137 NEW OR EXPANDING DEVELOPMENT OR USES IN SHORELINE JURISDICTION, INCLUDING SUBDIVISION OF LAND, THAT WOULD LIKELY REQUIRE STRUCTURAL FLOOD CONTROL WORKS, SUCH AS DIKES, LEVEES, REVETMENTS, FLOODWALLS, CHANNEL REALIGNMENT, GABIONS OR RIP-RAP, WITHIN A RIVER, FLOODWAY, OR LAKE SHOULD NOT BE ALLOWED.

GOAL 11.138 NEW STRUCTURAL FLOOD CONTROL WORKS SHOULD ONLY BE ALLOWED IN SHORELINE JURISDICTION WHEN IT CAN BE DEMONSTRATED BY A SCIENTIFIC AND ENGINEERING ANALYSIS THAT THEY ARE NECESSARY TO PROTECT EXISTING DEVELOPMENT, THAT IMPACTS TO ECOLOGICAL FUNCTIONS AND PRIORITY SPECIES AND HABITATS CAN BE SUCCESSFULLY MITIGATED SO AS TO ASSURE NO NET LOSS, THAT APPROPRIATE VEGETATION CONSERVATION ACTIONS ARE UNDERTAKEN, AND WHERE NON-STRUCTURAL FLOOD HAZARD REDUCTION MEASURES ARE INFEASIBLE.

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GOAL 11.139 **FLOOD CONTROL WORKS AND SHORELINE USES, DEVELOPMENT, AND MODIFICATIONS SHOULD BE LOCATED, DESIGNED, CONSTRUCTED AND MAINTAINED SO THEIR RESULTANT EFFECTS ON GEO-HYDRAULIC SHORELINE PROCESSES WILL NOT CAUSE SIGNIFICANT DAMAGE TO OTHER PROPERTIES OR SHORELINE RESOURCES, AND SO THAT THE PHYSICAL INTEGRITY OF THE SHORELINE CORRIDOR IS MAINTAINED.**

11.5 Implementation

This element is implemented by the full Shoreline Master Program, which includes development regulations that support Shoreline goals and policies. A permit process for shoreline substantial development permits, shoreline conditional use permits, and shoreline variances references these goals and policies and the shoreline development regulations.

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12 Energy

12.1 Introduction

The purpose of this Energy Element is to identify opportunities and key issues related to the promotion of renewable energy use and facilities in the City of Yakima. This Element is intended to supplement existing Comprehensive Plan Elements for Land Use, Transportation, and Economic Development.

Energy – Growth Management Act

- The GMA provides for optional elements to the Comprehensive Plan, including Energy. (RCW 36.70A.080(1)(b))

12.2 Today and Tomorrow

Conditions and Trends

Wind Energy

Washington State is ranked 15th in the nation in net generation of electricity from wind energy. While there is substantial wind energy infrastructure in nearby Kittitas and Klickitat counties, there are no substantial wind energy facilities in or around the City of Yakima.

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Solar Energy

There are no substantial solar energy facilities in or around the City of Yakima at this time. According to the US Energy Informational Administration, the northeast corner of the City has good photovoltaic solar potential. The City of Yakima sees about 300 days of sunshine per year.



Source: Solorasolar.com

Geothermal Energy

Geothermal power uses heat from below the earth's surface to produce electricity or heat buildings and water systems. Geothermal power produces little to no air pollution and is extremely reliable during the lifetime of the power plant. Geothermal applications cover a range of uses, from small-scale heat pumps used in homes to large-scale power plants that provide electricity. There are no substantial geothermal energy facilities in or around the City of Yakima at this time.

Challenges and Opportunities

New Construction

Strengthened building codes and innovative construction methods (solar energy) are effective ways to reduce energy consumption. Effective layout of subdivisions can also increase energy efficiency by allowing for solar access and protection from winds.

Industrial and commercial sectors are similarly encouraged to explore alternate energy sources when designing new buildings, especially those that are LEED eligible.

Transportation

A well-laid-out transportation system will aid in conserving energy. Smoother traffic flows can increase vehicle efficiency, additional pedestrian and bicycle facilities promote alternate means of commuting, and higher urban densities along transit routes can further reduce vehicle trips.

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High Demand Periods – Environmental Emergencies

During environmental emergencies such as heat waves, energy demand may outpace supply from energy providers or overload the power grid. A distributed and resilient energy system during these peak demand periods is paramount to avoid blackouts or other power outages and to increase the overall resilience of the energy system. As noted earlier in the element, throughout the document, and in Appendix A, increasing the energy efficiency of homes, public buildings, and businesses can reduce the burden on the grid and ensure that the energy need is met even during surges in demand.

12.3 Our Energy Plan

The City works with various agencies for sustainable and affordable energy sources to serve the community. The City promotes energy efficiency of homes, public buildings and businesses. A comprehensive approach to energy through infrastructure (e.g. transportation, EV charging station) and land use planning will assist the community to meet its energy needs.

12.4 Goals and Policies

GOAL 12.1	**SUPPORT RENEWABLE ENERGY SYSTEMS FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND MIXED-USE STRUCTURES AND DEVELOPMENTS.**
Policy 12.1.1	Allow flexibility in development regulations that promote energy efficiency and conservation.
Policy 12.1.2	Protect solar access to use natural heating and lighting opportunities.
Policy 12.1.3	Consider development standards that allow small-scale solar and wind energy facilities in new and existing developments.
Policy 12.1.4	Promote both distributed renewable energy sources, large scale renewable energy source, and other city-wide energy sources to maintain service delivery during extreme weather and natural hazard events.

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Policy 12.1.5 Enhance incentives for micro- and moderate-scale solar projects for homes, businesses, and underutilized land.

GOAL 12.2 REDUCE ENERGY USED FOR TRANSPORTATION.

Policy 12.2.1 Promote an efficient transportation system through a compact development pattern.

Policy 12.2.2 Review parking standards to promote a parking lot layout that maximizes energy efficiency.

Policy 12.2.3 Continue to provide and encourage viable options for multimodal means of transportation to reduce the amount of single occupant vehicles.

Policy 12.2.4 Encourage installation of charging infrastructure for electric vehicles.



Source: City of Yakima

GOAL 12.3 SEEK OPPORTUNITIES FOR ENERGY EFFICIENCY AND CONSERVATION AT ALL LEVELS OF GOVERNMENT.

Policy 12.3.1 Incorporate energy efficient facilities in new and rehabilitated government buildings, where feasible.

12.5 Implementation

Yakima's Comprehensive Plan is implemented through the actions and investments made by the City with the support of its residents and stakeholders. Some of these actions include regulatory changes, partnerships, coordination, administrative acts, policy changes, and capital investments. The following implementation items in Exhibit 12-1 aid in this process.

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Exhibit 12-1. Energy Element Implementation

Implementation Item	Action Type	Results
Building Code	Regulatory Law	▪ Construction standards
Zoning Code	Regulatory Law	▪ Land use densities and allowable uses ▪ Parking standards
State Environmental Policy Act	Regulatory Law	▪ Environmental review

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13 Glossary

Affordable Housing

The United States Department of Housing and Urban Development (HUD) considers housing to be affordable if the household is spending no more than 30% of its income on housing costs. A healthy housing market includes a variety of housing types that are affordable to a range of different household income levels. However, the term "affordable housing" is often used to describe income-restricted housing available only to qualifying low-income households. Income-restricted housing can be located in public, nonprofit, or for-profit housing developments. It can also include households using vouchers to help pay for market-rate housing (see "Vouchers" below for more details).

American Community Survey (ACS)

This is an ongoing nationwide survey conducted by the U.S. Census Bureau. It designed to provide communities with current data about how they are changing. The ACS collects information such as age, race, income, commute time to work, home value, veteran status, and other important data from U.S. households. We use data from the ACS throughout this needs assessment.

Area Median Income (AMI)

This is a term that commonly refers to the area-wide calculation provided by the HUD for a county or metropolitan region.[5] Income limits to qualify for affordable housing are typically set relative to AMI. In this report, unless otherwise indicated, AMI refers to the HUD Area Median Family Income (HAMFI). In 2025, AMI for a 4-person household in Yakima County is $82,300.

Climate Resilience

[5] Note that HUD sometimes refers to HUD Area Median Family Income as just Median Family Income, or MFI. See https://www.huduser.gov/portal/datasets/il.html

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An ongoing process of anticipating, preparing for, and adapting to changes in climate and minimizing negative impacts to our natural systems, infrastructure, and communities (RCW 70A.65.010)

Cost Burden

When a household pays more than 30% of their gross income on housing, including utilities, they are considered "cost-burdened." When a household pays more than 50% of their gross income on housing, including utilities, they are considered "severely cost-burdened." Cost-burdened households have less money available for other essentials, like food, transportation, and medical care.

Critical Areas Regulations

Local government regulations that protect wetlands, critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife conservation areas. The regulations must include best available science and give special consideration to anadromous fish. Disinvestment

Disinvestment

Disinvestment occurs when public or private agencies sell or withdraw their assets or resources from a community of neighborhood which may result in declined economic growth, infrastructure improvement etc.

Environmental Justice

Environmental Justice refers to the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. (Washington State's Environmental Justice Task Force)

Gentrification and Displacement

Gentrification is the result of displacement that changes the cultural and socioeconomic characteristics of a neighborhood. When high demand for homes in an area increases housing costs, low- or middle-income households are often pressured to move to more affordable housing, thus increasing demand and costs in areas that were once affordable. Increased

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investment in these neighborhoods can displace lower-income residents and prevent them from benefiting from the economic growth and greater access to services. This disproportionately hurts Black and Latino residents. (Municipal Research Service Center)

Gross Dwelling Units/Acre

The number of dwelling units allowed per acre including the area for right-of-way, streets, and access easements.

Household

A household is a group of people living within the same housing unit.[6] The people can be related, such as a family. A person living alone in a housing unit or a group of unrelated people sharing a housing unit are also counted as households. Group quarters population, such as those living in a college dormitory, military barrack, or nursing home, are not considered to be living in households.

Household Income

The US Census Bureau defines household income as the sum of the income of all people 15 years and older living together in a household.

Low-Impact Development (LID): Low-impact development is a stormwater and land-use management strategy that tries to mimic natural hydrologic conditions by emphasizing the following techniques: conservation; use of on-site natural features; site planning; and, distributed stormwater best management practices integrated into a project design. (Washington Department of Ecology)

Low-Income (HUD Income Limits)

Households that are designated as Low-Income may qualify for income-subsidized housing units. HUD categorizes families as Low-Income, Very Low-Income, or Extremely Low-Income relative to AMI, with adjustment for family size. Exhibit 13-1shows the income thresholds as

[6] The Census sometimes refers to "occupied housing units" and considers all persons living in an occupied housing unit to be a single household. So, Census estimates of occupied housing units and households should be equivalent.

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published by HUD. While these definitions are expressed as a percentage of AMI, HUD includes additional adjustments in Yakima County to increase the income thresholds.

Exhibit 13-1. HUD Income Limits by Household Size (Number of Persons in Household), 2025

Income Category	Household Income Level	1	2	3	4	5	6
Extremely Low-Income	30% of AMI	$19,950	$22,800	$26,650	$32,150	$37,650	$43,150
Very Low-Income	50% of AMI	$33,200	$37,950	$42,700	$47,400	$51,200	$55,000
Low-Income	80% of AMI	$53,100	$60,700	$68,300	$75,850	$81,950	$88,000

Source: US HUD, 2020; BERK, 2025.

Median Family Income (MFI)

The median income of all family households in an area. Family households are those that have two or more members who are related. Median income of non-family households is typically lower than for family households, as family households are more likely to have more than one income-earner. Data about median family income comes from the Census American Community Survey (ACS). However, HUD publishes current year MFI estimates for counties and metropolitan regions. These HUD MFI estimates are also known as AMI. Analyses of housing affordability typically group all households by income level relative to AMI.

Median household income

Median household income is based on the incomes of all households, including non-family households that often have only one member.

Multimodal transportation

Multimodal transportation includes public transportation, rail and waterways, bicycle and pedestrian. Multimodal access supports the needs of all users whether they choose to walk,

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bike, use transit or drive. It means more connections and more choices. (Washington Department of Transportation)

Net Dwelling Units/Acre: The number of dwelling units allowed per acre less the area for right-of-way, streets, and access easements

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14 Appendices

Appendix A: Climate Vulnerability Assessment Memo

Appendix B: Adequate Provisions Checklist

Appendix C: Code Review Memo

Appendix D: Critical Areas Ordinance Review Memo

Appendix E: Public Engagement Summary

Appendix F: Climate Element Crosswalk

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COMMUNITY DEVELOPMENT DEPARTMENT
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CITY OF YAKIMA
RECOMMENDATION REGARDING
COMPREHENSIVE PLAN PERIODIC UPDATE
File Numbers: PRJ#001-25(26) & SEPA#017-26

TO:	City of Yakima Planning Commission
FROM:	Trevor Martin, AICP, Planning Manager
SUBJECT:	Recommendation for Periodic Update
FOR MEETING OF:	October 14, 2026

I. Purpose and Description of Proposed Amendments:

The City of Yakima is required by the State of Washington to update the City's Comprehensive Plan as part of a periodic update cycle. Yakima's Periodic Update is due by the end of 2026.

As part of this update, City Staff and the Planning Commission held several public study sessions, worked with several stakeholders, and reviewed the update in detail at the Planning Commission meetings throughout the year 2025 and 2026.

The draft chapters of the 2050 Comprehensive Plan update were reviewed by the Planning Commission on the following dates: 02/26/2025, 03/26/2025, 04/23/2025, 07/09/2025, 07/23/2025, 12/10/2025, 01/14/2026, 01/28/2026, 02/11/2026, 02/25/2026, 03/11/2026, 04/08/2026, 04/22/2026, 09/24/2026, 05/13/2026, 05/27/2026, 06/10/2026, 06/24/2026

II. Proposed Amendment Sections:

Much of the City of Yakima's Comprehensive Plan is being updated and reconfigured to comply with the new housing mandates, climate mandates, and transportation updates. Many of the existing chapters were carried from the previous Comprehensive Plan and updated to reflect current data and mandate updates from the state. Since the Planning Commission, City Staff, and the consulting staff have spent significant time amending existing language and requesting changes through several meetings, a general overview is being provided on the primary areas of the Plan that have been updated and how they have been updated.

Below are a summary of changes between the elements in 2017 Comprehensive Plan and the 2050 plan:

TECHNICAL ANALYSIS: A Technical Analysis has been included as a part of this Comprehensive Plan update which illustrates all the data used to develop the narrative, goals, and policies found within the 2050 update. The Technical Analysis

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Yakima 2015 1994

INTRODUCTION & VISION

2017 Plan:

- Planning horizon 2017–2040
- General themes: inclusiveness, quality of life, downtown revitalization
- Engagement focused on workshops and surveys

2026 Draft Plan:

- Planning horizon 2026–2046 (2050)
- Themes: climate resilience, equity, multimodal mobility, housing diversity
- Multilingual outreach + Climate Advisory Team
- Engagement also focused on workshops and surveys

LAND USE

2017 Plan:

- Traditional zoning
- Mixed-use areas conceptual only
- No climate hazard analysis

2026 Draft Plan:

- Updated land use designations
- Focus on mixed-use centers and climate-safe growth areas (State Mandate)
- Includes heat, wildfire, and flood hazard mapping (State Mandate)

HOUSING

2017 Plan:

- Encouraged diverse housing but optional
- Limited ADU use

2026 Draft Plan:

- Required middle housing (duplex–sixplex)
- Two ADUs per lot; no owner-occupancy rule
- Anti-displacement & equity requirements
    - All items in this list are part of a Washington State as items to consider and plan for during the 2026 periodic update.

ECONOMIC DEVELOPMENT

2017 Plan:

- Retail, tourism, Mill Site redevelopment

2026 Draft Plan:

- Climate-resilient economy (State Mandate)
- Workforce development
- Post-COVID market adaptation

TRANSPORTATION

2017 Plan:

- Vehicle LOS priority

AI

- Multimodal improvements secondary

2026 Draft Plan:
- Adds pedestrian & bicycle LOS (State mandate)
- Climate risk evaluation for transport assets (State Mandate)

CAPITAL FACILITIES & ENVIRONMENT

2017 Plan:
- Traditional infrastructure planning

2026 Draft Plan:
- Climate vulnerability assessment
- Extreme heat, drought, stormwater resilience

HISTORIC PRESERVATION

2017 Plan:
- Traditional preservation strategies

2026 Draft Plan:
- Includes climate adaptation (State Mandate)
- Stronger tribal consultation

Narrative

The 2026 Draft Comprehensive Plan introduces updates driven by new statewide mandates (RCW 36.70A.070) requiring expanded housing options, climate planning, and equity analysis. Compared to the 2017 plan, this draft integrates climate hazard mapping, expanded public engagement, mixed-use growth centers, and multimodal transportation standards. It responds to social, environmental, and economic changes, including post-COVID market shifts.

Housing policy undergoes the most significant transformation. The new legislation requires cities to permit multiple middle-housing forms and prioritize affordability, equity, and displacement prevention. Where the 2017 plan encouraged housing variety, the 2026 plan requires it. The requirements also mandate Cities to plan and consider housing options for all income levels.

Land use policy also changes significantly. Climate risk now guides development, and mixed-use centers are formalized as primary growth areas. Downtown revitalization shifts from plaza-driven activation toward adaptive reuse, with heat-resilient design strategies, and economic diversification. The update also addresses revisiting and revising the existing downtown plan and updating with new strategies.

Transportation planning expands beyond vehicle throughput to include pedestrian and bicycle networks, heat vulnerability, and multimodal access. Infrastructure planning incorporates drought, heat, and stormwater resilience. The City will now be required to measure the completeness of facilities through multimodal features. An example of this action could include measuring infrastructure completeness on roadway corridors to include sidewalks and bike lanes.

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Overall, the 2026 plan is more data-driven, climate and equity-focused than the 2017 plan. The 2026 Comprehensive Plan also Includes a technical analysis outlining all the data used to develop findings and policies carried by the 2050 Comprehensive Plan.

Summary
The 2026 Comprehensive Plan strengthens Yakima's strategic planning framework across four major areas:

1. Regulatory Transformation
   - Mandatory middle housing and ADU allowances
   - Required climate resilience integration (State Mandate)
   - Equity & anti-displacement planning for the first time (State Mandate)

2. Updated Growth Strategy
   - Emphasis on mixed-use centers
   - Development guided away from climate hazard zones
3. Housing Framework
   - Detailed housing needs by AMI tier
   - Policies addressing affordability and displacement
4. Infrastructure & Environment
   - Pedestrian and bicycle LOS standards
   - Green infrastructure, drought planning, and extreme weather readiness

III. Environmental Review (SEPA)

The project was processed for review under the State Environmental Policy Act as a procedural action per WAC 197-11-800(19), and a Determination of Nonsignificance (DNS) was issued on September 24, 2026.

IV. Public Notice:

Notice of Public Hearing	September 24, 2026
Legal Ad	September 24, 2026

V. Comments Received

The first comment was received from Scott Downs with the Washington State Department of Fish and Wildlife, and his comments include: Chapter 2. Land Use

2.4 Goals and Policies
Policy 2.1.3 Suggested new criteria under this policy: Avoid UGA expansions of areas that contain critical areas and open space coverage required under RCW 36.70A.110.(8)(d).
Policy 2.1.9 Consider annexation requests in accordance with review criteria, including, but not limited to:

i. We recommend adding "Review of critical areas to ensure that annexation is consistent with critical areas protection". We recommend incorporating WDFW's Priority Habitats and Species (PHS) mapping information, to assess suitable areas for accommodating growth.

Policy 2.1.13 Use best available science when designating critical areas for protection and preservation within the City limits or the Yakima UGA.

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ii. We recommend adding "no net loss" to this policy.

Future Land Use Map. Exhibit 2-4

There are areas of fish and wildlife habitat, primarily shrubsteppe and riparian in the UGA and to a lesser extent in the city limits where the city should explore options to enroll some of these habitat areas into natural open space. Enrolling these areas into natural open spaces would preserve the habitat and reduce future conflicts with development with the critical areas ordinance. WDFW would be happy to work with the city to explore strategies.

Chapter 6. Transportation

Transportation Improvement Projects (TIP)

In addition to showing locations for TIP on Exhibits 6-9 and 6-10, we recommend including a table that outlines what is proposed at each location and the timeline for each project. Any projects involving a water crossing, such as a culvert or a bridge, should be coordinated with WDFW and likely would need a Hydraulic Project Approval (HPA) from WDFW.

6.5 Goals and Policies:

We encourage the city to add a goal that ensures transportation projects are consistent with natural areas protection and are climate resilient.

To support that goal, we encourage the city to add the following policy:

Design and upgrade stream crossings to be climate resilient.

WDFW climate resilient culvert guidance can be of assistance:

https://wdfw.wa.gov/specieshabitats/habitat-recovery/fish-passage/climate-change

Chapter 9. Parks and Recreation

We encourage the city to add a goal that promotes fish and wildlife habitat within the city's parks. Fish and wildlife species rely on urban habitats for both their survival and their migration to habitats within Yakima County and beyond. Suggested goal and associated policies:

Goal: Encourage the development and retention of native habitat within parks, open space and greenbelts.

Policies:

- Explore opportunities to install habitat elements into the city parks, such as xeric native plant gardens.

WDFW would be happy to work with the city and supply our technical knowledge. We would encourage working with the North Yakima Conservation District through the Heritage Garden program Heritage Garden Program – North Yakima Conservation District.

- Retain, maintain and install native habitats within city parks, open space and greenbelts to provide habitat for urban fish and wildlife.
- Develop a plan for prioritizing habitat elements within parks, open space and greenbelts using tools such as connectivity to larger natural spaces and wildlife habitat.

WDFW can provide technical assistance in developing priorities and strategies.

Chapter 10. Natural Environment

10.2 Conditions and Trends

Under critical areas, "wildlife habitat conservation areas" are listed. Please amend to "fish and wildlife habitat conservation areas", the recognized name for this critical area under the Growth Management Act (GMA).

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Fish and Wildlife Habitat Conservation Areas (FWHCA)
There are mapped shrubsteppe habitats within the city and the UGA. Shrubsteppe is a WDFW Priority Habitat. Please add to the list of FWHCA and add to Exhibit 10-10.

Exhibit 10-11. Sensitive Fish Species Identified in the City's Streams and Rivers
The following are documented in WDFW Statewide Washington Integrated Fish Distribution (SWIFD). Please add them to the table.
Coho Salmon: Bachelor Creek
Chinook Salmon: Bachelor Creek
Mountain Whitefish: Naches River
Wildlife. Wood Duck and Great Blue Heron are listed in Exhibit 10-11. We recommend moving them to a separate wildlife table. In addition to the wildlife species listed in the narrative at the bottom of page 10-21, we recommend adding Monarch as there are documented sightings within the city.

10.4 Goals and Policies
Goal 10.4 PRESERVE AND ENHANCE TERRESTRIAL AND AQUATIC HABITATS TO MAINTAIN VIABLE POPULATIONS OF PLANTS AND ANIMALS.
Policy 10.4.4 Protect aquatic and terrestrial habitats from encroachment from new industrial land uses that may reduce these habitat's resilience and environmental quality. Recommend striking the word "industrial". All land uses may reduce aquatic and terrestrial habitats.
Suggested new policy under this goal - Consider climate stressors when determining allowed activities and uses within wetlands and Fish and Wildlife Habitat Conservation Areas, and ensure regulations maintain habitat integrity and function. Dept of Commerce, Menu of Measures (#99)
We recommend adding a policy that promotes habitat connectivity. Suggested wording: Seek to protect and connect open space corridors with regulatory and voluntary mechanisms to maintain and enhance habitat connectivity (WAC 365-196-335). This policy supports the resiliency sub-element (RCW36.70A.070(9)(ei)(A). That sub-element directs plans to identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration. The policy could direct the city to connect habitat areas within the city and UGA to habitat areas outside the city, using areas like riparian corridors and wildlife corridors. This policy would help to ensure the fish and wildlife species using the city's habitats could connect to areas outside of the city and the UGA to areas in Yakima County and beyond. WDFW would be happy to provide technical assistance with implementing this policy.

Chapter 11. Shoreline
Goal 11.96. ALL SHORE STABILIZATION ACTIVITIES SHOULD BE DESIGNED AND CONSTRUCTED TO ACCEPTED ENGINEERING STANDARDS
We recommend adding a policy regarding Shoreline Armoring: Prioritize soft armoring over hard armoring of shorelines for new and redevelopment. We recommend using techniques from Integrated Streambank Protection Guidelines | Washington Department of Fish & Wildlife. All
shoreline armoring projects would need a Hydraulic Project Approval (HPA) permit from WDFW.

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Goal 11.115. EXISTING AGRICULTURE SHOULD BE ENCOURAGED TO PROVIDE THROUGH VOLUNTARY MEANS
Please clarify the intent of this goal. Voluntary Stewardship Program (VSP) applies to Yakima County, not the City of Yakima. Agricultural uses within the city's shoreline environment should be subject to the city's Shoreline Master Program (SMP).

Staff Response: There are several elements of the City's Critical Areas Ordinance (CAO) that will need to be updated as a result of this 2050 Plan. The comments will be presented to the Planning Commission for implementation into the Comprehensive Plan Update.

The next comment was receive from the Washington Department of Natural Resource, it is summarized as follows:
...Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in current or future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:

- Consider adding a reference to the definition of geologically hazardous areas, WAC 365-190-120, in other areas besides the CAO. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands.
- Consider adding in other areas besides the CAO. If you have not checked our interactive database, the Washington Geologic Information Portal, lately, you may wish to do so. Geologic Information Portal | WA – DNR...

Staff Response: *Planning staff will review the requests and present to ask to the Planning Commission. The City will continue to keep other agency partners informed on Code and Policy updates. There are several YMC changes that will result from the updating of the Comprehensive Plan. When these changes occur, the City will continue to notice partner and incorporate comments into the permitting process.*

The next comment was received by Yakima Taxpayer for Fiscal Responsibility, which is summarized as follows:
Proposal Description
The City of Yakima Planning Division is proposing minor amendments to the City of Yakima's Comprehensive Plan, specifically amending policy and goal language for the following: Implementing language regarding climate resiliency throughout the plan; updating goals and policies in the Housing Element; updating the transportation elements; and updating statistical background information in the Housing, Land Use, and Transportation in the Technical Analysis.

Concerns:
1. Project's differ -The Notice of Hearing says PRJ#001-26. The DNS says PRJ#001-25. Please reissue the DNS, Notice of Hearing, and SEPA checklist with a new issue date and deadline for comments.
2. Date differ. The latest dates should be honored.
3. Minor amendments" seems unclear. Other elements of the Comp Plan are proposed for amendments.
4. Includes the James Carmody letter, found on the City's website as an initial comment. It is too big to email.

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Staff Response: *City of Yakima Notice of Hearing timeframes are different from SEPA WAC 197-11 DNS time frames. SEPA DNS requires a 14-day comment period, while the City requires a 20 Notice for public hearings. Comments can be submitted up until the public hearing and staff will accommodate the comments the best they can up until the Public Hearing. If there are comments received that result in a change to a DNS, City staff would take the necessary steps to revise any opinion and issue the correct determination.*
Minor amendments – a bulk of the plan will continue to be the same as it previously was under the 2017 update. The items that are changing relate to the mandates found under RCW 36.70A.070. As a result of implementing the mandates, the plan needs to update corresponding narratives and data. The primary narrative of the 2017 plan is not changing. Specifics to the changes can be found is this report above.
The letter provided addresses Trolley's and not the 2050 Comprehensive Plan update.

The final comment was received from Ray Paolella, their comments have been summarized as the following (full comments are included in the project file): having questions about the comment dates on the notices, provided a Grade Crossing Protective Fund application from 2007, and provided the City's 2023 Climate Action Plan.

Staff Response: *Comments regarding commenting timeframes are included in the response to the Yakima Taxpayer for Fiscal responsibility above. Staff have no comments on the Grade Crossing Application from 2007. Data and information from the 2023 Climate Action plan was used in coordination with the 2050 Comprehensive Plan update. Many of the mandates for the update are related to climate, and the 2023 plan had adequality addressed some of the data requested by the State. The Planning Division, along with the Comprehensive Plan consultants simply updated and expanded some of the existing information.*

VI. Findings and Conclusion

1. The Comprehensive Plan Update is part of the Comprehensive Plan mandate found under RCW 36.70A.130(5)(c).
2. The Comprehensive Plan Update addresses the mandatory elements under RCW 36.70A.070.

VII. Recommendation

The Department of Community Development recommends approval of this Comprehensive Plan update.

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A-1

CITY OF YAKIMA PERIODIC UPDATE 2025-2026
PRJ#001-25, SEPA#017-26

EXHIBIT LIST

CHAPTER B
Application

DOC INDEX #	DOCUMENT	DATE
B-1	Sepa Checklist	09/24/2026

SEPA[1] Environmental Checklist

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in "Part B: Environmental Elements" that do not contribute meaningfully to the analysis of the proposal.

[1] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance

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A. Background

Find help answering background questions[2]

1. Name of proposed project, if applicable:

City of Yakima Comprehensive Plan 2050 Update, Development Regulation Updates, Revised Critical Areas Ordinance (CAO), and Comprehensive Plan Land Use Amendments (CPA #001-25, CPA #003-25, and CPA #004-25)

2. Name of applicant:

City of Yakima

3. Address and phone number of applicant and contact person:

City of Yakima Community Development
Trevor Martin, Planning Manager
129 N 2nd Street, Yakima, WA 98901
Phone: (509) 576-6754

4. Date checklist prepared:

September 23, 2026

5. Agency requesting checklist:

City of Yakima

6. Proposed timing of schedule (including phasing, if applicable):

Planning Commission Hearing in October and City Council consideration of adoption in November 2026

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The proposal is a non-project action. Future developments and infrastructure implemented by public and private applicants would be subject to their own environmental review. Three additional comprehensive plan land use amendments (CPA #001-25, CPA #003-25, and CPA #004-25) are being reviewed with this proposal.

The City is also planning to review its development regulations for consistency with the proposed Comprehensive Plan amendments, including zoning, building, subdivision, and critical areas regulations.

[2] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The City of Yakima Comprehensive Plan 2040 draft Supplemental Environmental Impact Statement (SEIS) March 2017, and final FSEIS June 2017.An DNS will be prepared for subsequent annual updates to the Comprehensive Plan.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable to this non-project action. Future development activities may submit applications and would be subject to the plans and regulations in place at the time.

10. List any government approvals or permits that will be needed for your proposal, if known.

The City Council will adopt the 2026 Comprehensive Plan Periodic Update materials (plan and individual docketed amendments), zoning and subdivision code updates, and updated Critical Areas Ordinance following a recommendation by the Planning Commission and a 60-day review by the Washington State Department of Commerce. Prior to adoption, the City will also request comments from Yakima County. The City will work to address agency feedback.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Yakima is conducting a periodic review of its Comprehensive Plan consistent with the Growth Management Act (GMA, RCW 36.70A), Yakima County Countywide Planning Policies, and City Guidance. The proposal includes updates to the:

- Comprehensive Plan's vision, goals, policies, background information, and appendices.
- Comprehensive Plan's various chapters with maps, charts, and tables to reflect the updated requirements under the Growth Management Act. This includes an updated Housing Element consistent with new state planning requirements, Future Land Use Map, Capital Facilities Plan to address a range of services and infrastructure, and a new Climate Resilience Element integrated throughout the Plan. No adjustments to the City's Urban Growth Area (UGA) are proposed.
- Comprehensive Plan land use amendments to change land uses for three locations.
- YMC Title 15 Zoning and YMC Title 14 Subdivision for consistency with the Periodic Update and new state requirements, including the following updates to ensure capacity for housing at all income levels:
    - Include unit lot subdivision regulations consistent with state law
    - Include new definitions in the zoning code
    - Update permitted land use sections for consistency with zoning density and emergency housing requirements
    - Update accessory dwelling units code for consistency with state law

- Include regulations for co-living housing
- Update lot development standards in various sections of the code to reduce minimum lot size and setback, increase lot density, height limits, and lot coverages
- Revise parking standards to be consistent with state law.

- Change of land use designations as follows:
  - CPA #001-25: From Mixed Residential to General Commercial
  - CPA #003-25: From Low Density Residential to Neighborhood Commercial
  - CPA #004-25: From Low Density Residential and Mixed Residential to General Commercial

The City is also updating its CAO concurrent with the Comprehensive Plan Periodic Update. The CAO updates include a review of Best Available Science and other local CAOs, and was prepared in coordination with the Periodic Update to ensure consistency between the CAO and related goals and policies in the Comprehensive Plan. Proposed updates to the CAO include revisions to incorporate Best Available Science for protecting and managing critical areas, adding an updated stream classification system, addressing riparian management zones and buffer requirements, wetland buffer reduction under certain conditions, revising wetland functions that consider climate resiliency, adding clarity for mapping and data sources for critical areas, (e.g. geologically hazardous areas mapping), and adding report requirements for fish and wildlife habitat conservation area.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

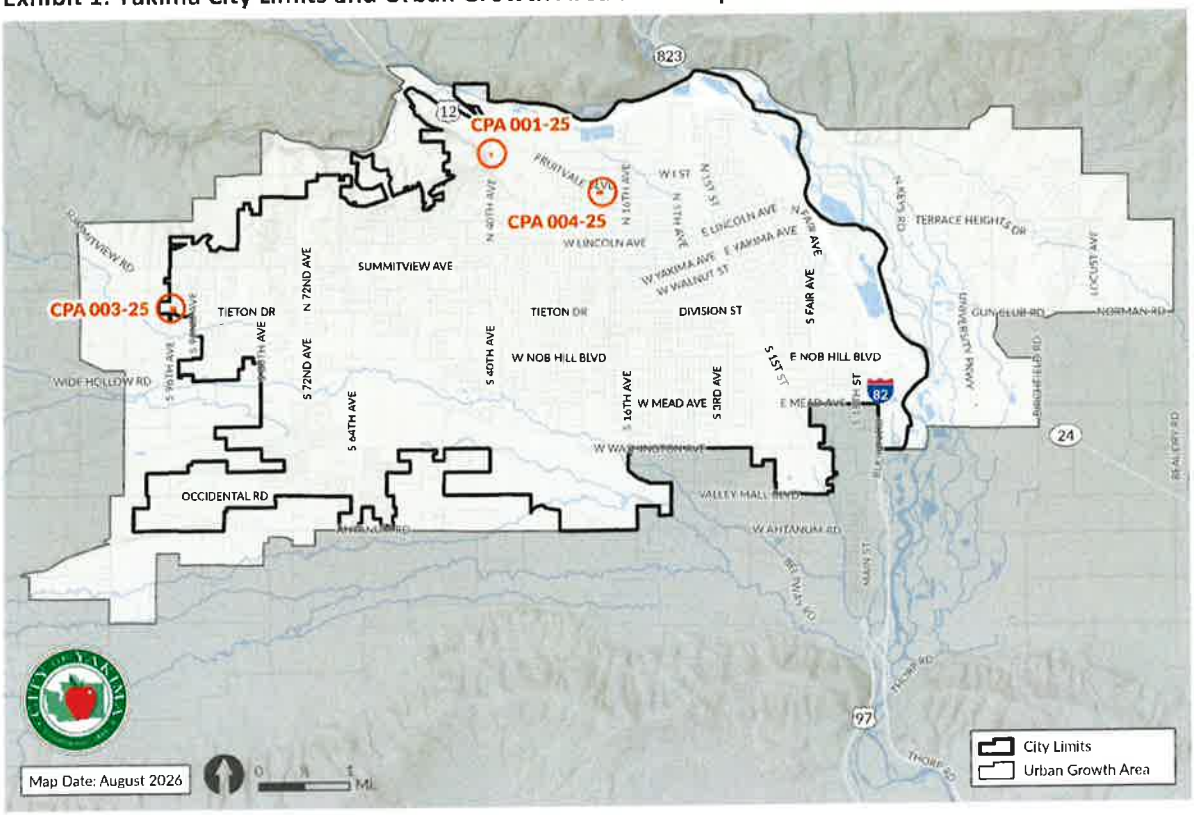
The proposal includes the entire jurisdiction of the City of Yakima (Exhibit 1). The City of Yakima is in Yakima County in the south-central part of Washington. Being at the center of the Yakima Valley, the city borders Yakima River to the east, along with Interstate I-82.

Locations of the Comprehensive Plan Amendments for land use changes are as follows:

- CPA #001-25: 3908 River Road, Yakima
- CPA #003-25: 9503, 9509, 9515 Tieton Drive
- CPA #004-25: 810, 812, 814 N 20th Avenue

Exhibit 1 also shows land use amendment locations within the city.

Exhibit 1: Yakima City Limits and Urban Growth Area and Comprehensive Plan Amendments



Source: City of Yakima, 2025; BERK, 2025.

B. Environmental Elements

1. Earth

Find help answering earth questions[3]

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

Located in the Yakima Valley, Yakima is mostly flat and the city's average elevation is approximately 1000 ft above sea level. The elevation increases to the south at Ahtanum Ridge to the south side of the city at approximately 2500 ft, and to the north near Naches Heights at approximately 2900 ft. (source: Yakima County GIS, 2026).

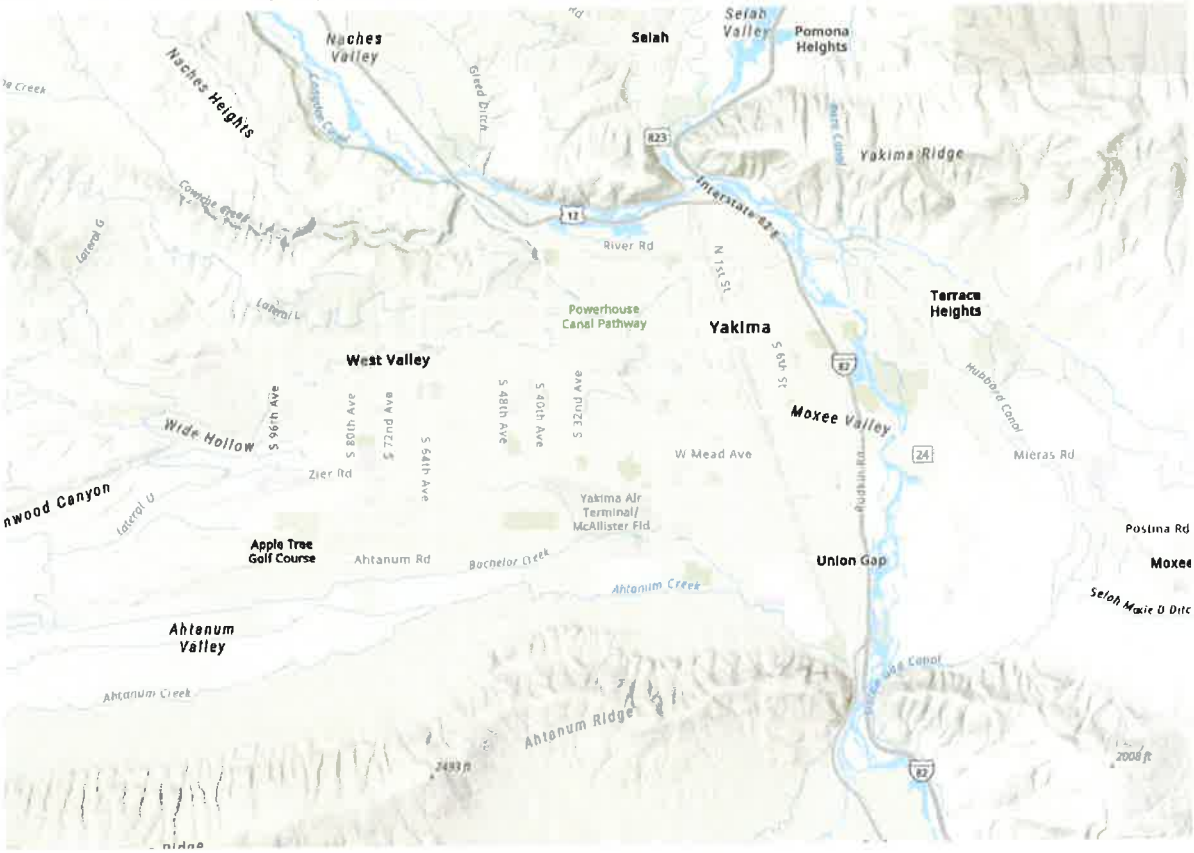
b. What is the steepest slope on the site (approximate percent slope)?

The valley floor is fairly flat with slopes ranging from 0% to 8%. Near the city center area, the slope ranges from 2% to 5% and along the southwest side the slope increases to 5% to 8%. In

[3] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth

Yakima, high-risk steep slopes are mainly isolated in the city's north and northwestern boundaries along West Powerhouse Road, Prospect Way, and Canyon Creek Road. Moderate risk steep slopes are found near Scenic Drive and Englewood Crest Drive. See Exhibit 2 for the valley topography.

Exhibit 2: Yakima Valley Topography



Source: Yakima County GIS, 2026.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

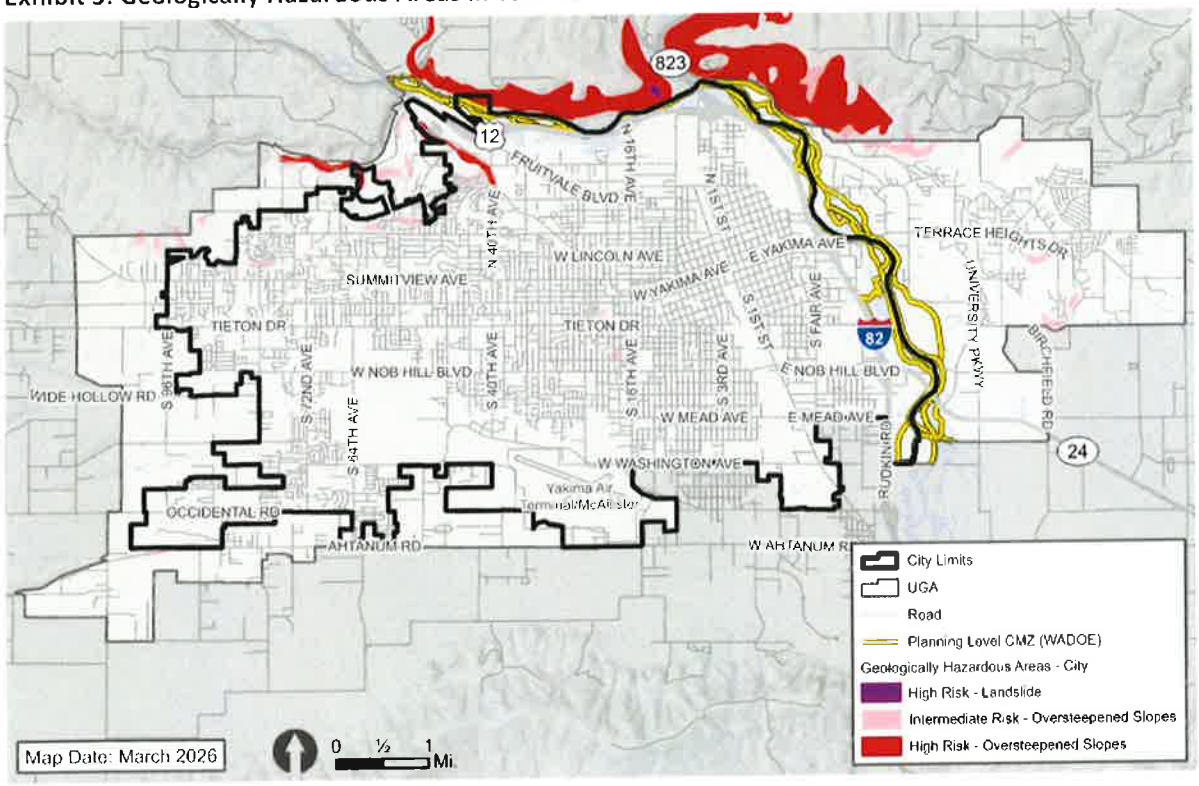
Yakima sits within the semiarid Yakima Valley and features primarily loam, sandy loam, and silt loam soil types according to the USDA Web Soil Survey. These soils are generally well-drained and highly productive when irrigated. The potential exists for siltation where there are Loess soils, particularly during construction. Loess soils are wind-blown and extremely fine. As a result, these soils compact well but may be subject to some erosion, although siltation from runoff after construction is not normally an issue because of low rainfall in the area. Soils transition to very loose silty sand and coarse alluvial gravel close to the Yakima and Naches rivers.

Agricultural lands of long-term commercial significance are generally not present within the developed urban portions of the City of Yakima. Existing agricultural resource lands are primarily located outside the city's urbanized areas in unincorporated Yakima County.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Geologically hazardous areas include areas of erosion hazard, landslide hazard, seismic hazard, and other hazards, including volcanic hazards, mining hazards and channel migration zones. There are minimal steep slopes and unstable slopes subject to erosion in the northern border of the city. See Exhibit 3.

Exhibit 3: Geologically Hazardous Areas in Yakima



Source: City of Yakima GIS, 2025; WA Dept. of Ecology, 2025.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. No development is proposed; therefore, no filling or grading would occur as part of this non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Not applicable. No development is proposed; therefore, no erosion would occur because of clearing, construction, or use from this non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. The proposal involves a non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. The proposal involves a non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards. This includes continued application of the City's critical area regulations, stormwater management regulations, and dust control standards. The proposed Land Use Element includes goals and policies to protect geologically hazardous areas, and the new integrated Climate Element includes goals and policies that seek to protect natural resources and ecosystems vulnerable to climate change impacts, such as erosion. In addition, the updated CAO includes revisions to incorporate Best Available Science for protecting and managing critical areas (including geologically hazardous areas to reduce or control erosion).

2. Air

Find help answering air questions[4]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. The proposal involves a non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action.

[4] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. Promoting growth in the centers and other more urban areas of the city as well as local opportunities for workforce and affordable housing could reduce commuting and reduce air emissions. The proposed Land Use Element includes goals and policies to protect the environment (including air quality), and newly integrated climate goals and policies seek to protect natural resources and ecosystems vulnerable to climate change and to improve air quality.

3. Water

Find help answering water questions[5]

a. Surface:

Find help answering surface water questions[6]

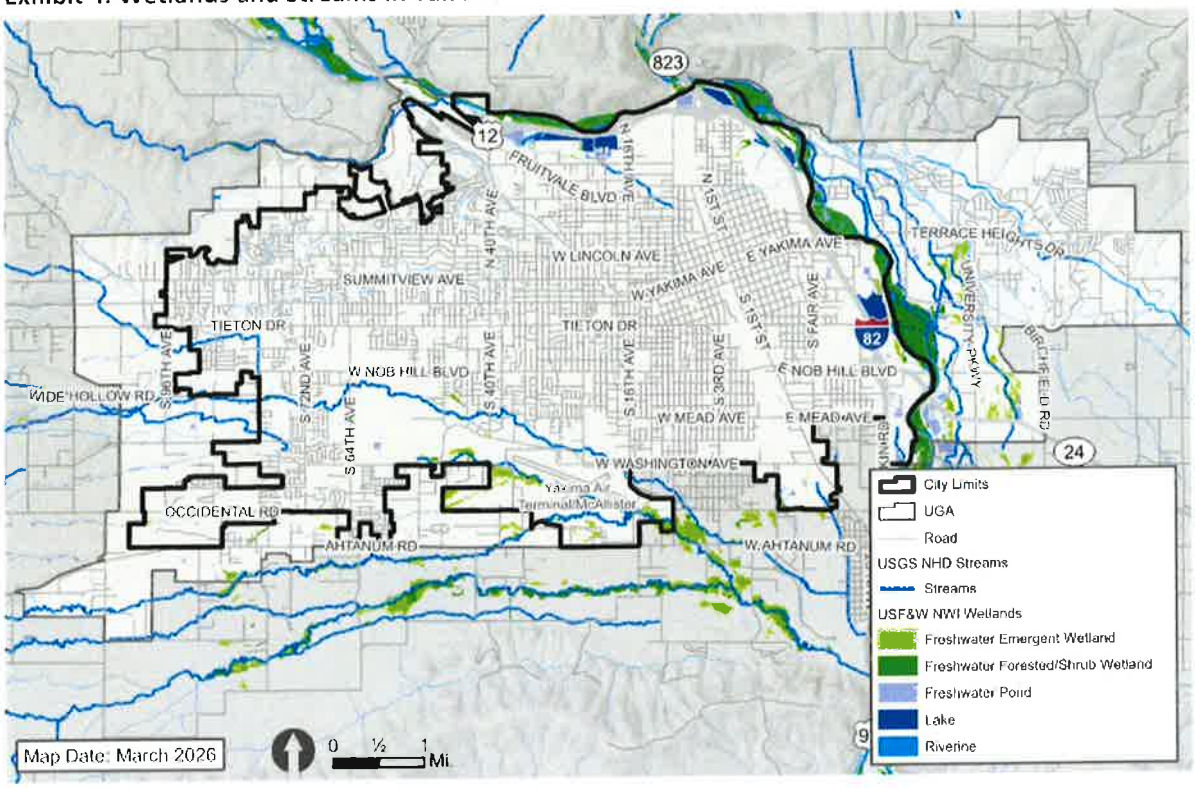
1.Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Most of the city is within the Lower Yakima Watershed, WRIA 37. A portion to the north part of the city abutting the Naches River is included in the Naches Watershed, WRIA 38. The city includes the Yakima and Naches rivers, as well as Wide Hollow, Bachelor, Spring, and Shaw creeks. Surface water is also present in artificial irrigation canals used to transport irrigation water and wetlands are located in the city. Significant wetlands include those associated with the Yakima and Naches rivers and Wide Hollow Creek. Additional small wetlands are associated with the other streams. See Exhibit 4.

[5] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water

[6] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water

Exhibit 4: Wetlands and Streams in Yakima



Source: City of Yakima GIS 2026, and USGS GIS 2025, and US Fish & Wildlife GIS 2025

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable to this non-project legislative action. Future development or activities in the City's shoreline jurisdictions will continue to be subject to the City of Yakima's Shoreline Master Program, and surface waters (including but not limited to rivers, streams, ponds, and wetlands) would continue to be regulated under the proposed CAO updates.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable to this non-project legislative action. Future development projects that require placing or removing fill and dredge material from surface waters or wetlands will be evaluated subject to federal, state, and local regulations and standards, including Yakima's wetland and shoreline regulations designed to avoid impacts to critical areas. The updated CAO also includes updates to incorporate Best Available Science for protecting and managing critical areas to avoid impacts to surface waters and wetlands.

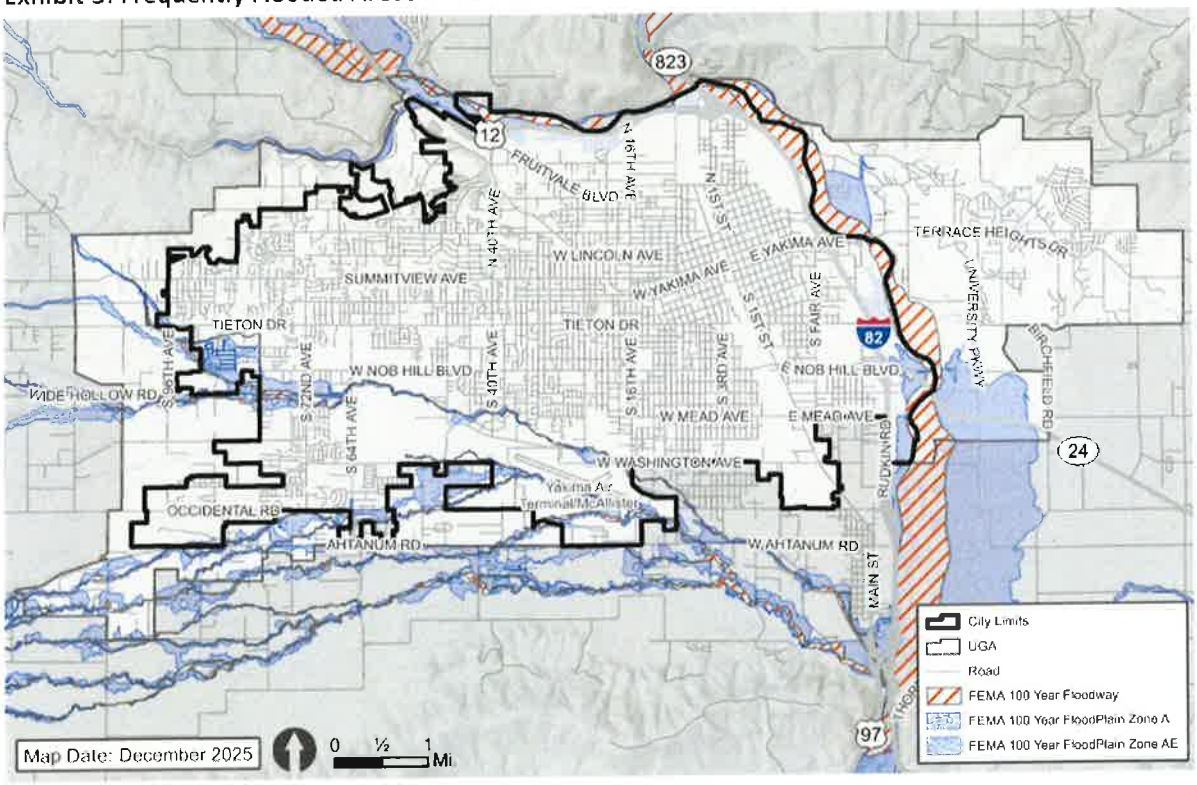
4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

Not applicable. No development is proposed; therefore, no new surface water withdrawals or diversions would occur as part of this non-project legislative action.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

FEMA's mapped 100-year floodplain is shown in Exhibit 5. Within the city, the 100-year floodplain is located along Yakima and Naches rivers, as well as Wide Hollow, Bachelor, Spring, and Shaw creeks.

Exhibit 5: Frequently Flooded Areas in Yakima



Source: City of Yakima GIS, 2025; FEMA Floodplain Map, 2023

Two of the proposed amendments are outside floodplains (CPA #001-25 and CPA #004-25). A portion of land in the proposed land use amendment CPA 003-25 falls within the 100-year floodplain.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable. No development is proposed; therefore, no discharge of waste materials to surface water will be required. The proposal involves a non-project legislative action, any

future development projects will be evaluated subject to federal, state, and local regulations and standards.

b. Ground:

Find help answering ground water questions[7]

1.Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

Not applicable. No development is proposed; therefore, no groundwater would be withdrawn or discharges made to groundwater as part of this non-project legislative action. Proposed updates to the CAO are intended to protect groundwater while allowing for potable water use for future development.

2.Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals…; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable. No development is proposed; therefore, no groundwater will be withdrawn, or discharges made to groundwater. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. Water Runoff (including stormwater):

1.Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable. No development is proposed; therefore, no runoff will be created. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards, especially the City's Stormwater Management Plan.

2.Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. No development is proposed; therefore, no new waste materials would enter ground or surface waters as part of this non-project legislative action. Proposed updates to the CAO are intended to protect ground and surface waters.

[7] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. No development is proposed; therefore, no drainage patterns in the vicinity of the site would be affected as part of this non-project legislative action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable. No development is proposed; therefore, no measures to reduce or control surface, ground and runoff impacts are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to federal, state, and local regulations and standards. The proposed Land Use Element and new integrated climate goals and policies preserve water quality and quantity while addressing the challenges posed by climate change, such as drought, reduced snowpack, and increased precipitation and flooding. In addition, updated protection standards in the proposed CAO that incorporate the most recent Best Available Science are intended to avoid impacts to wetlands and to maintain existing drainage patterns. An updated stream classification system and updated riparian management zone buffer requirements will also protect surface and ground water.

4. Plants

Find help answering plants questions

a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☒ crop or grain
☒ orchards, vineyards, or other permanent crops
☒ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☒ water plants: water lily, eelgrass, milfoil, other
☒ other types of vegetation: shrub-steppe habitat

b. What kind and amount of vegetation will be removed or altered?

Not applicable. No development is proposed; therefore, no vegetation will be removed or altered. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. List threatened and endangered species known to be on or near the site.

State and federal agencies list threatened and endangered species that have the potential to be present in the City of Yakima. Exhibit 6 summarizes threatened and endangered Vascular plants

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and mosses in Yakima County as identified by the Washington State Department of Natural Resources (DNR). According to DNR, Yakima is in the East Cascade ecoregion. The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online database does not list any plant species in Yakima as threatened or endangered.

Exhibit 6: Threatened and Endangered Plants in Yakima County

Species	Federal	State	Lusting Agency
Gray's broomrape		Endangered	DNR
Cascades rockcress		Endangered	DNR
Obscure paintbrush	Sensitive	Endangered	DNR
Washington monkeyflower		Endangered	DNR
Klickitat aster		Threatened	DNR
Diffuse stickseed		Threatened	DNR
Kelogg's rush		Endangered	DNR
Rosy owl's clover	Sensitive	Threatened	DNR
Mt. Rainer lousewort	Sensitive	Threatened	DNR
Obscure pin lichen		Endangered	DNR
Nylander's rocktripe lichen		Endangered	DNR

Source: DNR 2024 Washington Vascular Species and Lichen Species of Conservation Concern Lists, 2024.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

Not applicable. No development is proposed; therefore, no changes are proposed to landscape or vegetation. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

e. List all noxious weeds and invasive species known to be on or near the site.

Yakima County Noxious Weed Control Board identifies a long list of noxious weeds in the county categorized as follows:

- All Class "A" Weeds
- Class "B" Weeds, (all designated & those listed)
- Class "C" Weeds, (listed)

The list is available from the Yakima County Noxious Weed Control Board.

5. Animals

Find help answering animal questions[8]

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:
☒birds: hawk, heron, eagle, songbirds, other:
☒mammals: deer, bear, elk, beaver, other:
☒fish: bass, salmon, trout, herring, ~~shellfish~~, other:

b. List any threatened and endangered species known to be on or near the site.

A variety of federal and state listed birds, mammals, and aquatic species are known to be or have habitat in the City of Yakima. The list in Exhibit 7 is based on the unofficial species list obtained from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online database, the National Oceanographic and Atmospheric Administration – Fisheries (NOAA) website, and WDFW's Priority Habitat and Species Statewide List and Distribution by County.

Exhibit 7: USFWS Threatened and Endangered Animal Species in Yakima Region

Species	Federal	State	Critical or Priority Habitat	Listing Agency
Yellow-billed Cuckoo	Threatened	Endangered	Designated (proposed)—not present in Yakima	USFWS
Bull Trout	Threatened	Candidate	Critical habitat designated	USFWS
Rainbow Trout/ Steelhead/ Inland Redband Trout	Threatened	Candidate	—	NOAA Fisheries, WDFW
Monarch Butterfly	Proposed Threatened	Candidate	Not present in Yakima	USFWS
Suckley's cuckoo bumble bee	Proposed Endangered	—	No critical habitat has been designated for this species	USFWS
Northern Spotted Owl	Threatened	Endangered	—	WDFW
Wolverine	Threatened	Candidate	—	WDFW
Gray Wolf	Endangered (only in western two-thirds of Washington)	Endangered		WDFW

[8] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals

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Source: DNR 2024 Washington Vascular Species and Lichen Species of Conservation Concern Report, 2024.

c. Is the site part of a migration route? If so, explain.

Yakima is part of a major north-south bird migration route known as the Pacific Flyway. The Pacific Flyway is a migratory route that millions of birds use to travel to their nesting grounds. The Pacific Flyway extends from Mexico to Canada and Alaska.

d. Proposed measures to preserve or enhance wildlife, if any.

Not applicable as this is a non-project action. Individual development projects will conduct wildlife surveys as necessary during the environmental review process to determine the presence of federal or state listed species or habitat. The proposed Land Use Element and new climate goals and policies seek to protect ecosystems, including those vulnerable to climate change. The CAO will also continue to regulate fish and wildlife conservation areas, wetlands, and all other critical areas, with proposed updates to incorporate the most recent Best Available Science for protecting and managing critical areas.

e. List any invasive animal species known to be on or near the site.

According to the Washington Invasive Species Council, the following priority invasive animal species are known to occur in the Yakima region:

- Bullfrog: found throughout the lowlands of Washington.
- Nutria: first introduced into Washington for the fur-farming industry in the 1930s, populations are spreading rapidly throughout western Washington and are beginning to appear in central Washington.

Aquatic invasive species in Washington are listed at https://wdfw.wa.gov/species-habitats/invasive and regulated by the WDFW. None of the other aquatic invasive species of greatest concern (the European green crab, northern pike, or zebra and quagga mussels) are known to occur in Yakima.

6. Energy and natural resources

Find help answering energy and natural resource questions[9]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. No development is proposed; therefore, no energy will be used. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

[9] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable. No development is proposed; therefore, no energy will be used. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Not applicable. No development is proposed; therefore, no energy conservation features are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to building and energy codes and local regulations and standards. The new integrated climate goals and policies also seek to protect natural resources, increase energy reliability and resilience, and improve building energy efficiency.

7. Environmental health

Health Find help with answering environmental health questions[10]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

Not applicable. No development is proposed; therefore, no environmental health hazards will result as part of this non-project legislative action.

1.Describe any known or possible contamination at the site from present or past uses.

Various cleanup sites in Yakima with low, moderate, and high risks are identified in Exhibit 8 with cleanup status.

Exhibit 8: Yakima Contaminated Sites

Site Name	Address	Status
201 W YAKIMA AVE	201 W YAKIMA AVE	Cleanup Started
Agri-Tech Yakima Steel Fabricators	6 & 10 1/2 E WASHINGTON	Cleanup Started
Barge Lincoln Elementary School	219 E I ST	CC-Perf. Monitoring
Bay Chemical	8 E WASHINGTON AVE	CC-Perf. Monitoring
Bissell Distributing	311 W I ST	Cleanup Started
Bush Property	5412 MORNINGSIDE DR	Cleanup Started
Cameron Yakima Inc	1414 S 1ST ST	CC-Perf. Monitoring
CMX Corp	206 W MEAD AVE	CC-O&M/Monitoring

[10] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health

Site Name	Address	Status
Consolidated Freightways	1105 S 3RD ST	Cleanup Started
Frank Wear Cleaners	106 S 3RD AVE	Cleanup Started
Haas Fruit Whse	711 RUSSELL LN	Cleanup Started
Hoover Elementary School	400 W VIOLA	CC-O&M/Monitoring
Interstate 82 Exit 33A Yakima City Landfill	INTERSTATE 82	Cleanup Started
Kelly Oil	1309 N 1ST ST	Awaiting Cleanup
NU WAY Cleaners Yakima	801 S 3RD ST	CC-O&M/Monitoring
Tiger Oil 24th Ave & W Nob Hill	2312 W NOB HILL BLVD	Cleanup Started
Tiger Oil N 1st St Fmr 6013	1808 N 1ST ST	Cleanup Started
UNOCAL 76	920 N 6TH AVE	Cleanup Started
Valley Junk	403 KEYS RD	Cleanup Started
Whitney Elementary School	4411 W NOB HILL BLVD	Awaiting Cleanup
Wilson Middle School	902 S 44TH AVE	Awaiting Cleanup
Yakima Gull 1614	214 S 5TH AVE	Awaiting Cleanup
Yakima Old City Landfill	S 18TH ST & YAKIMA R MILE 112	Cleanup Started
Yakima Valley Spray	1108-1122 S 1ST ST	Cleanup Started
Zwight Logging	222 Keys Rd	Awaiting Cleanup

Source: WA Dept of Ecology Contaminated Site List, 2026.

2.Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

According to the Department of Transportation Pipeline and Hazardous Materials Safety Administration jurisdiction GIS site, one hazardous gas transmission lines runs on the east side of the City of Yakima city limits within the City's UGA in the Terrace Heights area. There are no hazardous liquid transmission lines in the city.

The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

3.Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. No development is proposed; therefore, no toxic or hazardous chemicals will be stored, used, or produced. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

4.Describe special emergency services that might be required.

Not applicable. No development is proposed; therefore, no toxic or hazardous chemicals will be stored, used, or produced. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

5.Proposed measures to reduce or control environmental health hazards, if any.

Not applicable. No development is proposed; therefore, no measures to reduce or control environmental health hazards are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to federal, state, and local regulations and standards. The new integrated climate goals and policies also seek to prepare the City of Yakima and its residents for hazards exacerbated by climate change, including increased flooding and precipitation, wildfires and wildfire smoke, extreme heat, and more. Washington state's Model Toxics Control Act (MTCA) and federal Toxic Substance Contral Act would apply to future developments for cleanup and prevention of contamination by hazardous substances.

b. Noise

1.What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Several types of noise exist throughout Yakima, including noise from traffic on I-82, SR 12, existing commercial use, and air traffic. No development is proposed with this proposal; therefore, no additional noise would be created. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

2.What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Although this proposal is for a non-project action, it is anticipated that the City's growth and development in surrounding areas will inevitably result in heightened traffic, consequently elevating noise levels along main transportation routes, affecting nearby properties. Potential future developments within the city may further exacerbate background traffic noise, introduce operational noise, or overall increased ambient noise levels. While short-term noise stemming from the construction of individual projects is expected, these effects will be temporary and transient. The city will assess noise impacts arising from individual development and construction as part of the environmental review process for each specific project.

3.Proposed measures to reduce or control noise impacts, if any:

Future site-specific development would be subject to state noise regulations. The City's development regulations also reduce the potential for conflicts such as noise between various

incompatible use types. No additional measures to reduce or control noise impacts are required as the proposal involves non-project legislative actions and no development is proposed.

8. Land and shoreline use

Find help answering land and shoreline use questions[11]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The City of Yakima's current land use is a mix of residential, commercial, industrial, public, and business uses. Commercial uses are concentrated in downtown Yakima and along I-82 and other major arterial corridors. Downtown Yakima is located along Yakima Avenue. The railroad runs parallel to 1st Ave and abuts industrial uses along the north-south stretch of the city. Residential uses are mostly located west of the downtown area.

The proposal will generally maintain Yakima's land use pattern and is not expected to have any major impacts on current land uses. Density of uses is expected to increase over time with infill and redevelopment and changes to development regulations. There is capacity under existing and proposed zoning to accommodate planned growth and the City is not proposing any changes to its Urban Growth Area (UGA) boundary. The City has consolidated and separated some future land use designations, but this will not affect zoning or site specific uses. See Exhibit 9.

Exhibit 9: Existing Land Use within the City Limits and Unincorporated UGA

Existing Land Use	Incorporated City (acres)	Share (%)	City + Unincorporated UGA (acres)	Share (%)
Single-family Residential	5,547	38%	9,787	38.5%
Multi-family Residential	1,009	7%	1,144	4.5%
Professional Offices or Services	1,133	8%	1,487	5.9%
Retail Commercial	1,370	9%	1,760	6.9%
Industrial	1,675	11%	2,024	8.0%
Government, Education, Utility, etc.	766	5%	1,071	4.2%
Parks, Recreation, Cultural	263	2%	265	1.0%
Agricultural	1,298	9%	3,570	14.1%
Vacant	1,629	11%	4,298	16.9%
Total	**14,692**		**25,408**	

Note: Acreages listed here are derived from parcel-level data and do not include right-of-way space. Total existing land use acreage shown here is slightly lower than the total land area of Yakima and its UGA.
Source: City of Yakima, 2025; Yakima County Assessor's Office, 2025; BERK, 2025.

[11] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use

Three site specific land use amendments are proposed based on existing uses on the sites and surrounding land uses. See Exhibit 10. A change from residential to commercial is generally expected to increase land use intensity and related service requirements. However, two of the locations already have commercial land use next to them, and one is located at the intersection of arterial roads and underdeveloped areas (W Tieton Drive and S 96th Ave). Cumulatively, these are not expected to have major impacts on current land uses.

Exhibit 10: Existing Land Use and Acres of Land Use Amendments

CPA #s	Existing Land Use	Acres
001-25	Single Unit Residential	0.31
003-25	Undeveloped Land	2.03
004-25	Single Unit Residential	0.483
	Mobile Home Park	0.657

Source: City of Yakima, 2025; Yakima County Assessor's Office, 2025; BERK, 2025.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

There are no long-term commercially significant farmlands or forest lands within the city. There are a few "hobby farms" within the city (currently zoned SR - Suburban Residential). No agricultural or forest land of long-term commercial significance will be converted as part of this non-project legislative action.

Yakima County designates mineral resource lands within the county. There are limited sites in the city with long-term commercial significance for mining.

1.Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

See the response in 8b. No development is proposed as part of this non-project legislative action. Future development will continue to be regulated by the Yakima Municipal Code.

c. Describe any structures on the site.

See the response in 8a for the development pattern in the city. Structures in the city are consistent with its land use pattern.

d. Will any structures be demolished? If so, what?

Not applicable. This non-project legislative action does not include demolition of any structures. Current uses could convert to other uses allowed under the zoning code as development occurs consistent with the Comprehensive Plan and implementing regulations. Any future

development projects will be evaluated subject to federal, state, and local regulations and standards.

e. What is the current zoning classification of the site?

The City's current zoning designations include:

- Residential zones in SR, R-1, R-2, and R-3
- Business zones in B-1, B-2 and HB
- Convenience center type commercial zones in SCC and LCC
- General commercial zone in GC
- Central business district zone in CBD
- Regional development in RD
- Industrial zones in M-1, M-2
- Airport zone in AS zones

The zoning map is also available online.

Exhibit 11 shows zoning of the sites proposed for land use change.

Exhibit 11: Existing Zones of Land Use Amendments

CPA #s	Existing Zone
001-25	R2
003-25	R1
004-25	R3

f. What is the current comprehensive plan designation of the site?

The existing future land use map (FLUM) is available online as part of the 2024 Comprehensive Plan and in the City's open GIS portal.

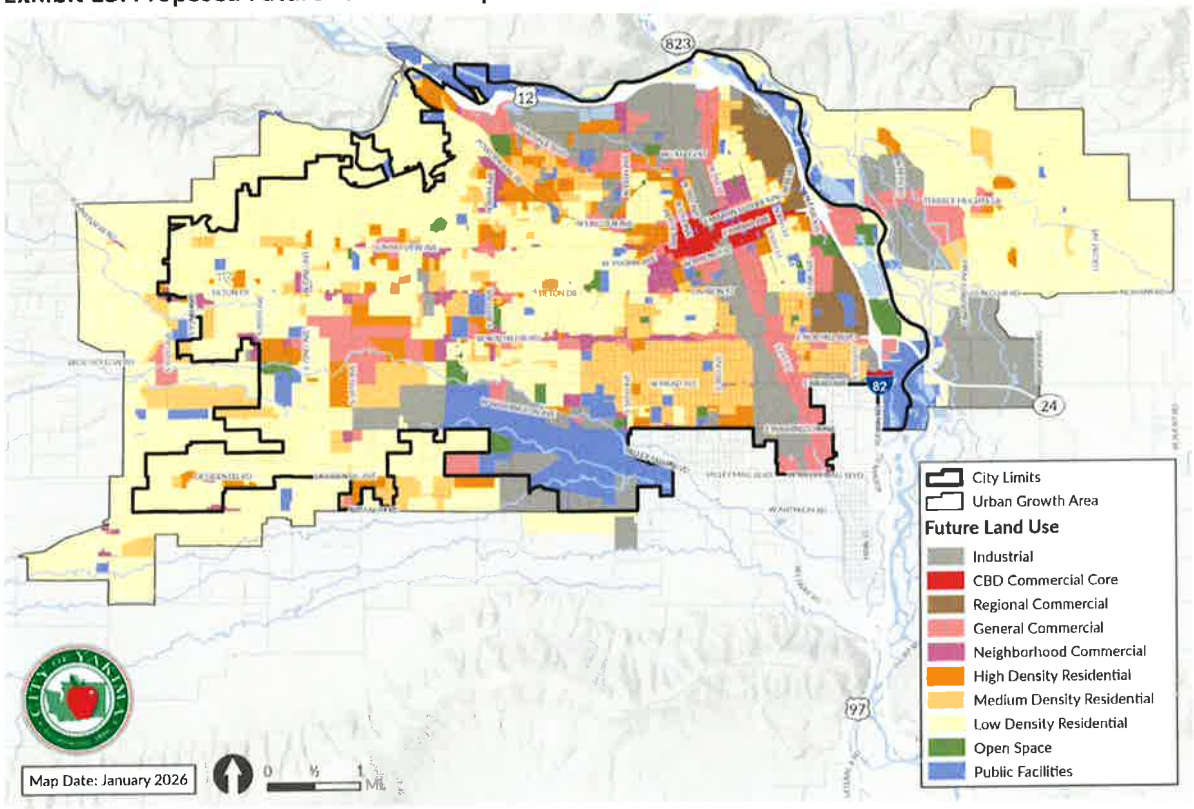
The City is proposing an updated FLUM map as part of the Comprehensive Plan Periodic Update. This includes simplifying and introducing new land use designations and closely matching densities and uses. Exhibit 12 lists the existing and proposed future land use designations. Proposed designations include new designations for open space and public facilities. The proposed Future Land Use map is shown in Exhibit 13. Exhibit 14 summarizes the proposed land use designation implemented by various zones. Open space and public facilities land use designations are intended to be implemented by all zoning districts except for the AS zone. Exhibit 15 details proposed amendments for the sites with a proposed land use change (CPA #001-25, CPA #003-25, and CPA #004-25).

Exhibit 12: Future Land Use Map Existing and Proposed

Existing FLUM Designations	Proposed FLUM Designation
▪ Low Density Residential ▪ Mixed Residential	▪ Low Density Residential ▪ Medium Density Residential

▪ Community Mixed-Use ▪ Commercial Mixed-Use ▪ CBD Commercial Code ▪ Regional Commercial ▪ Industrial	▪ High Density Residential ▪ Neighborhood Commercial ▪ General Commercial ▪ CBD Commercial Code ▪ Regional Commercial ▪ Industrial ▪ Open Space ▪ Public Facilities

Exhibit 13: Proposed Future Land Use Map



Source: City of Yakima, 2025; BERK, 2025.

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Exhibit 14: Future Land Use and Implementing Zoning Districts

Zoning ↓	Low Density Residential	Medium Density Residential	High Density Residential	Neighborhood Commercial	General Commercial	CBD Commercial Core	Regional Commercial	Industrial	Open Space	Public Facilities
SR	X								X	
R-1	X								X	X
R-2		X							X	X
R-3			X						X	X
B-1				X					X	X
B-2				X					X	X
HB				X					X	X
SCC					X				X	X
LCC					X				X	X
GC					X				X	X
CBD						X			X	X
RD							X		X	X
M-1								X	X	X
M-2								X	X	X
AS								X		

Source: Yakima Municipal Code, 2025; BERK, 2025.

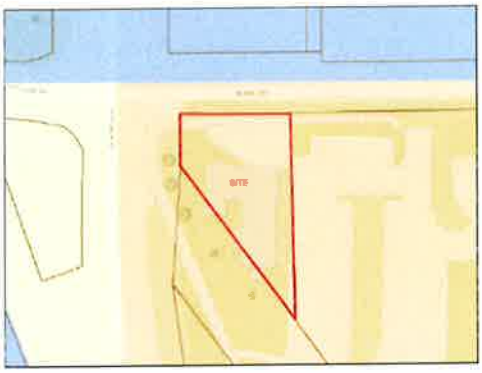
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Exhibit 15: Existing and Proposed Land Use Amendments

	Existing Comprehensive Plan Land Use	Proposed Amendments
CPA 001-25	Mixed Residential	General Commercial

Project Name: DANNY L BIRD
Site Address: 3908 RIVER RD
File Number(s): CPA#001-25

FUTURE LAND USE MAP





CPA 003-25	Low Density Residential	Neighborhood Commercial

Project Name: ROBERTO ARTEAGA
Site Address: 9503, 9509, 9515 TIETON DR
File Number(s): CPA#003-25

FUTURE LAND USE MAP





CPA 004-25	Low Density Residential and Mixed Residential	General Commercial

Project Name: MENARDS HOLDINGS LLC
Site Address: 810, 812, 814 N 20TH AVE
File Number(s): CPA#004-25

FUTURE LAND USE MAP





g. If applicable, what is the current shoreline master program designation of the site?

The City's Shoreline Master Program is available on the City's open GIS portal. The shoreline regulations are available in the municipal code in YMC Title 17.

Yakima's shoreline includes the following shoreline environment designations:

- Floodway/CMZ
- Urban Conservancy
- High Intensity
- Essential Public Facilities
- Shoreline Residential
- Aquatic

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Critical areas in the City of Yakima are regulated through Yakima's CAO pursuant RCW 36.70A.170. This includes geologically hazardous areas, critical aquifer recharge areas, frequently flooded areas, wildlife habitat conservation areas, and wetlands.

i. Approximately how many people would reside or work in the completed project?

During the countywide allocation process, the City of Yakima had a growth target of total of 107,443 people in the city limits and an additional 16,816 in the UGA by 2046. The City's population in 2025 was 100,000 according to OFM. This would require a total of 10,648 housing units with the city limits and the UGA. The employment target for the city was 4,222 new jobs between 2026 to 246.

j. Approximately how many people would the completed project displace?

The intent of the Comprehensive Plan update is to address how to accommodate Yakima's projected growth by 2046. The plan includes future land use designations to accommodate both existing and future residential and commercial uses. No displacement is expected as a direct result of this non-project legislative proposal.

k. Proposed measures to avoid or reduce displacement impacts, if any.

Not applicable. The intent of the comprehensive plan update is to address how to accommodate Yakima's projected growth by 2046. The plan includes future land use designations to accommodate both existing and future residential and commercial uses. Specific policy language is also proposed to reduce residential and commercial displacement risk.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The City's Comprehensive Plan is designed to be consistent with land use guidance in the GMA and the Yakima County CPPs. The proposed 2026 Comprehensive Plan includes updated future

land use designation definitions and policy language to support land use compatibility (see the Land Use Element).

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

See response to B.8.b. There are no agricultural or forest lands of long-term commercial significance in the city, or major mineral resources in the city.

9. Housing

Find help answering housing questions[12]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No housing units will be constructed as part of this non-project legislative action. However, the GMA requires that Yakima County and the cities within allocate a fair share of housing over a 20-year period through the Yakima County CPPs. The City of Yakima's housing growth targets overall and by income band are summarized in Exhibit 16 as set in the regional allocation process. The greatest need for new units is at the lower end of the affordability spectrum (30% to 50% AMI). In this income band, 2,450 units are needed. A total of 3,661 units are also needed for households earning 30% AMI or less, including 1,750 units of permanent supportive housing that include wrap-around services for people who need support to maintain residency. Emergency housing targets (617 beds) are in addition to permanent supportive housing.

Exhibit 16: City of Yakima and UGA Combined Allocation of Projected Housing Needs, 2020-2046

Total Units Allocated	0-30% Non-PSH	0-30% PSH	30-50% AMI	50-80% AMI	80-100% AMI	100-120% AMI	120%+ AMI	Emergency Housing/ Shelter Beds
10,648	1,750	1,911	2,450	1,286	760	514	1,977	617

Legend: PSH = Permanent Supportive Housing; AMI = Area Median Income.
Source: WA Department of Commerce, 2025; Yakima County 2025; BERK, 2025.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

The intent of the comprehensive plan update is to address how to accommodate Yakima's projected growth by 2046. The plan includes future land use designations to accommodate both existing and future residential and commercial uses. No displacement is expected as a direct result of this legislative proposal.

Proposed land use amendments in CPAs 001-, 003-, and 004-25 will reduce low density housing. Low density housing are generally considered affordable to higher income households. The

[12] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing

proposed changes can increase capacity for higher density housing since proposed commercial land uses also allow high density homes. As mentioned in B.8.c, Yakima already has sufficient housing capacity across all income group needs.

c. Proposed measures to reduce or control housing impacts, if any:

The City's Comprehensive Plan is designed to be consistent with land use guidance in the GMA and the Yakima County Countywide Planning Policies. The land capacity analysis shows the City alone has capacity for over 21,000 net new housing units. Moreover, it shows there is sufficient capacity by assumed income level served to accommodate Yakima's projected housing needs by income level. Yakima has a surplus of:

- 4,560 units capacity for low density housing (>120% AMI)
- 5,220 units in moderate density housing (>80-120% AMI)
- 546 units in ADUS (>50-80% AMI)
- 752 units in low-rise multifamily (0-50% AMI)

Proposed development regulations updates will further remove some barriers to housing developments. This includes reduced lot sizes, higher residential density than currently allowed, reduces setback, and unit lot subdivisions.

The proposed 2026 Comprehensive Plan includes updated future land use designation and policy language to support land use compatibility. Housing goals and related policies also encourage affordable housing, such as:

- Goal 3.1: Encourage diverse and affordable housing choices.
- Goal 3.3: Ensure an adequate supply of housing for all income groups and persons with special needs.
- Goal 3.6: Prevent discrimination and displacement in the development and maintenance of housing.

10.Aesthetics

Find help answering aesthetics questions[13]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposal does not change the City's development regulations for height limits. The City's regulations for height limits are found in Yakima Municipal Code Title 15 Zoning. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to regulations and standards in place at the time.

[13] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics

b. What views in the immediate vicinity would be altered or obstructed?

Not applicable. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable. No development is proposed; therefore, no measures are required to reduce or control aesthetics. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

11.Light and glare

Find help answering light and glare questions[14]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable. No development is proposed; therefore, no light would be produced as part of this non-project legislative action.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable. No development is proposed; therefore, no light would be produced as part of this non-project legislative action.

c. What existing off-site sources of light or glare may affect your proposal?

Not applicable. No development is proposed; therefore, no light would be produced as part of this non-project legislative action.

d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable. No development is proposed; therefore, no measures to reduce or control light and glare impacts are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to federal, state, and local regulations and standards.

12.Recreation

Find help answering recreation questions

a. What designated and informal recreational opportunities are in the immediate vicinity?

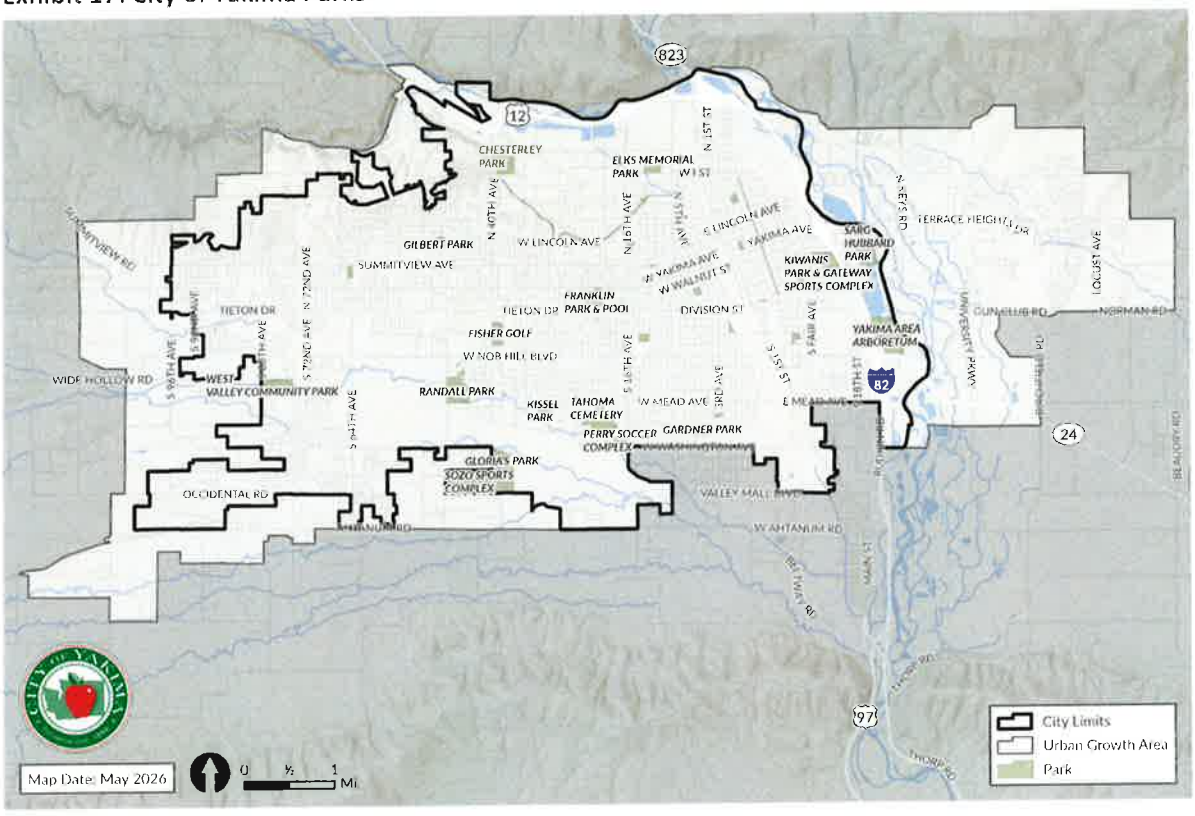
There are approximately 756 acres of parks and open space in the city limits and UGA. This includes City, State, and non-profits owned and operated parks. Yakima Parks and Recreation

[14] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare

Division owns and manages approximately 332 acres of parks and recreation facilities. See Exhibit 17.

The City of Yakima Parks & Recreation Division offers a variety of passive and active recreational activities for adults, youth, and seniors through sports programs, the senior center, summer day camps and other special events. Passive recreational activities in Yakima include walking, nature watching, fishing etc. Active recreational activities are provided in various facilities such as sports fields, biking trails etc.

Exhibit 17: City of Yakima Parks



Source: City of Yakima, 2026; BERK, 2026.

b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable. No development is proposed; therefore, no existing recreational uses would be affected as part of this non-project legislative action.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. No development is proposed; therefore, no measures to reduce or control impacts on recreation are required. Future development projects will be evaluated subject to federal, state, and local regulations and standards. The proposed Land Use and Parks and Recreation elements include goals and policies to ensure a healthy and equitable recreational and open space environment for all users in the city. Although the City's facilities fall below the

acreage standards for Community Parks and Neighborhood Parks/Mini Parks/Parkways as set in the 2022-2027 Yakima Parks and Recreation Comprehensive Master Plan, there are adequate publicly accessible facilities owned and operated by other agencies. The combined inventory of facilities meets the recreational and open space needs of residents.

The new integrated Climate Element also includes discussion on tree canopies, including goals and policies within the Parks and Recreation Element for preservation of open space and tree canopies in the parks.

The City's 2022-2027 Parks Comprehensive Master Plan and future updates will continue to guide acquisition, development, and improvement of park areas and facilities and the provision of recreational service throughout the city. In addition, to offer varied recreational opportunities while providing additional parkland per capita, the City encourages that all new developments address the issue of providing open space. This can be accomplished with parkland dedication, designation of lands for open space, or the availability of open space areas in commercial areas.

13.Historic and cultural preservation

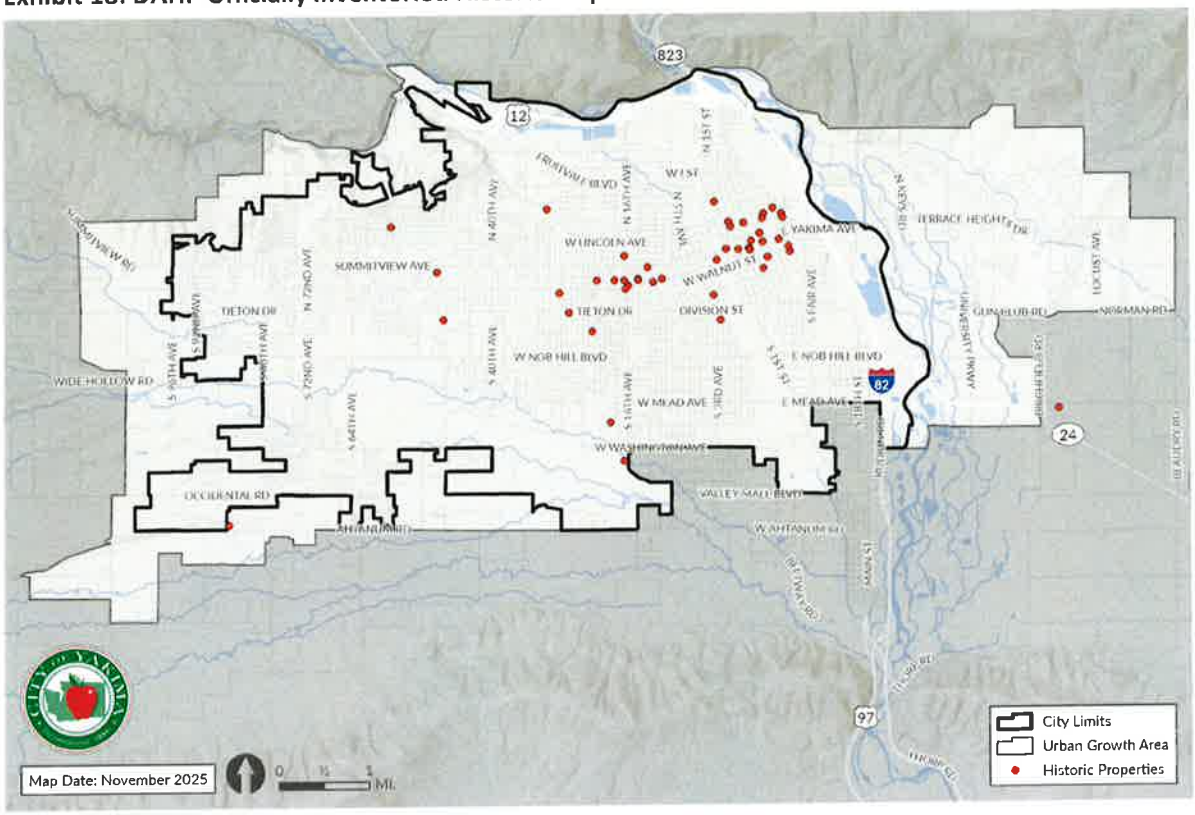
Find help answering historic and cultural preservation questions[15]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Yakima's downtown and surrounding neighborhoods include dozens of properties listed on the National Register of Historic Places (NRHP). The city is also home to the Yakima Valley Museum, one of the premier history museums in the state. Exhibit 18 maps historic properties inventoried by the Department of Archelogy and Historic Preservation (DAHP).

[15] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p

Exhibit 18: DAHP Officially Inventoried Historic Properties



Source: DAHP, 2026; City of Yakima, 2026; BERK, 2026.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

The City of Yakima is located within the ancestral territory of the Yakama Nation (made up of the Kah-milt-pah, Klickitat, Klinquit, Kow-was-say-ee, Li-ay-was, Oche-chotes, Palouse, Pisquose, Se-ap-cat, Shyiks, Skinpah, Wenatshapam, Wishram, and Yakama tribes).[16] The Yakamas and other regional tribes have a long history of making seasonal camps, fishing, gathering, and hunting in the area. Tribal land was ceded in 1855 as part of the Yakama Treaty of Camp Stevens, opening the area to non-Native settlement.[17] Known cultural resources are documented in the Washington Department of Archeology and Historic Preservation's online WISAARD map

[16] Native Land Digital (accessed August 2026); Yakama Nation History (accessed August 2026).
[17] Tribal Lands of Washington Web Map sourced from Ecology's Tribal Lands GIS Layer (accessed August 2026).

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c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

No impact on cultural or historic resources are anticipated as part of this non-project legislative action. The City maintains consistent communication with the Yakama Nation regarding cultural and archeological resources, and the Yakama Nation shares published resources. The City also follows required development notification protocols and discovery procedures, particularly for SEPA notifications or shoreline development permits.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable. No development is proposed; therefore, no measures to avoid, minimize, or compensate for loss, changes to, and disturbance to cultural and historic resources are required. Historic Preservation goals and related policies aim to minimize impacts to cultural and historic resources, such as:

- Goal 4.2: Integrate historic preservation and tribal coordination into Yakima's planning and development strategies.
- Goal 4.3: Identify, register, and protect historic buildings, places, landscape, and trees.
- Goal 4.4: Encourage building and cultural resource rehabilitation in downtown Yakima.

YMC Chapter 11.62 provides for the identification, designation, evaluation, and protection of historic resources. The following state laws also provide protection of archaeological resources:

- Chapter 27.44 RCW provides for the protection of Native American graves and burial grounds, encourages voluntary reporting of said sites when discovered, and mandates a penalty for disturbance or desecration of such sites.
- Chapter 27.53 RCW governs the protection and preservation of archaeological sites and resources and establishes the Department of Archaeology and Historic Preservation (DAHP) as the administering agency for these regulations.
- Section 36.70A.020 RCW includes a goal to identify and encourage "the preservation of lands, sites, and structures that have historical, cultural, and archaeological significance." This goal must be considered and incorporated into comprehensive plans and the implementing development regulations.
- Chapter 68.60 RCW provides for the protection and preservation of abandoned and historic cemeteries and graves.

14. Transportation

Find help with answering transportation questions[18]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

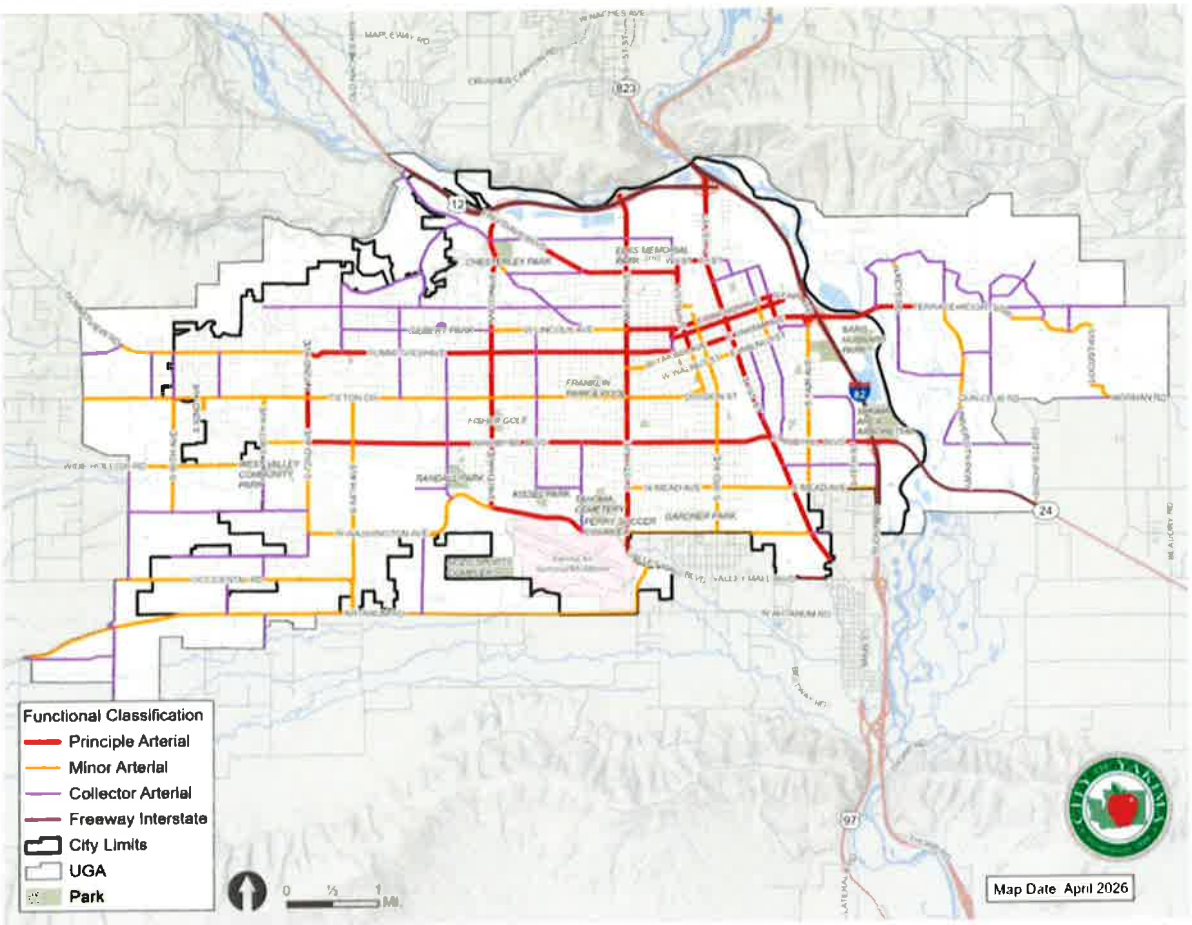
Yakima is primarily served by the City's existing public streets system and by major state highways. See Exhibit 19. Streets are divided into four functional classifications, including Principal Arterials, Minor Arterials, Collectors, and Local Access. Major north-south thoroughfares on the city owned street network include 1st St, 16th Ave, 40th Ave, and 72n Ave. Major east-west streets include Fruitvale Boulevard, Lincoln Ave, and Martin Luther King Jr Boulevard in downtown Yakima, E Yakima Ave and Summit View Ave, Nob Hill Boulevard, and Valley Mall Boulevard. In addition, two roadways owned and operated by WSDOT and identified as highways of statewide significance provide for regional and interregional travel in the city:

- US-12 from the North Western city limits to the junction with I-82
- I-82 from the junction with US-12 to the southern city limits

The three planned CPAs for upzoning will not have any significant impacts on the existing street system or change local access.

[18] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation

Exhibit 19: Functional Classification of City Streets



Source: City of Yakima, 2026; Transpo, 2026.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yakima Transit serves the city of Yakima with fixed route and paratransit services. Yakima Transit also provides the Yakima-Ellensburg Commuter service during morning and evening commute periods. As of 2026, Yakima Transit operated Fixed-route bus service along ten different routes that operate between the hours of 6:00am and 7:00pm within the City of Yakima. Weekday routes are operated with one-hour and half-hour headways on most routes, while Saturday and Sunday routes are operated on an hourly basis.

Paratransit service (Dial-a-Ride) is provided by Yakima Transit for patrons who cannot use fixed-route bus services due to a disability and in accordance with ADA. This service provides curb-to-curb paratransit service during the same operating days and hours of local fixed route service. Paratransit services are provided, door-to-door, to eligible clients and serves the areas within the city limits of Yakima and Selah and some trips into the City of Union Gap.

Yakima has one major transit center in its downtown area. The Yakima Transit Center is located along 4th Street between Chestnut Avenue and Walnut Avenue. All Yakima Transit Routes are

routed through the Yakima Transit Center. The transit center can accommodate up to 12 buses at a time.

The three planned CPAs for upzoning will not have significant impacts on the planned public transit and each are located within close proximity to existing fixed route transit service.

c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No new road, street, pedestrian, bicycle, or state transportation facilities or improvements are proposed or required as part of this non-project legislative action (CPA upzones). The proposed Transportation Element and City's separately maintained six-year Transportation Improvement Program (TIP) include planned improvements to roads and non-motorized infrastructure. The TIP, which is updated annually, is available from the Public Works Department. The proposed Transportation Element identifies long-term updates to the Transportation Systems Plan. Proposed improvements include intersection projects, new roadways, and off-street bicycle routes. Improvement projects are focused on bringing the primary connections into compliance with the City's level of service standards for each travel mode. Any future public or private transportation improvements will be evaluated at the time of a specific proposal and through the City's applicable review process.

d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No new construction or use of air, rail, or water transportation facilities is proposed as part of this non project legislative action. Yakima is near a major air transportation hub, and existing rail lines run through the city. Future development in the immediate vicinity of these facilities will be evaluated subject to federal, state, and local regulations and standards.

- Yakima Air Terminal / McAllister Field is owned by the city of Yakima and is located to the south of downtown Yakima and east of I-82.
- Rail lines in the City of Yakima are exclusively used for freight transportation and do not include passenger service. The double-tracked line through the city's central business district is a Strategic Rail Corridor (WSDOT, 2013) owned by BNSF and one of three statewide east-west rail lines. Additional spur lines within the city and its UGA carry less train traffic, but many remain important connections for the rail community.
- The city borders the Yakima River on its east side; however, the river is not a meaningful freight transportation corridor

The three planned CPAs for upzoning are not planned in the immediate vicinity of water, rail or air transportation.

e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Planned CPA zoning changes will have no immediate impact on trips generated. As CPAs are developed, the increased density may result in an increase in trips generated. No development is proposed; therefore, no specific number of vehicle trips per day would result because of this non-project legislative action. However, future transportation system needs were analyzed as part of the Comprehensive Plan Periodic Update considering the updated land use designations and projected growth. YVCOG's regional travel demand model supported the transportation planning efforts for this update.

The 2050 Baseline transportation system includes committed transportation system projects – those currently under construction or fully funded. As a conservative assessment of vehicle forecast conditions, the Baseline model did not assume significant changes to the City of Yakima network. The YVCOG model included an additional lane of capacity along I-82 through the urban areas of the county. In addition, the YVCOG model included a new east-west road corridor connecting northeast Yakima to eastern county areas across I-82 and the Yakima River.

The 2050 Baseline model includes roadway capacities that provide an estimated volume-to-capacity (v/c) ratio that is used to identify general areas where weekday PM peak hour volumes approach or exceed the capacity of the roadway. A roadway with a v/c ratio of 1.0 is assumed to be at capacity. As vehicle volumes approach peak roadway capacity, travel times and vehicle delays typically increase. While this does not necessarily mean the roadways would need widening, it does mean that these sections of roadway may need to be monitored closely. No roadway v/c issues were identified within the study area.

See the Transportation Element and supporting appendix for an evaluation of future transportation conditions and needs based on the updated land use designations and projected growth. Any future development projects that could generate measurable traffic impacts will be evaluated when a specific proposal arises, using project-specific information (such as project-level trip generation, peak hour volumes, or truck percentages) and, as applicable, standard transportation analysis methods.

f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable. CPA zoning changes will not impact the movement of agricultural and forest products. As no development is proposed; no specific freight movements, including the movement of agricultural and forest products on roads or streets in the area, would affect this non-project legislative action. Any future development projects that could affect or be affected by freight movement will be evaluated subject to federal, state, and local regulations and standards.

g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable to this non-project legislative action. No development is proposed; therefore, no measures to reduce or control transportation impacts are required. Any future development projects will be evaluated subject to federal, state, and local regulations and standards.

The technical information and policies in the proposed Transportation Element provide guidance for maintaining and improving the City's transportation system to accommodate projected growth and mitigate any transportation impacts over the next 20 years. The element includes LOS standards and goals and policies intended to limit negative environmental impacts and encourage multimodal transportation choices.

An LOS evaluation for the average weekday PM peak hour was also performed for major intersections within the city to identify future vehicle LOS deficiencies. Deficiencies were determined based on the City's vehicle LOS standards. During 2050 Baseline conditions, five intersections would not meet the adopted LOS standard. Projects to address these forecast deficiencies are outlined in the technical analysis appendix to the Comprehensive Plan.

The Transportation Element also includes a recommended long-term list of transportation improvement projects and programs based on an evaluation of existing and forecast traffic volumes, traffic operations, safety, and circulation needs. The long-term project list is organized into the following categories: intersection/spot, major/new roadway, active transportation, other agency improvements, and citywide programs. Guidance includes proposed new roadways and intersection projects to improve traffic flow in areas where travel demand is set to increase, as well as new multimodal connections and support for transit levels of service to provide options and reduce demand for travel by cars and trucks alone within the city and the surrounding communities. Concurrency applies to City owned arterials and collector roads—if any proposed development were to cause the LOS to fall below adopted levels, the proposed development is required to reduce the impact of the development by reducing the size of the development or by constructing appropriate mitigation to restore LOS to acceptable levels.

15.Public services

Find help answering public service questions[19]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Future growth under the proposed 2026 Comprehensive Plan would increase demand for public services as described in Volume II of the Comprehensive Plan. This includes increased demand emergency services (fire, emergency medical, and police), public transit, health care, and schools.

[19] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services

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b. Proposed measures to reduce or control direct impacts on public services, if any.

The Capital Facilities and Transportation elements provide a framework for planning for and meeting public service needs over the 20-year planning period. This framework includes adopted level of service standards and capital improvement plans of City and non-City service providers. Implementation of this framework would mitigate impacts to public services associated with future growth.

The proposal involves non-project legislative actions. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

16.Utilities

Find help answering utilities questions[20]

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other: irrigation water

Electricity: Pacific Power provides electricity in the City of Yakima.

Natural Gas: Cascade Natural Gas serves the Yakima region.

Water: Water services in Yakima are provided by the City of Yakima Water/Irrigation Division and Nob Hill Water Association. The Terrace Heights UGA area is served by Yakima County. The City's water system shares boundaries with four other water purveyors in the area, with the non-profit Nob Hill Water Association, as the only other water purveyor located within the city limits. The City's water system generally serves central and eastern Yakima. Water service is extended on request, and new development pays for the extension of infrastructure.

Irrigation water: The City of Yakima operates an irrigation utility that provides irrigation water to users in certain areas within the city. In addition to the City's irrigation utility, some irrigation users within the City of Yakima are served by private irrigation systems or directly from canals.

Wastewater: The Yakima Regional Wastewater Treatment Plant (YRWWTP) processes wastewater from homes and businesses in Yakima, Union Gap, Terrace Heights, and Moxee. There are pockets of land in the city that are not served by sewers due to the land being vacant, challenging physical conditions, or past development allowed on septic systems.

Stormwater: Yakima's stormwater collection area includes the City of Yakima and some of the West Valley area outside of city limits. In accordance with the NPDES Western Washington Phase II Municipal Stormwater Permit, the City requires development to provide on-site stormwater management to mitigate these impacts. The City possesses one stormwater source well, referred to as Naches River WTP, in which water is treated by chlorination, filtration, fluoridation, and other methods.

Solid Waste: All refuse within the city is collected by the Refuse Division of the department of public works, a licensed collector, or taken to the sanitary landfill for disposal. Yakima Waste System offers biweekly curbside recycling for a fee. Annually, around 37,647 tons are collected,

[20] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities

with around 90% of the tonnage categorized as garbage and around 10% categorized as recycled yard waste.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The proposal involves non-project legislative actions. Future development projects will be evaluated subject to federal, state, and local regulations and standards. Yakima's utility service needs and plans are also described in the Capital Facilities Element in Volume II Appendices.

C. Signature

Find help about who should sign[21]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

9/24/2026

X Trevor Martin

Signed by: Martin, Trevor

Type name of signee: Trevor Martin, AICP
Position and agency/organization: Planning Manager, City of Yakima
Date submitted: September 24, 2026

D. Supplemental sheet for nonproject actions

Find help for the nonproject actions worksheet[22]

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

[21] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature
[22] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
See also parts of B.2, B.3, and B.7.

As a non-project legislative action, the proposal would not directly impact water, air, hazardous substances, or noise. Future development consistent with the Comprehensive Plan and implementing zoning code could result in the following impacts:

- Fill and grade proposals, new impervious surfaces, or vegetation removal could result in altered surface water flows, increased stormwater flow, localized flooding impacts, and generation of non-point source pollution to local surface waters.
- Increased vehicle trips could increase air emissions or result in additional noise. As projects identified in the Transportation Element are implemented, an increase in stormwater may be generated due to the increases in impervious surfaces from future roadway widening. Short-term, minor increases in noise and exhaust emissions may occur. The impacts may occur with each individually proposed project at the time of project construction.
- Project construction activities may temporarily produce toxic or hazardous substances, generate noise from the use of standard construction equipment, or result in additional exhaust and fugitive dust (on site or along hauling routes or nearby local streets).
- Some commercial or industrial uses may handle hazardous materials, though the International Fire Code and state and federal laws would continue to apply.

Proposed measures to avoid or reduce such increases are:

The Comprehensive Plan Periodic Update provides a policy framework intended to protect water and air quality, minimize excessive noise, and prevent pollution such as the release of toxic substances. See specific goals and policies in the Land Use Element. In addition, the adopted Shoreline Master Plan (SMP) and updated Critical Areas Ordinance (CAO) will continue to regulate shorelines and critical areas in the city (including critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, fish and wildlife conservation areas, and wetlands). The new integrated climate goals and policies also seek to improve air quality, protect natural resources and ecosystems vulnerable to climate change, preserve water quality and quantity while addressing the challenges posed by climate change, and prepare the city and its residents for hazards exacerbated by climate change.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
See also parts B.4 and B.5.

Future development allowed by the Comprehensive Plan and development regulations could affect plants and animals in Yakima through land clearing for construction of housing and infrastructure, stormwater runoff, and human disturbance associated with future growth. Environmental resources subject to risk of direct and indirect impacts include numerous species of plants and animals (including federal and state designated threatened or endangered species and their habitat). As projects identified in the Transportation Element are implemented, there may be impacts to roadside vegetation due to widening of existing roadways. Impacts will be analyzed for each individually proposed project at the time of project construction.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The Land Use and Natural Environment elements and the new integrated climate goals and policies support key environmental features in Yakima (including wildlife habitats) and seek to protect ecosystems, including those vulnerable to climate change. Together with local, state, and federal environmental regulations—such as YMC Chapters 15.27 (Critical Areas), storm (YMC Chapters 7.80, 7.82, 7.83 and 7.85 which incorporates the Stormwater Management Manual of Eastern Washington), and SMP (YMC title 17)—these goals and policies would continue to protect plants and wildlife in Yakima as development occurs. The updated CAO also includes minor revisions to incorporate Best Available Science for protecting and managing critical areas. Impacts to plants and wildlife from specific development projects would be further evaluated during individual environmental review.

3. How would the proposal be likely to deplete energy or natural resources?
See also Part B.6.

As a non-project action, the proposal would not directly deplete energy or natural resources. Individual projects will typically require oil and electricity during the construction phase to operate equipment and periodically thereafter for routine maintenance and repair activities. Demands for energy and natural resources (such as heating, light, and electricity for residential units or commercial uses) will increase along with population growth and associated development irrespective of the proposed updates.

Proposed measures to protect or conserve energy and natural resources are:

The proposed update to the Comprehensive Plan supports the natural resource protection principles articulated in the GMA. In particular, goals and policies in the Land Use, Capital Facilities, Utilities, Transportation, and Energy elements emphasize conservation of resources, and efficiency in energy use. These elements and the new integrated climate goals and policies seek to protect and conserve natural resources, increase energy reliability and resilience, and improve building energy efficiency. Other measures in place or proposed as part of the periodic update to avoid or reduce such increases are:

- Concentration of development under these Comprehensive Plan policies will enable existing infrastructure to be more intensely and efficiently utilized.
- Public transportation and non-motorized modes of movement are promoted by plan policies, which may result in a reduction in the use of oil energy used by automobiles.
- Application of existing building and energy codes.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
See also Part D.2 regarding plants and animals and parts B.1, B.2, B.3, B.4, B.5, B.6, B.7, B.8, B.12, and B.13.

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No direct impacts to environmentally sensitive areas or areas designated (or eligible or under study) for government protection are expected as a result of this non-project action. Population and employment growth would likely increase demand for parks and place additional pressure on environmentally sensitive areas irrespective of the proposed updates. Future development projects may dredge or fill surface waters or wetlands or affect other environmentally sensitive areas or areas designated for government protection. Known cultural resources and historic structures are documented in the Washington Department of Archeology and Historic Preservation's online WISAARD map and the Yakama Nation shares published resources. Any impacts will be determined with each individually proposed project at the time of project design.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The Land Use and Natural Environment elements and the new integrated climate goals and policies seek to conserve the city's natural resources. These goals and policies work together with local, state, and federal environmental regulations, such as the City's SMP and CAO. The existing and proposed CAO update includes regulations intended to protect city resources, with provisions for no net loss of area and functions, which provides a balance between protecting city resources and allowing development and uses to be approved. The Capital Facilities Element also includes goals and policies to help ensure a diversified recreational and open space system in the City of Yakima.

The Plan elements aim to avoid and minimize losses and changes to historic and cultural resources and include goals and policies to support and protect historic resources. Historic and cultural sites would remain protected by federal, state, and local regulations and policies (including YMC Chapter 11.62 which provides for the identification, designation, evaluation, and protection of historic resources). Historic or cultural sites will be evaluated during the environmental review of individual projects and, if necessary, mitigation measures to avoid or minimize potential impacts will be developed. Any alterations to existing historic or cultural sites would also require evaluation and mitigation during individual development process.

Any roadway projects identified in the Transportation Element will be designed to avoid and reduce impacts wherever possible. Additional measures will be evaluated and proposed during the design phase of each individual project.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
See also parts B.8, B.9, B.10, and B.12.

The City of Yakima currently contains numerous zoning and future land use designations. Citywide, the predominant land use districts are Low Density Residential (LDR) with moderate and higher intensity uses designated in downtown and along the major arterials. Commercial uses are concentrated in downtown, along I-82 and other major arterial corridors. The railroad runs parallel to 1st Ave and abuts industrial uses along the north-south stretch of the city. The Public Facility and Open Space land use designations are applied to City owned and non-City owned public facilities, parks, and open space needed to provide the full range of services to the public.

Based on the community's vision, land characteristics, and provisions of the GMA, the City is proposing an updated FLUM map as part of the Comprehensive Plan Periodic Update. This includes simplifying and introducing new land use designations and closely matching densities and uses. Exhibit 12 lists the existing and proposed future land use designations. The proposed Future Land Use map is shown in Exhibit 13.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The Comprehensive Plan Update is designed to be consistent with the GMA, the Yakima County CPPs, and new state planning requirements. The Land Use Element includes goals and policies intended to ensure new development is compatible with existing land uses and an analysis of future land use needs and projected growth demands to guide future land development (see also Volume II).

Existing and proposed regulations ensure future development is compatible with existing and projected land uses and plans via zoning standards (e.g., appropriate locations for various land uses as well as height, bulk, setback, and landscaping requirements). Individual development projects will be subject to local, state, and federal regulations and must be consistent with the City's Comprehensive Plan (including the Land Use Element goals and policies), the adopted SMP (YMC Title 17) which protects Shorelines of the State, and the GMA. In addition, the adopted SMP and proposed CAO update will continue to regulate shorelines and critical areas in the city, including critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, fish and wildlife habitat conservation areas, and wetlands. The updated CAO will be incorporated into the SMP by reference (as an appendix) and will continue to support no net loss requirements for development within shoreline jurisdiction. No other changes are proposed to the SMP.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
See also parts B.14, B.15, and B.16.

As a non-project action, the proposal will not directly increase demand on transportation, public services, or utilities. However, the Comprehensive Plan Update would guide the type, location, and intensity of development within the city and demand for transportation, public services, and utilities is likely to increase as new development and growth occur.

Proposed measures to reduce or respond to such demand(s) are:

The proposed Capital Facilities, Transportation, Parks, Recreation, and Open Space, and Utilities elements provide a framework for planning for and meeting demands on transportation, public services, and utilities over the planning period:

- The Capital Facilities Element details adopted level of service standards and calls for providing adequate capital facilities and public services necessary to support existing development and new growth. Goal 7.1 prioritizes investment in facilities to meet service standards, Goal 7.3 calls for providing facilities in planned and equitable ways, Goal 7.4 aims to protect human and environmental health. The Utilities Element recognizes the

need for collaboration with providers in order to plan for and ensure continued provision of quality services. Other system plans (e.g. Water, Stormwater, etc.) are integrated into the Capital Facilities and Utilities Elements.

- The Transportation Element provides a framework for planning for and meeting transportation demand for the next 20 years. Key policy concepts include supporting multimodal transportation options, meeting level of service standards, and ensuring that adequate funding for transportation systems are in place. Implementation of individual projects included within the Transportation Element will reduce and respond to such demands. In addition to meeting demand for transportation, the Transportation Element also provides guidance for reducing impacts to the environment related to transportation activities, ensuring a safe transportation system, providing options for active transportation such as walking and biking, and maintaining a dynamic relationship between land use and transportation systems in order to support desired land use patterns.
- The level of service standards for parks and open space were developed under the 2022-2027 Parks Comprehensive Master Plan and are incorporated into the Comprehensive Plan. The Parks and Recreation Element includes goals and policies to ensure a healthy and diversified recreational and open space environment in Yakima.
- Goals and policies under these elements support the provision of quality utility services that are reliable, efficient, and financially and environmentally sustainable.
- Implementation of these facilities will comply with regulations during developments under zoning code in Title 15, building and construction code in Title 11, Streets and Sidewalk in Title 8, Public Service and Utilities in Title 7, and Parks and Playgounrds in Title 13.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

In general, the Comprehensive Plan Periodic Update and associated code revisions, and the CAO update seek to protect the environment and would not conflict with any local, state, or federal laws for the protection of the environment. The Comprehensive Plan Update and development regulations have been prepared in accordance with the provisions of the GMA and Yakima County Countywide Planning Policies to ensure coordinated planning. The development regulations and CAO update were prepared concurrent with the Comprehensive Plan Periodic Update to ensure consistency between the documents.

CITY OF YAKIMA PERIODIC UPDATE 2025-2026
PRJ#001-25, SEPA#017-26

EXHIBIT LIST

CHAPTER C
Public Notices

DOC INDEX #	DOCUMENT	DATE
C-1	**Notice of Application, Environmental Review, Public Hearing & DNS** **C-1a:** Legal Ad **C-1b:** Press Release and Distribution Email **C-1c:** Parties and Agencies Notified **C-1d:** Affidavit of Mailing	08/12/2026
C-2	**YPC Agenda and Packet Distribution List**	08/19/2026
C-3	**YPC Agenda & Sign-in Sheet**	08/26/2026
C-4	**Notice of YPC Recommendation** (See DOC INDEX#AA-1 for YPC Recommendation) **C-4a:** Press Release and Distribution Email **C-4b:** Parties and Agencies Notified **C-4c:** Affidavit of Mailing	10/15/2026
C-5	**Letter of Transmittal to City Clerk: City Council Hearing (Mailing Labels)**	10/08/2026
C-6	**Notice of City Council Public Hearing on 11/02/2026**	10/10/26

OFFICE OF THE CITY CLERK
129 North Second Street
Yakima, Washington 98901
Phone (509) 575-6037 • Fax (509) 576-6614

CITY OF YAKIMA
NOTICE OF PUBLIC HEARING
Comprehensive Plan Periodic Update

NOTICE IS HEREBY GIVEN that the Yakima City Council will conduct a public hearing regarding the Comprehensive Plan Periodic Update. The City of Yakima Planning Division is proposing minor amendments specifically amending policy and goal language for the following: implementing language regarding climate resiliency throughout the plan; updating goals and policies in the Housing Element; updating the transportation elements; and updating statistical background information in the Housing, Land Use, and Transportation in the Technical Analysis.

Said public hearing will be held on **Monday November 2, 2026, at 6:00 p.m**., or soon thereafter as the matter may be heard, in the Council Chambers at City Hall located at 129 N. 2nd Street, Yakima, WA.

Any interested person wishing to provide testimony on this proposal is welcome to attend the public hearing in person or via Zoom (information on the agenda). The City Council agenda will be posted online at: https://www.yakimawa.gov/council/agendas-and-minutes/
Or contact the City Council in the following manner:

1) Send a letter via regular mail to *"Yakima City Council, 129 N. 2nd Street, Yakima, WA 98901"; or,*
2) E-mail your comments to citycouncil@yakimawa.gov Include in the e-mail subject line, "*Comprehensive Plan Update"* Please also include your name and mailing address.

Please contact City Planning for additional information at (509) 575-6183.

Dated and published this 10th day of October, 2026.

Rosalinda Ibarra
City Clerk

DOC. INDEX # G6

Yakima 2015 1994

CITY OF YAKIMA, PLANNING DIVISION

LETTER OF TRANSMITTAL

I, Eva Rivera, as an employee of the City of Yakima, Planning Division, have transmitted to: Rosalinda Ibarra, City Clerk, by hand delivery, the following documents:

1. Mailing labels for the Comprehensive Plan Update
2. E-mail distribution lists for In-House, Local Media, and SEPA Reviewing Agencies.

Signed this 8th day of **October 2026.**

Eva Rivera
Planning Technician

Received By: Rosalinda Ibarra

Date: 10/8/2026

DOC. INDEX # CS

18131442406
APPLE VALLEY MANAGEMENT LLC
2204 CAYUSE LANE
YAKIMA, WA 98901

18131442014
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131442015
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131442037
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131442047
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131442454
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131442455
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131442456
MENARDS HOLDINGS LLC
2016 FRUITVALE BLVD
YAKIMA, WA 98902

18131441509
PHYXIUS LLC
1904 FRUITVALE BLVD
YAKIMA, WA 98902

18131442021
SMITTYS OUTDOOR POWER
EQUIPMENT INC
2010 FRUITVALE BLVD
YAKIMA, WA 98902

18131442453
STEEL CRAZY INC
2002 FRUITVALE BLVD
YAKIMA, WA 98902

18131442440
YAKIMA STORAGE FRUITVALE LLC
28917 CAPANO BAY COURT
MENIFEE, CA 92584

18131441492
ABEL RODRIGUEZ SALAMANCA
813 N 20TH AVE
YAKIMA, WA 98902

18131442407
ALEJANDRO ROSARIO BRAMBILIA
2011 WILLOW ST
YAKIMA, WA 98902

18131443406
ALICIA BRAMBILA DE ROSARIO
2008 WILLOW ST
YAKIMA, WA 98902

18131443409
AMADEO & JAEL SALAZAR
2614 SWAN AVE
YAKIMA, WA 98902

18131441495
ANA B PEREZ
801 N 20TH AVE
YAKIMA, WA 98902

18131441490
ARTURO & MARGARITA MARTINEZ
819 N 20TH AVE
YAKIMA, WA 98902

18131443404
BERNARDO D & ALICIA ROSARIO
2006 WILLOW ST
YAKIMA, WA 98902

18131441446
BLANCA GONZALEZ
4203 FELLOWS DR
YAKIMA, WA 98908

18131443407
CARLOS ALMODOVAR
2010 WILLOW ST
YAKIMA, WA 98902

18131442409
DEBORAH A MALLADY EDINGER
2007 WILLOW ST
YAKIMA, WA 98902

18131442416
ELEUTERIA M & SERGIO M CHAVARIN
4045 TRIBUTE AVE E
FIFE, WA 98424

18131443400
JESUS DE LEON GODOY
302 E Q ST
YAKIMA, WA 98901

18131441478
JESUS M & SILVERIA MENDOZA
1903 WILLOW ST
YAKIMA, WA 98902

18131441493
JOSE A GONZALEZ SIGALA
401 S LESTER RD
OUTLOOK, WA 98938

18131442413
JUAN SOTO JR
2015 WILLOW ST
YAKIMA, WA 98902

18131443511
JUAN ORTIZ
2016 WILLOW ST
YAKIMA, WA 98902

18131442408
JUAN P & MARIA K BAZALDUA
6103 CROWN CREST AVE
YAKIMA, WA 98903

18131442410
JUAN P & MARIA K BAZALDUA
6103 CROWN CREST AVE
YAKIMA, WA 98903

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18131444450
JULISSA ISLAS GUATEMALA
1906 WILLOW ST
YAKIMA, WA 98902

18131442415
LARRY SR & LARRY JR BEERS
2103 WILLOW ST
YAKIMA, WA 98902

18131442411
LORENA ROBLES
617 W 5TH ST
WAPATO, WA 98951

18131441445
MARK R & LORI A TROIANELLO
1719 BROWNE AVE
YAKIMA, WA 98902

18131441489
MILTON & KARIE COOPER
515 N 20TH AVE
YAKIMA, WA 98902

18131441518
PERLA SANCHEZ
815 N 20TH AVE
YAKIMA, WA 98902

18131443411
RODOLFO BELECHE
2014 WILLOW ST
YAKIMA, WA 98902

18131441479
ROGER DAMPIER
1901 WILLOW ST
YAKIMA, WA 98902

18131441517
SUSAN P ERICKSON
PO BOX 1122
YAKIMA, WA 98907

18131444449
TANIA YELITH MEJIA
1910 WILLOW ST
YAKIMA, WA 98902

18131441494
TRACY LYNN & VIVIANO RAMIREZ
1213 S 43RD AVE APT A
YAKIMA, WA 98908

41
Total Parcels - MENARD'S HOLDINGS LLC - CPA#004-25
PRJ #001.25

CC Hearing: 11/02/2026

HORDAN PLANNING SERVICES
410 N 2ND ST
YAKIMA, WA 98901

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18131513901
CITY OF YAKIMA
424 E YAKIMA AVE # 100
YAKIMA, WA 98901

18131524010
CITY OF YAKIMA
129 N 2ND ST
YAKIMA, WA 98901

18131524001
EZ MARKETS INC
67831 HWY 97
WAPATO, WA 98951

18131512041
HAGBU HOLDING CO LLC
4001 SUMMITVIEW AVE STE 5 PMB 322
YAKIMA, WA 98908

18131521413
K P K L L C
PO BOX 235
NACHES, WA 98937

18131512404
MC DONALD'S CORPORATION
110 S 4TH AVE
YAKIMA, WA 98902

18131512411
PKD PROPERTIES LLC
PO BOX 10845
YAKIMA, WA 98909

18131512410
YAKIMA BUCKS LLC
395 GRANITE ST
ASHLAND, OR 97520

18131031003
YAKIMA CITY
129 N 2ND ST
YAKIMA, WA 98901

18131513002
YAKIMA CITY
129 N 2ND ST
YAKIMA, WA 98901

18131513005
YAKIMA CITY
129 N 2ND ST
YAKIMA, WA 98901

18131513006
YAKIMA CITY
129 N 2ND ST
YAKIMA, WA 98901

18131521011
YAKIMA CITY
129 N 2ND ST
YAKIMA, WA 98901

18131513003
DANNY L BIRD
3908 RIVER RD
YAKIMA, WA 98902

18131521008
GEORGE R. MICHEL
4120 W POWERHOUSE RD
YAKIMA, WA 98908

15
Total Parcels - DANNY BIRD - CPA#001-25

ROB ELLSWORTH
329 N KELLOGG ST
KENNEWICK, WA 99336

PRJ#001-25
CC Hearing: 11/02/2026

CS

18131933413
48TH AVE MINI STORAGE LLC
PO BOX 8359
YAKIMA, WA 98908

18133022412
BEMIS RENTALS LLC
1208 MAYER CT
SELAH, WA 98942

18131933492
MERRILLE B KNIGHT LEGACY TRUST
210 N 10TH ST APT B
SELAH, WA 98942

18131933452
THE PRICE FAMILY REVOCABLE LIVING TRUST
410 S 94TH AVE
YAKIMA, WA 98908

17132444420
TWELVE SIX LLC
5808 A SUMMITVIEW AVE # 89
YAKIMA, WA 98908

18131933426
ALIXANDRA HUFF
9507 W WALNUT ST
YAKIMA, WA 98908

18131933005
ARACELI GONZALEZ TELLO
14400 TIETON DR
YAKIMA, WA 98908

18131933010
ARACELI GONZALEZ TELLO
14400 TIETON DR
YAKIMA, WA 98908

18131933427
BEVERLY A CALVERT
9505 W WALNUT ST
YAKIMA, WA 98908

18131933564
CIRENIO N SALAMANCA
9401 TIETON DR
YAKIMA, WA 98908

18131933450
CURTIS K JR & JACLYNN BELL
407 S 94TH AVE
YAKIMA, WA 98908

18131933458
DIXIE MARIE TILLETT
9508 W WALNUT ST
YAKIMA, WA 98908

18131933563
ELIZABETH MENERA NUNEZ
9401 TIETON DR
YAKIMA, WA 98908

18133022411
FIAUDIO & DOMINGA SOLIS
9400 TIETON DR
YAKIMA, WA 98908

18133022401
GEOFF & AMY KNAUTZ
605 S 96TH AVE
YAKIMA, WA 98908

18131933429
GEORGE & MARY C CROFTON
400 S 94TH AVE
YAKIMA, WA 98908

17132444407
GILBERT & DINA ESCOBAR
9705 TIETON DR
YAKIMA, WA 98908

17132511409
GRAM RENTAL PROPERTIES
7507 BARGE CT
YAKIMA, WA 98908

18131933405
JENNIFER HARRIS
9403 TIETON DR
YAKIMA, WA 98908

18131933455
JOE D & KATHERINE L BUCKHOLT
9502 W walnut st
YAKIMA, WA 98908

18131933491
JOSEPH LEONARD HEIER
9515 W WALNUT
YAKIMA, WA 98908

18131933459
JULIAN HEREDIA LLERENAS
9510 W WALNUT ST
YAKIMA, WA 98908

18131933425
JULIE L WALLACE
9509 W WALNUT
YAKIMA, WA 98908

18131933451
KEIL & FRANCES PFEIFFER
412 S 94TH AVE
YAKIMA, WA 98908

18131933453
MARCO ANTONIO LICEA
408 S 94TH AVE
YAKIMA, WA 98908

18131933449
MARK ALLEN SR & TAMARA FAYE CHANCE
405 S 94TH AVE
YAKIMA, WA 98908

18131933457
MICHAEL R DALLAS
9506 W WALNUT
YAKIMA, WA 98908

17132511412
MILTON W & LINDA ROSS
9702 TIETON DR
YAKIMA, WA 98908

18131933430
PETER W GARRETSON
510 N 29TH PL
YAKIMA, WA 98902

17132444469
RASHEED RASHED SAIED
8507 WESTBROOK AVE
YAKIMA, WA 98908

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17132444470
RASHEED RASHED SAIED
8507 WESTBROOK AVE
YAKIMA, WA 98908

18131933009
ROBERTO ARTEAGA
14400 TIETON DR
YAKIMA, WA 98908

18131933456
ROGER L II & KATHLEEN TOLLEY
9504 W WALNUT ST
YAKIMA, WA 98908

18131933448
STEFANIE J WEIGAND
9314 W WALNUT ST
YAKIMA, WA 98908

18131933454
TRISHA & WILLIAM QUINN
9500 W WALNUT ST
YAKIMA, WA 98908

18131933428
TYSON E & HOLLY J BAKER
1817 W YAKIMA AVE
YAKIMA, WA 98902

18131933431
WALLACE E & ROBERTA J MOEN
228 S 94TH AVE
YAKIMA, WA 98908

37
Total Parcels - CPA#003-25
DRJ#00125
CC Hearing: 11/02/2026

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CS

Ahtanum Irrigation District
10705-B Gilbert Road
Yakima, WA 98903-9203
aidoffice@ahtanum.net

Cascade Natural Gas
8113 W Grandridge Blvd
Kennewick, WA 99336

Century Link
8 South 2nd Ave, Rm#304
Yakima, WA 98902

Charter Communications
1005 North 16th Ave
Yakima, WA 98902

City of Union Gap
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Kelly McLain
PO Box 42560
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Olympia, WA 98504-3172
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Olympia, WA 98504-7703
Upload Docs to SEPA Register

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WA State Department of Ecology
Rhonda Luke
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WA State Department of Ecology
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WA State Department of Energy Facility
Site Evaluation Council -EFSEC
PO Box 43172
Olympia, WA 98504-3172
efsec@utc.wa.gov

WA State Department of Fish and Wildlife
Janell Shah
j.shah@dfw.wa.gov

WA State Department of Fish and Wildlife
Scott Downes
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WA State Department of Fish and Wildlife
TeamYakima@dfw.wa.gov

WA State Department of Fish and Wildlife,
SEPA Desk
PO Box 43200
Olympia, WA 98504
R3planning@dfw.wa.gov

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C-5

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WA State Department of Natural Resources, SEPA Center
PO Box 47015
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sepacenter@dnr.wa.gov

WA State Department Transportation South Central Region Planning Office
SCplanning@wsdot.wa.gov

WA State Governor's Office of Indian Affairs
PO Box 40909
Olympia, WA 98504

Yakama Bureau of Indian Affairs
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connollyw@wvsd208.org

Yakama Nation Environmental Management Program
Elizabeth Sanchey
P.O. Box 151
Toppenish, WA 98948
esanchey@yakama.com

Yakima County Commissioners
Commissioners.web@co.yakima.wa.us

Yakima County Planning Division
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Yakima, WA 98901
Jason.Earles@co.yakima.wa.us

Yakima County Water Resources Division
Troy Havens
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Troy.Havens@co.yakima.wa.us

WA State Department of Health, Office of Drinking Water
Jamie Gardipe
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Spokane Valley, WA 99216
Jamie.gardipe@doh.wa.gov

WA State Department of Social & Health Services, Office of Capital Programs
Larry Covey
P.O. Box 45848
Olympia, WA 98504
larry.covey@dshs.wa.gov

WA State Department Transportation, Aviation Division
AviationLandUse@wsdot.wa.gov

WA State Parks & Recreation Commission
Jessica Logan
P.O. Box 42650
Olympia, WA 98504
sepa@parks.wa.gov

Yakima Valley Trolleys
Paul Edmondson
313 North 3rd Street
Yakima, WA 98901

Yakama Bureau of Indian Affairs
P.O. Box 632
Toppenish, WA 98948

Yakama Indian Nation, Cultural Resources Program
Johnson Meninick
P.O. Box 151
Toppenish, WA 98948

Yakama-Klickitat Fisheries Project
John Marvin
760 Pence Road
Yakima, WA 98909
marj@yakamafish-nsn.gov
jmarvin@yakama.com

Yakima County Health District
Ryan Ibach
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Yakima County Planning Division
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WA State Department of Transportation
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Yakama Bureau of Indian Affairs
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Rocco.clark@bia.gov

Yakima Valley Trolleys
PO Box 796
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info@yakimavalleytrolleys.org

Yakama Indian Nation, Yakima Tribal Council
Ruth Jim
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Toppenish, WA 98948

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Marivel Garcia
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Yakima-Tieton Irrigation District
Sandra Hull
470 Camp 4 Rd
Yakima, WA 98908

DOC. INDEX #
CS

Yakima County Water Resources Division
Nellie Soptich
128 North 2nd Street, 4th Floor
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Nellie.Soptich@co.yakima.wa.us

Yakima Greenway Foundation
Kellie Connaughton
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kellie@yakimagreenway.org

Yakima Regional Clean Air Agency
186 Iron Horse Ct # 101
Yakima, WA 98901
admin@yrcaa.org

Yakima School District
104 North 4th Ave
Yakima, WA 98902
Planning-notices@ysd7.org

Yakima Valley Museum
2105 Tieton Drive
Yakima, WA 98902
lizr@yvmuseum.org

Yakima Waste Systems
Mark Lanter
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Yakima, WA 98907
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Ian Gray
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Ian_Gray@Yakama.com

Jessica Lally
Yakima Nation
Jessica_Lally@Yakama.com

Gregg Kiona
Yakima Nation
Gregg_Kiona@Yakama.com

YVCOG
1200 Chesterly Drive, Suite 260
Yakima, WA 98902

SEPA REVIEIWNG AGENCIES
_UPDATED 09/10/2026

Type of Notice: Notice of CE Hearing
File Number: PRJ#001-25, SEPA#017-26
Date of ~~Mailing~~ Hearing: 11/02/2026

DOC. INDEX # CS

In-House Distribution E-mail List		Revised 09/08/2026
Name	**Division**	**E-mail Address**
Christopher Hopkins	Air Terminal	christopher.hopkins@yakimawa.gov
Glenn Denman	Code Administration	Glenn.Denman@yakimawa.gov
Linda Kuntz	Code Administration	linda.kuntz@yakimawa.gov
John Zabell	Code Administration	John.Zabell@yakimawa.gov
Pedro Contreras	Code Administration	Pedro.Contreras@yakimawa.gov
Suzanne DeBusschere	Code Administration	Suzanne.Debusschere@yakimawa.gov
Lisa Maxey	Community Development	Lisa.Maxey@yakimawa.gov
Kirsten McPherson	Engineering	Kirsten.McPherson@yakimawa.gov
Michael Trujillo	Fire	Michael.Trujillo@yakimawa.gov
Sara Watkins	Legal	Sara.Watkins@yakimawa.gov.
Trevor Martin	Planning	trevor.martin@yakimawa.gov
Eva Rivera	Planning	Eva.rivera@yakimawa.gov
Shawn Boyle	Police	Shawn.boyle@yakimawa.gov
Scott Schafer	Public Works	Scott.Schafer@yakimawa.gov
Leovardo Cruz	Refuse	Leovardo.Cruz@yakimawa.gov
Randy Layman	Refuse	Randy.Layman@yakimawa.gov
Gregory Story	Transit	Gregory.Story@yakimawa.gov
Anabel Chavez	Utilities	anabel.chavez@yakimawa.gov
Dana Kallevig	Wastewater	Dana.Kallevig@yakimawa.gov
Randy Meloy	Wastewater	Randy.Meloy@yakimawa.gov
Daniel Tiliano	Water/Irrigation	Daniel.Tiliano@yakimawa.gov
Chris Redick	Water/Irrigation	Chris.redick@yakimawa.gov
Chris Kohler	GIS	Chris.kohler@yakimawa.gov

Outside Distribution		
Name	**Address**	**Notified?**
(Subdivision notices ONLY) Pacific Power Attn: Estimating Department	500 N Keys Rd, Yakima, WA 98901	☐ Yes ☒ No
(Projects Adjacent to BNSF Right of Way ONLY) Central Washington Railroad	111 University Parkway, Suite 200 Yakima, WA 98901 (509) 453-9166	☐ Yes ☒ No
	Tim Marshall, General Manager, tmarshall@cbrr.com Kim Yeager, Real Estate Manager, kyeager@ihdllc.com	☐ E-mail
(Shoreline notices ONLY) Department of Ecology	crosepa@ecy.wa.gov	☐ E-mail

Additional Parties of Record or Interested Parties Notified		
Name	**Address**	**E-mail**
Tricia Sears, DNR		tricia.sears@dnr.wa.gov
Scott Downes, WDFW		Scott.downes@dfw.wa.gov
Danny Didriksen, WDFW		daniel.didriksen@dfw.wa.gov.

Yakima Taxpayer
Ray Paolella
Yaktaxfiscalresp@yahoo.com
rpaolella@gmail.com

James Carmody 230 S. 2nd St. Suite 101 Yakima, WA 98901

Type of Notice: City Council Hearing
File Number(s): PRJ#001.25, SEPA#017.26
Date of ~~Mailing~~ Hearing: 11/02/2026

Joye Redfield joyeredfield@icloud.com

DOC. INDEX # C.S

(See Attached Sheet)

Parties of Record

Yakima Taxpayer yaktaxfiscalresp@yahoo.com

Ray Paolella rlpaolella@gmail.com

James Carmody 230 S 2nd St, Suite 101, Yakima WA 98901

Joye Redfield joyeredfield@icloud.com

Kris Hunziker hunzykris@yahoo.com

Bill Jacobs billjacobs98908@yahoo.com

Coleen Anderson coleenanderson22@gmail.com

Charley Mulvaney 10 S 8th Ave, Yakima WA 98902

Jim Mead James.mead0501@gmail.com

Dianna Woods dlwoods@nwinfo.net

Sandy Braden sbraden09@gmail.com

Lyle B. 1308 S 91st Ave, Yakima WA 98908

Andrew D. Whitmont yakpsyche@gmail.com

DOC. INDEX #
CS

AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PRJ#001-26, SEPA#017-26
CITY OF YAKIMA PERIODIC UPDATE 2025-2026
CITYWIDE

I, Eva Rivera, as an employee of the City of Yakima Planning Division, have dispatched through the United States Mails, a **Notice of Yakima Planning Commission's Recommendation to City Council;** a true and correct copy of which is enclosed herewith; that said notice was addressed to the applicant and all parties of record; that said parties are individually listed on the mailing list retained by the Planning Division, and that said notices were mailed by me on the **16th** day of **October, 2026.**

That I mailed said notices in the manner herein set forth and that all of the statements made herein are just and true.

Eva Rivera
Planning Technician

DOC. INDEX #
C-4c

Ahtanum Irrigation District
10705-B Gilbert Road
Yakima, WA 98903-9203
aidoffice@ahtanum.net

Cascade Natural Gas
8113 W Grandridge Blvd
Kennewick, WA 99336

Century Link
8 South 2nd Ave, Rm#304
Yakima, WA 98902

Charter Communications
1005 North 16th Ave
Yakima, WA 98902

City of Union Gap
Jason Cavanaugh
P.O. Box 3008
Union Gap, WA 98903
Jason.cavanaugh@uniongapwa.gov

City of Yakima - Airport
Robert Hodgman
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Yakima, WA 98902

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Yakima, WA 98902

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Upload Docs to SEPA Register

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Toppenish, WA 98948

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SEPA REVIEIWNG AGENCIES
_UPDATED 09/10/2026

Type of Notice: NTC of YPC Rec.
File Number: RZR#00125, SEPA#01726
Date of Mailing: 10/16/2026

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In-House Distribution E-mail List		Revised 09/08/2026
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Suzanne DeBusschere	Code Administration	Suzanne.Debusschere@yakimawa.gov
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Sara Watkins	Legal	Sara.Watkins@yakimawa.gov.
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Shawn Boyle	Police	Shawn.boyle@yakimawa.gov
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Daniel Tiliano	Water/Irrigation	Daniel.Tiliano@yakimawa.gov
Chris Redick	Water/Irrigation	Chris.redick@yakimawa.gov
Chris Kohler	GIS	Chris.kohler@yakimawa.gov

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Name	**Address**	**Notified?**
(Subdivision notices ONLY) Pacific Power Attn: Estimating Department	500 N Keys Rd, Yakima, WA 98901	☐ Yes ☒ No
(Projects Adjacent to BNSF Right of Way ONLY) Central Washington Railroad	111 University Parkway, Suite 200 Yakima, WA 98901 (509) 453-9166	☐ Yes ☒ No
	Tim Marshall, General Manager, tmarshall@cbrr.com Kim Yeager, Real Estate Manager, kyeager@ihdllc.com	☐ E-mail
(Shoreline notices ONLY) Department of Ecology	crosepa@ecy.wa.gov	☐ E-mail

Additional Parties of Record or Interested Parties Notified		
Name	**Address**	**E-mail**
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Scott downes		scott.downes@dfw.wa.gov
Danny Didriksen		daniel.didriksen@dfw.wa.gov

Type of Notice: NTC of YPO Rec

File Number(s): PRJ#001-25, SEPA#017-25

Date of Mailing: 10/16/2025

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Rivera, Eva

From: Rivera, Eva
Sent: Friday, October 16, 2026 2:08 PM
To: 'yakpsyche@gmail.com'
Subject: FW: NTC OF YPC REC - CITY OF YAKIMA PERIODIC UPDATE 2025-2026 - PRJ#001-26, SEPA#017-26
Attachments: NTC OF YPC REC_PRJ#001-25.pdf

From: Rivera, Eva
Sent: Friday, October 16, 2026 12:47 PM
To: 'tricia.sears@dnr.wa.gov' <tricia.sears@dnr.wa.gov>; WA State Dept Fish and Wildlife - Scott Downes <scott.downes@dfw.wa.gov>; daniel.didricksen@dfw.wa.gov; yaktaxfiscalresp@yahoo.com; rlpaolella@gmail.com; joyeredfield@icloud.com; hunzykris@yahoo.com; billjacobs98908@yahoo.com; 'coleenanderson22@gmail.com' <coleenanderson22@gmail.com>; 'James.mead0501@gmail.com' <James.mead0501@gmail.com>; 'dlwoods@nwinfo.net' <dlwoods@nwinfo.net>; 'sbraden09@gmail.com' <sbraden09@gmail.com>; Bonds Jr., Randy <randy.bonds@yakimawa.gov>; Boyle, Shawn <Shawn.Boyle@yakimawa.gov>; Chavez, Anabel <Anabel.Chavez@YAKIMAWA.GOV>; Contreras, Pedro <Pedro.Contreras@YAKIMAWA.GOV>; Cruz, Leovardo <Leovardo.Cruz@YAKIMAWA.GOV>; DeBusschere, Suzanne <suzanne.debusschere@yakimawa.gov>; Denman, Glenn <Glenn.Denman@yakimawa.gov>; Hopkins, Christopher <Christopher.Hopkins@yakimawa.gov>; Kallevig, Dana <Dana.Kallevig@yakimawa.gov>; Kuntz, Linda <Linda.Kuntz@yakimawa.gov>; Layman, Randy <Randy.Layman@yakimawa.gov>; Martin, Trevor <Trevor.Martin@yakimawa.gov>; Maxey, Lisa <Lisa.Maxey@YAKIMAWA.GOV>; McPherson, Kirsten <Kirsten.McPherson@yakimawa.gov>; Meloy, Randy <Randy.Meloy@yakimawa.gov>; Redick, Chad <Chad.Redick@yakimawa.gov>; Rivera, Eva <Eva.Rivera@yakimawa.gov>; Schafer, Scott <Scott.Schafer@yakimawa.gov>; Story, Gregory <Gregory.Story@yakimawa.gov>; Tiliano, Daniel <Daniel.Tiliano@yakimawa.gov>; Trujillo, Michael <Michael.Trujillo@yakimawa.gov>; Watkins, Sara <Sara.Watkins@YAKIMAWA.GOV>; Zabell, John <John.Zabell@yakimawa.gov>; 'Ahtanum Irrigation District' <aidoffice@ahtanum.net>; 'aviationlanduse@wsdot.wa.gov' <aviationlanduse@wsdot.wa.gov>; Cavanaugh, Jason <Jason.Cavanaugh@uniongapwa.gov>; Cawley, Marc <Marc.Cawley@yakimawa.gov>; 'commissioners.web@co.yakima.wa.us' <commissioners.web@co.yakima.wa.us>; 'crosepacoordinator@ecy.wa.gov' <crosepacoordinator@ecy.wa.gov>; 'efsec@utc.wa.gov' <efsec@utc.wa.gov>; 'esanchey@yakama.com' <esanchey@yakama.com>; 'formerorchards@ecy.wa.gov' <formerorchards@ecy.wa.gov>; 'gonsetp@wsdot.wa.gov' <gonsetp@wsdot.wa.gov>; Gregg Kiona - Yakama Nation <Gregg_Kiona@Yakama.com>; Ian Gray - Yakama Nation <Ian_Gray@Yakama.com>; 'info@yakimavalleytrolleys.org' <info@yakimavalleytrolleys.org>; 'j.shah@dfw.wa.gov' <j.shah@dfw.wa.gov>; 'Jack Wells - Yakima County Water Resources' <jack.wells@co.yakima.wa.us>; 'jamie.gardipe@doh.wa.gov' <jamie.gardipe@doh.wa.gov>; Jessica Lally - Yakama Nation <Jessica_Lally@Yakama.com>; 'jmarvin@yakama.com' <jmarvin@yakama.com>; 'kellie@yakimagreenway.org' <kellie@yakimagreenway.org>; 'kelly.cooper@doh.wa.gov' <kelly.cooper@doh.wa.gov>; 'kmclain@agr.wa.gov' <kmclain@agr.wa.gov>; 'konner@yakimagreenway.org' <konner@yakimagreenway.org>; 'kristi@yakima.org' <kristi@yakima.org>; 'larry.covey@dshs.wa.gov' <larry.covey@dshs.wa.gov>; 'liliana.rojas@bia.gov' <liliana.rojas@bia.gov>; Linos, Irene <Irene.Linos@yakimawa.gov>; 'liz@yvmuseum.org' <liz@yvmuseum.org>; 'marj@yakamafish-nsn.gov' <marj@yakamafish-nsn.gov>; 'mark.lanter@wasteconnections.com' <mark.lanter@wasteconnections.com>; 'martym@orfh.org' <martym@orfh.org>; 'Naches Cowiche Canal Association' <nachescowichecanal@gmail.com>; 'Nellie Soptich - Yakima County Water Resources' <Nellie.Soptich@co.yakima.wa.us>; 'r3planning@dfw.wa.gov' <r3planning@dfw.wa.gov>; 'reviewteam@commerce.wa.gov' <reviewteam@commerce.wa.gov>; 'rocco.clark@bia.gov' <rocco.clark@bia.gov>; 'ryan.ibach@co.yakima.wa.us' <ryan.ibach@co.yakima.wa.us>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; 'sepa.reviewteam@doh.wa.gov' <sepa.reviewteam@doh.wa.gov>; 'sepa@dahp.wa.gov' <sepa@dahp.wa.gov>; 'sepa@parks.wa.gov' <sepa@parks.wa.gov>; 'sepacenter@dnr.wa.gov' <sepacenter@dnr.wa.gov>; 'sepaunit@ecy.wa.gov' <sepaunit@ecy.wa.gov>; 'teamyakima@dfw.wa.gov'

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Subject: NTC OF YPC REC - CITY OF YAKIMA PERIODIC UPDATE 2025-2026 - PRJ#001-26, SEPA#017-26

Good afternoon,

Attached is a Notice of the Yakima Planning Commission's Recommendation regarding the above-entitled project. If you have any questions about this proposal, please contact Planning Manager Trevor Martin at trevor.martin@yakimawa.gov.

Thank you!

Eva Rivera
Planning Technician
Phone: 509-575-6261
eva.rivera@yakimawa.gov

This email is a public record of the City of Yakima and is subject to public disclosure unless exempt under the Washington Public Records Act. This email is subject to the State Retention Schedule.

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COMMUNITY DEVELOPMENT DEPARTMENT
Bill Preston, P.E., Director

Trevor Martin, AICP, Manager
Planning Division
129 North Second Street, 2nd Floor Yakima, Washington 98901
Phone (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

NOTIFICATION OF THE YAKIMA PLANNING COMMISSION'S RECOMMENDATION TO THE YAKIMA CITY COUNCIL

DATE:	October 16, 2026
TO:	Parties of Record
SUBJECT:	Notice of the Yakima Planning Commission's Recommendation
FILE #(S):	PRJ#001-25, SEPA#017-26
APPLICANT:	City of Yakima Planning Division
PROJECT LOCATION:	Citywide

On October 15, 2026, the City of Yakima Planning Commission rendered its written recommendation on **PRJ#001-25, SEPA#017-26.** Updating the City's Comprehensive Plan 2050 as required by the Growth Management Act.

A copy of the Planning Commission's Findings and Recommendation is enclosed.

The Planning Commission's Recommendation will be considered by the Yakima City Council in a public hearing to be scheduled. The City Clerk will notify you of the date, time, and place of the public hearing.

For further information or assistance, you may contact the City of Yakima Planning Division at (509) 575-6183 or email: ask.planning@yakimawa.gov

Eva Rivera
Planning Technician

Date of Mailing: **October 16, 2026**
Enclosures: Planning Commission's Recommendation

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Yakima 2015 1994

City of Yakima
Yakima Planning Commission Hearing
City Hall Council Chambers

DOC. INDEX # C3

HEARING DATE: Wednesday, October 14, 2026

PUBLIC HEARINGS:

A. PRJ#001-25, SEPA#017-26 - CITY OF YAKIMA PERIODIC UPDATE 2025-2026

NAME	ADDRESS	ZIP CODE	E-MAIL ADDRESS
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JIM MCAD	6515 APPLE VIEW WAY YAKIMA 98908		JAMES.MCAD0501@GMAIL.COM
Aileen Kane	118 N 6th Ave #115 Yak	98902	
~~Gavin Holt~~	~~418 N 62nd Ave~~	~~98908~~	~~gholt418@gmail.com~~
[redacted]			
Dianna Woods	504 N. 42nd Ave Yak.	98908	dlwood@rmwinfo.net
Bill Jacobs	1207 S 45th Ave	98908	billjacobs98908@yahoo.com
Sandy Braden	3701 Gunclub Rd. #55	98908	Sbraden09@gmail.com
Lyle Erlewine	1300 S. 91st Ave, Yakima	98908	Lyleerlewine@gmail.com
Cindy Olivas			
Jeanna Hernandez	Yakima		

DEPARTMENT OF COMMUNITY DEVELOPMENT
Bill Preston, P.E., Director

Trevor Martin, AICP, Manager
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Phone (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

CITY OF YAKIMA PLANNING COMMISSION
Yakima City Hall Council Chambers
129 N 2nd Street, Yakima, WA 98901

October 14, 2026
3:00 p.m. – 5:00 p.m.

YPC MEMBERS:
Chair Charles Hitchcock, Vice-Chair Kevin Rangel, Jeff Baker, James Conright, Eduardo Davila-Verdin, Anne Knapp, Tanya Knickerbocker, Leanne Liddicoat, Colleda Monick, Philip Ostriem, and Shelley White
City Council Liaison: Matt Brown, Felisa Gonzalez

CITY PLANNING STAFF:
Bill Preston (Community Development Director), Lisa Maxey (Admin. Assistant), Trevor Martin (Planning Manager), Eric Crowell (Senior Planner), Jason Radtke (Senior Planner), Connor Kennedy (Associate Planner), Eva Rivera (Planning Technician)

AGENDA

I. **Call to Order**
II. **Roll Call**
III. **Staff Announcements**
IV. **Approval of Minutes – August 26 and September 9, 2026, Meetings**
V. **Public Comment**
VI. **Public Hearing -**

Applicant & File No.: –City of Yakima - PRJ#001-25, SEPA#017-26

VII. **Other Business**
VIII. **YPC Meeting Recap**
IX. **Adjourn**

Next Meeting: October 28, 2026

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The meeting will also be recorded and posted on the Y-PAC website.
Visit the Yakima Planning Commission webpage for more information, including agenda packets and minutes.

Yakima Planning Commission - Agenda & Packet Distribution List

CITY PLANNING - YMC TITLE 15
PRJ#001-25, SEPA#017-26

AGENDA PACKET: YPC MEMBERS, STAFF & APPLICANT/REPRESENTATIVE/OWNER

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Trevor Martin (Planning)	trevor.martin@yakimawa.gov
Michael Brown (YPAC)	michael.brown@yakimawa.gov
Kevin Rangel (YPC Vice-Chair)	rangelestates@outlook.com
Bill Preston (Com Dev)	Bill.preston@yakimawa.gov
Lisa Maxey (Com Dev)	lisa.maxey@yakimawa.gov
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Leanne Liddicoat (YPC)	leanne@3dyakima.com
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Felisa Gonzalez (Council Liaison)	felisa.gonzalez@yakimawa.gov
Eva Rivera (Planning)	eva.rivera@yakimawa.gov

AGENDA ONLY: PARTIES OF RECORD/INTERESTED PARTIES

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James Carmody		230 S 2nd St, Ste 101 Yakima WA 98901

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AFFIDAVIT OF MAILING

STATE OF WASHINGTON

CITY OF YAKIMA

RE: PRJ#001-25, SEPA#017-26
CITY OF YAKIMA PERIODIC UPDATE 2025-2026
Citywide

I, Eva Rivera, as an employee of the City of Yakima Planning Division, have dispatched through the United States Mails, a **Notice of Application, Environmental Review, Public Hearing & DNS,** a true and correct copy of which is enclosed herewith; that said notice was addressed to the SEPA reviewing agencies; that said parties are individually listed on the mailing list retained by the Planning Division, and that said notices were mailed by me on the **24th** day of **September 2026.**

That I mailed said notices in the manner herein set forth and that all of the statements made herein are just and true.

Eva Rivera
Planning Technician

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Ahtanum Irrigation District
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Yakima, WA 98903-9203
aidoffice@ahtanum.net

Cascade Natural Gas
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Kennewick, WA 99336

Century Link
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Yakima, WA 98902

Charter Communications
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C-1c

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Toppenish, WA 98948

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Sandra Hull
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Yakima, WA 98908

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Gregg_Kiona@Yakama.com

YVCOG
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Yakima, WA 98902

SEPA REVIEIWNG AGENCIES
_UPDATED 09/10/2026

Type of Notice: ~~SEPA#017-26, PRJ#00125~~ NTC of APP, SEPA Hearing
File Number: DNS - Determination of Nonsignificance
Date of Mailing: 09/24/2026

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C-1c

In-House Distribution E-mail List		Revised 09/08/2026
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Pedro Contreras	Code Administration	Pedro.Contreras@yakimawa.gov
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Sara Watkins	Legal	Sara.Watkins@yakimawa.gov.
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Randy Layman	Refuse	Randy.Layman@yakimawa.gov
Gregory Story	Transit	Gregory.Story@yakimawa.gov
Anabel Chavez	Utilities	anabel.chavez@yakimawa.gov
Dana Kallevig	Wastewater	Dana.Kallevig@yakimawa.gov
Randy Meloy	Wastewater	Randy.Meloy@yakimawa.gov
Daniel Tiliano	Water/Irrigation	Daniel.Tiliano@yakimawa.gov
Chris Redick	Water/Irrigation	Chris.redick@yakimawa.gov
Chris Kohler	GIS	Chris.kohler@yakimawa.gov

Outside Distribution		
Name	**Address**	**Notified?**
(Subdivision notices ONLY) Pacific Power Attn: Estimating Department	500 N Keys Rd, Yakima, WA 98901	☐ Yes ☒ No
(Projects Adjacent to BNSF Right of Way ONLY) Central Washington Railroad	111 University Parkway, Suite 200 Yakima, WA 98901 (509) 453-9166	☐ Yes ☒ No
	Tim Marshall, General Manager, tmarshall@cbrr.com Kim Yeager, Real Estate Manager, kyeager@ihdllc.com	☐ E-mail
(Shoreline notices ONLY) Department of Ecology	crosepa@ecy.wa.gov	☐ E-mail

Additional Parties of Record or Interested Parties Notified		
Name	**Address**	**E-mail**

Type of Notice: Notice of Application, SEPA Hearing & DNS

File Number(s): PRJ#001.25, SEPA#017.26

Date of Mailing: 09/24/2026

DOC. INDEX # C-1c

Rivera, Eva

From: NoReply@ecy.wa.gov
Sent: Thursday, September 24, 2026 4:18 PM
To: Ask Planning
Subject: Your SEPA Record Has Been Submitted!

The Department of Ecology has received a new SEPA record from Yakima City at Yakima City of with a File Number of: SEPA#017-26, PRJ#001-25.
Your record is being reviewed by an administrator.

From: Yakima City
Email: ask.planning@yakimawa.gov
Phone number: (509) 575-6261

DOC. INDEX #
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Rivera, Eva

From: Rivera, Eva
Sent: Friday, September 25, 2026 8:40 AM
To: Bonds Jr., Randy; Boyle, Shawn; Chavez, Anabel; Contreras, Pedro; Cruz, Leovardo; DeBusschere, Suzanne; Denman, Glenn; Hopkins, Christopher; Kallevig, Dana; Kohler, Chris; Kuntz, Linda; Layman, Randy; Martin, Trevor; Maxey, Lisa; McPherson, Kirsten; Meloy, Randy; Redick, Chad; Rivera, Eva; Schafer, Scott; Story, Gregory; Tiliano, Daniel; Trujillo, Michael; Watkins, Sara; Zabell, John; Brown, Michael; El Sol de Yakima; KAPP TV News; KDNA Radio - Francisco Rios; KEPR TV News; KIMA TV News; KIT/KATS/DMVW/KFFM - REESHA COSBY; KNDO TV News; KNDU TV News; KVEW TV News; La Casa Hogar; La Voz; Lozano, Bonnie; NWPR - Anna King; RCDR - Maria DJ Rodriguez; Tu Decides - Albert Torres; Yakima Herald - Business; Yakima Herald Republic Newspaper; Yakima School District; Yakima Valley Business Times; YPAC - Randy Beehler; Ahtanum Irrigation District; aviationlanduse@wsdot.wa.gov; Cavanaugh, Jason; Cawley, Marc; commissioners.web@co.yakima.wa.us; crosepacoordinator@ecy.wa.gov; efsec@utc.wa.gov; esanchey@yakama.com; formerorchards@ecy.wa.gov; gonsetp@wsdot.wa.gov; Gregg Kiona - Yakama Nation; Ian Gray - Yakama Nation; info@yakimavalleytrolleys.org; j.shah@dfw.wa.gov; Jack Wells - Yakima County Water Resources; jamie.gardipe@doh.wa.gov; Jessica Lally - Yakama Nation; jmarvin@yakama.com; kellie@yakimagreenway.org; kelly.cooper@doh.wa.gov; kmclain@agr.wa.gov; konner@yakimagreenway.org; kristi@yakima.org; larry.covey@dshs.wa.gov; liliana.rojas@bia.gov; Linos, Irene; liz@yvmuseum.org; marj@yakamafish-nsn.gov; mark.lanter@wasteconnections.com; martym@orfh.org; Naches Cowiche Canal Association; Nellie Soptich - Yakima County Water Resources; r3planning@dfw.wa.gov; reviewteam@commerce.wa.gov; rocco.clark@bia.gov; ryan.ibach@co.yakima.wa.us; scott.downes@dfw.wa.gov; scplanning@wsdot.wa.gov; sepa.reviewteam@doh.wa.gov; sepa@dahp.wa.gov; sepa@parks.wa.gov; sepacenter@dnr.wa.gov; sepaunit@ecy.wa.gov; teamyakima@dfw.wa.gov; United States Postal Service - David James; WA State Dept Ecology - Lori White; West Valley School District - Peter Finch; Yakima County Building Dept - Marivel Garcia; Yakima County Planning Division - Jason Earles; Yakima County Planning Division - Thomas Carroll; Yakima County Public Services David Haws; Yakima County Water Resources Div - Troy Havens; Yakima School District - Trevor Greene; yhd@co.yakima.wa.us; YRCAA; Anne Knapp; Baker, Jeff; Brown, Matt; Charles Hitchcock ; Colleda Monick; Davila-Verdin, Eduardo; Gonzalez, Felisa; James Conright; Kevin Rangel; Martin, Trevor; Maxey, Lisa; Philip Ostriem (philipostriem@johnlscott.com); Shelley White; Tanya Knickerbocker; Watkins, Sara
Subject: NTC OF APP, ENVIRO REV, HEARING & DNS - CITY OF YAKIMA PERIODIC UPDATE 2025-2026 - PRJ#001-26, SEPA#017-26
Attachments: SEPA Checklist Yakima_COMP_PLAN.pdf; DNS_SEPA#017-26.pdf; NTC OF HEARING & DNS_PRJ#001-26.pdf

Good morning

Please see attached it should have read: **Notice of Application, Environmental Review, Hearing & DNS**

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C-10

From: Rivera, Eva
Sent: Thursday, September 24, 2026 2:49 PM
To: Bonds Jr., Randy <randy.bonds@yakimawa.gov>; Boyle, Shawn <Shawn.Boyle@yakimawa.gov>; Chavez, Anabel <Anabel.Chavez@YAKIMAWA.GOV>; Contreras, Pedro <Pedro.Contreras@YAKIMAWA.GOV>; Cruz, Leovardo <Leovardo.Cruz@YAKIMAWA.GOV>; DeBusschere, Suzanne <suzanne.debusschere@yakimawa.gov>; Denman, Glenn <Glenn.Denman@yakimawa.gov>; Hopkins, Christopher <Christopher.Hopkins@yakimawa.gov>; Kallevig, Dana <Dana.Kallevig@yakimawa.gov>; Kohler, Chris <Chris.Kohler@yakimawa.gov>; Kuntz, Linda <Linda.Kuntz@yakimawa.gov>; Layman, Randy <Randy.Layman@yakimawa.gov>; Martin, Trevor <Trevor.Martin@yakimawa.gov>; Maxey, Lisa <Lisa.Maxey@YAKIMAWA.GOV>; McPherson, Kirsten <Kirsten.McPherson@yakimawa.gov>; Meloy, Randy <Randy.Meloy@yakimawa.gov>; Redick, Chad <Chad.Redick@yakimawa.gov>; Rivera, Eva <Eva.Rivera@yakimawa.gov>; Schafer, Scott <Scott.Schafer@yakimawa.gov>; Story, Gregory <Gregory.Story@yakimawa.gov>; Tiliano, Daniel <Daniel.Tiliano@yakimawa.gov>; Trujillo, Michael <Michael.Trujillo@yakimawa.gov>; 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'yhd@co.yakima.wa.us' <yhd@co.yakima.wa.us>; YRCAA <admin@yrcaa.org>; Brown, Michael <Michael.Brown@yakimawa.gov>; 'El Sol de Yakima' <gibanez@yakimaherald.com>; 'KAPP TV News' <kappnews@kapptv.com>; 'KDNA Radio - Francisco Rios' <frios@kdna.org>; 'KEPR TV News' <newsroom@keprtv.com>; 'KIMA TV News' <tips@kimatv.com>; KIT/KATS/DMVW/KFFM - REESHA COSBY <reesha.cosby@townsquaremedia.com>; 'KNDO TV News' <news@kndo.com>; 'KNDU TV News' <news@kndu.com>; 'KVEW TV News' <kvewnews@kvewtv.com>; 'La Casa Hogar' <info@lacasahogar.org>; 'La Voz' <lavoznewspaper@gmail.com>; Lozano, Bonnie <Bonnie.Lozano@yakimawa.gov>; 'NWPR - Anna King' <aking@wsu.edu>; 'RCDR - Maria DJ Rodriguez' <mdjrodriguez@rcdr.biz>; 'Tu Decides - Albert Torres' <albert@tudecidesmedia.com>; 'Yakima Herald - Business' <business@yakimaherald.com>; 'Yakima Herald Republic Newspaper' <news@yakimaherald.com>; 'Yakima Valley

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Business Times' <news@yvpub.com>; 'YPAC - Randy Beehler' <rbeehler@ci.yakima.wa.us>; Anne Knapp <akaknapkin@yahoo.com>; Baker, Jeff <jbakersauto@gmail.com>; Brown, Matt <Matt.Brown@yakimawa.gov>; Charles Hitchcock <charlesphitchcock@gmail.com>; 'Colleda Monick' <colledamonick@gmail.com>; 'Davila-Verdin, Eduardo' <eddie230473@gmail.com>; Gonzalez, Felisa <Felisa.Gonzalez@yakimawa.gov>; James Conright <jconright@gmail.com>; 'Kevin Rangel' <rangelestates@outlook.com>; 'Martin, Trevor' <Trevor.Martin@yakimawa.gov>; 'Maxey, Lisa' <Lisa.Maxey@YAKIMAWA.GOV>; Philip Ostriem (philipostriem@johnlscott.com) <philipostriem@johnlscott.com>; Shelley White <ShelleyW@johnlscott.com>; 'Tanya Knickerbocker' <knickerb@gmail.com>; 'Watkins, Sara' <sara.watkins@yakimawa.gov>
Subject: NTC OF HEARING & DNS - CITY OF YAKIMA PERIODIC UPDATE 2025-2026 - PRJ#001-26, SEPA#017-26

Good afternoon,

Attached is a Notice of Hearing & Determination of Non-Significance regarding the above-entitled project. If you have any questions about this proposal, please contact Planning Manager Trevor Martin at trevor.martin@yakimawa.gov.

Thank you!

Eva Rivera
Planning Technician
Phone: 509-575-6261
eva.rivera@yakimawa.gov

This email is a public record of the City of Yakima and is subject to public disclosure unless exempt under the Washington Public Records Act. This email is subject to the State Retention Schedule.

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C-1b

YAKIMA HERALD-REPUBLIC WE TELL YOUR STORIES YAKIMAHERALD.COM El Sol de Yakima

AFFIDAVIT OF PUBLICATION

Eva Rivera
City Of Yakima Planning
129 N 2nd Street
Yakima WA 98901

RECEIVED
SEP 28 2026
FINANCE DEPT

STATE OF WASHINGTON, COUNTIES OF YAKIMA

The undersigned, on oath states that he/she is an authorized representative of Yakima Herald-Republic, Inc., publisher of Yakima Herald-Republic and El Sol de Yakima, of general circulation published daily in Yakima County, State of Washington. Yakima Herald-Republic and El Sol de Yakima have been approved as legal newspapers by orders of the Superior Court of Yakima County.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

09/24/2026

Agent Hank Bir Signature Hank Bir

Subscribed and sworn to before me on 09/24/2026

Debbie Collantes

Debbie Collantes

(Notary Signature) Notary Public in and for the State of Washington, residing at Yakima

Publication Cost:	$259.00
Order No:	120098
Customer No:	23222
PO #:	

DEBBIE COLLANTES
Notary Public
State of Washington
Commission # 197558
My Comm. Expires Feb 15, 2030

DOC. INDEX # C-1a

Publication Cost:	$259.00
Order No:	120098
Customer No:	23222
PO #:	

NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, & PUBLIC HEARING

DATE: September 24, 2026 **TO:** SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Bill Preston, Community Development Director
APPLICANT: City of Yakima Planning Division (129 N. 2nd St., Yakima, WA 98901) **FILE NUMBER:** PRJ#001-25 & SEPA#017-26 **LOCATION:** Citywide **TAX PARCEL NUMBER(S):** N/A **DATE OF APPLICATION:** March 12, 2025
PROJECT DESCRIPTION The City of Yakima Planning Division is proposing minor amendments to the City of Yakima's Comprehensive Plan, specifically amending policy and goal language for the following: Implementing language regarding climate resiliency throughout the plan; updating goals and policies in the Housing Element; updating the transportation elements; and updating statistical background information in the Housing, Land Use, and Transportation in the Technical Analysis. **NOTICE OF ENVIRONMENTAL REVIEW** This is to notify all the public and private agencies with jurisdiction and environmental expertise that the City of Yakima Planning Division has been established as the lead agency, pursuant to the Washington State Environmental Policy Act (SEPA) for the above stated project. **The City of Yakima has reviewed the application and expects to issue a Determination of Non-Significance (DNS) on this project.** WAC 197-11-340 is being used. The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: No impacts identified. **Required Permits:** The following local, state, and federal permits/approvals may or will be needed for this project: None **Required Studies:** N/A **Existing Environmental Documents:** Comprehensive Plan 2040 – Final Supplemental Environmental Impact Statement (June 13, 2017) **Preliminary determination of the development regulations that will be used for project mitigation and consistency:** Future projects will require compliance with the International Building Code, City of Yakima Urban Area Zoning Ordinance, City of Yakima Comprehensive Plan and City of Yakima Title 12 Development Standards. **REQUEST FOR WRITTEN COMMENT AND NOTICE OF PUBLIC HEARING** The public is encouraged to review and comment on the proposed application. Written comments may be submitted prior to or at the public hearing. The public hearing before the City of Yakima Planning Commission has been scheduled for Wednesday, **October 14, 2026**, beginning at **3:00 p.m.** in the Council Chambers – 129 N 2nd St, Yakima WA, 98901. Any person desiring to express their views on this matter is invited to attend the public hearing or to submit their written comments to: City of Yakima, Planning Division, 129 N 2nd St., Yakima, WA 98901. **A separate public notice will be provided for the public hearing before the Yakima City Council.** You can mail your comments to: **Trevor Martin, AICP, Planning Manager, City of Yakima, Department of Community Development, 129 N. 2nd St.; Yakima, WA 98901** **NOTICE OF RECOMMENDATION** Following the public hearing, the Planning Commission will issue its recommendation within ten (10) business days. When available, a copy of the recommendation will be mailed to parties of record and entities who were provided this notice once it is rendered. The file containing the complete application is available for public inspection at the Yakima City Planning Office at 129 North 2nd Street, Yakima, WA, and online at https://www.yakimawa.gov/services/planning/cpas/ The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 North 2nd Street, Yakima, Washington. If you have questions regarding this proposal, please call Trevor Martin, AICP, Planning Manager, at (509) 575-6042, or e-mail to trevor.martin@yakimawa.gov.

(120098) September 24, 2026

DOC. INDEX #

GA

NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, & PUBLIC HEARING

DATE: September 24, 2026 **TO:** SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Bill Preston, Community Development Director
APPLICANT: City of Yakima Planning Division (129 N. 2nd St., Yakima, WA 98901) **FILE NUMBER:** PRJ#001-25 & SEPA#017-26 **LOCATION:** Citywide **TAX PARCEL NUMBER(S):** N/A **DATE OF APPLICATION:** March 12, 2025
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(120098) September 24, 2026

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C-1a

COMMUNITY DEVELOPMENT DEPARTMENT
Bill Preston, P.E., Director

Trevor Martin, AICP, Manager
Planning Division
129 North Second Street, 2nd Floor Yakima, Washington 98901
Phone (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, & PUBLIC HEARING

DATE:	September 24, 2026
TO:	SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM:	Bill Preston, Community Development Director
APPLICANT:	City of Yakima Planning Division (129 N. 2nd St., Yakima, WA 98901)
FILE NUMBER:	PRJ#001-25 & SEPA#017-26
LOCATION:	Citywide
TAX PARCEL NUMBER(S):	N/A
DATE OF APPLICATION:	March 12, 2025

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Required Studies: N/A
Existing Environmental Documents: Comprehensive Plan 2040 – Final Supplemental Environmental Impact Statement (June 13, 2017)

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Trevor Martin, AICP, Planning Manager
City of Yakima, Department of Community Development
129 N. 2nd St.; Yakima, WA 98901

NOTICE OF RECOMMENDATION Following the public hearing, the Planning Commission will issue its recommendation within ten (10) business days. When available, a copy of the recommendation will be mailed to parties of record and entities who were provided this notice once it is rendered.

Yakima 2015 1994

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DEPARTAMENTO DE DESARROLLO COMUNITARIO
Bill Preston, P.E., Director

Trevor Martin, AICP, Gerente
Division de Planificación
129 Norte Calle 2ª, 2º Piso, Yakima, WA 98901
Tel. (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

AVISO DE APPLICACION, REVISION AMBIENTAL, Y AUDIENCIA PUBLICA

El Departamento de Desarrollo Comunitario de la Ciudad de Yakima ha recibido una aplicación por parte de un propietario/solicitante y este es un aviso sobre esa solicitud. Información sobre la ubicación de la propiedad en cuestión y la solicitud es la siguiente:

FECHA OTORGADA:	24 de septiembre, 2026
PARA:	Agencias de Revisión Ambiental
DE:	Bill Preston, Director de Desarrollo Comunitario
No. DE ARCHIVO Y SOLICITANTE:	City of Yakima Planning Division (129 N. 2nd St., Yakima, WA 98901) PRJ#001-25, SEPA#017-26
UBICACIÓN:	En toda la ciudad
No. DE PARCELA(S):	N/A
FECHA DE APLICACIÓN:	12 de marzo, 2025

DESCRIPCIÓN DEL PROYECTO: La División de Planificación de la ciudad de Yakima propone modificaciones pequeñas al Plan Integral de la ciudad de Yakima, específicamente cambios en la lenguaje de las políticas y los objetivos en los siguientes aspectos: incorporar referencias a la resiliencia climática en todo el plan; actualizar los objetivos y las políticas del elemento de vivienda; actualizar los elementos de transporte; y actualizar la información estadística de referencia sobre vivienda, uso del suelo y transporte en el análisis técnico.

AVISO DE REVISIÓN AMBIENTAL: Esto es para notificar a las agencias con jurisdicción y experiencia ambiental y al público que la Ciudad de Yakima, Division de Planificación, se establece como la agencia principal, de acuerdo con la Ley Estatal de Política Ambiental de Washington (SEPA) para la revisión de este proyecto. La Ciudad de Yakima ha revisado el proyecto y espera emitir una Determinación de No-Significancia (DNS) para este proyecto conforme al proceso DNS opcional en WAC § 197-11-340. Se han identificado las siguientes condiciones que podrían utilizarse para mitigar los impactos ambientales adversos de la propuesta: No se han identificado impactos.

Permisos Requeridos: Los siguientes permisos/aprobaciones locales, estatales, y federales pueden o serán necesarios para este proyecto: Ninguno
Estudios Requeridos: N/A
Documentos Ambientales Existentes: Plan Integral 2040 – Declaración de Impacto Medioambiental Complementaria Definitiva (13 de junio de 2017)
Los Reglamentos de Desarrollo para la Mitigación y Consistencia de Proyectos Incluyen: Los proyectos futuros deberán cumplir con el Código Internacional de Construcción, la Ordenanza de Zonificación del Área Urbana de la ciudad de Yakima, el Plan Integral de la ciudad de Yakima y las Normas de Desarrollo del Título 12 de la ciudad de Yakima.

SOLICITUD DE COMENTARIOS POR ESCRITO Y AVISO DE AUDIENCIA PÚBLICA: Se anima al público a revisar y formular comentarios sobre la solicitud propuesta. Los comentarios por escrito pueden presentarse antes de la audiencia pública o durante la misma. La audiencia pública ante la Comisión de Planificación de la ciudad de Yakima está programada para el miércoles **14 de octubre de 2026**, a partir de las 3:00 pm, en la Sala del Consejo —129 N 2nd St, Yakima, WA, 98901—. Se invita a cualquier persona que desee expresar su opinión sobre este asunto a asistir a la audiencia pública o a enviar sus comentarios por escrito a: Ciudad de Yakima, División de Urbanismo, 129 N 2nd St., Yakima, WA 98901. **Se publicará un aviso público independiente para la audiencia pública ante el Ayuntamiento de Yakima**. Puede enviar sus comentarios por correo postal a:

Trevor Martin, AICP, Planning Manager

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Yakima 2015 1994

COMMUNITY DEVELOPMENT DEPARTMENT
Bill Preston, P.E., Director

Trevor Martin, AICP, Manager
Planning Division
129 North Second Street, 2nd Floor Yakima, Washington 98901
Phone (509) 575-6183 • Fax (509) 575-6105 • Email: ask.planning@yakimawa.gov

WASHINGTON STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE
CITY OF YAKIMA, WASHINGTON
September 24, 2026

PROJECT DESCRIPTION: The City of Yakima Planning Division is proposing minor amendments to the City of Yakima's Comprehensive Plan, specifically amending policy and goal language for the following: Implementing language regarding climate resiliency throughout the plan; updating goals and policies in the Housing Element; updating the transportation elements; and updating statistical background information in the Housing, Land Use, and Transportation in the Technical Analysis.

LOCATION:	City Limits
PARCEL NUMBERS:	N/A
PROPONENT:	City of Yakima Planning Division
PROPERTY OWNERS:	N/A
LEAD AGENCY:	City of Yakima

FILE NUMBERS: PRJ#001-25 & SEPA#017-26

DETERMINATION: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This information is available to the public on request. Project materials including the application, any staff reports, and other studies related to the permits are available online at https://www.yakimawa.gov/services/planning/cpas/ , or by contacting the planning department at ask.planning@yakimawa.gov or (509) 575-6183 for further information. The project planner is Trevor Martin, who may be contacted at (509) 575-6042 for further information.

☒ This DNS is issued after using the DNS process in WAC 197-11-340. The lead agency will not act on this proposal for 14 days from the date of preliminary threshold determination. **All comments must be submitted by 5:00pm on October 8, 2026.**

Responsible Official:	Bill Preston
Position/Title:	SEPA Responsible Official
Phone	(509) 575-6183
Address:	129 N. 2nd Street, Yakima, WA 98901

Date September 24, 2026 **Signature** _____

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C.1

CITY OF YAKIMA PERIODIC UPDATE 2025-2026
PRJ#001-25, SEPA#017-26

EXHIBIT LIST

CHAPTER D
Comments

DOC INDEX #	DOCUMENT	DATE
D-1	Comment from Washington State Dept. of Natural Resources	10/05/2026
D-2	Comment from Dept. of Fish & Wildlife	10/02/2026
D-3	Comment from Yakima Taxpayer • James Carmody Comment at City Council Meeting 07/07/2026	10/08/2026
D-4	Comment from Ray Paolella	10/08/2026
D-5	Comment from Joye Redfield	10/12/2026
D-6	Comment from Kris Hunziker	10/14/2026
D-7	Comment from Bill Jacobs	10/14/2026
D-8	Comment from 350 Climate Action	10/14/2026
D-9	2nd Commnt from Yakima Taxpayer	10/14/2026
D-10	3rd Comment from Yakima Taxpayer	10/14/2026
D-11	2nd Comment from Ray Paolella	10/14/2026
D-12	3rd Comment from Ray Paolella	10/14/2026
D-13	2nd Comment from 350 Climate Action	10/15/2026
D-14	4th Comment from Ray Paolella	10/15/2026
D-15	5th Comment from Ray Paolella	10/15/2026
D-16	6th Comment from Ray Paolella	10/16/2026
D-17	Comment from Andrew Whitmont	10/16/2026

Rivera, Eva

From: Martin, Trevor
Sent: Friday, October 16, 2026 2:06 PM
To: Rivera, Eva
Subject: FW: Revised Notice of Public Hearing

Can you please add to comments? Thank you

From: Andrew D. Whitmont <yakpsyche@gmail.com>
Sent: Friday, October 16, 2026 1:19 PM
To: Martin, Trevor <Trevor.Martin@yakimawa.gov>
Subject: Revised Notice of Public Hearing

Please issue a revised notice of public Hearing for October 28, 2026 and extend the Public Comment period on both the Comprehensive Plan Climate Resiliency Subelement and SEPA to the October 28 planning meeting.
Yours,
Andrew D. Whitmont
Resident of Yakima

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D-17

Rivera, Eva

From:	Ray Paolella <rlpaolella@gmail.com>
Sent:	Friday, October 16, 2026 11:06 AM
To:	Martin, Trevor
Cc:	Ask Planning
Subject:	Re: Yakima Comprehensive Plan Update and SEPA
Attachments:	WOD Trail Grant Programs.pdf; YHD BRIC Funding Request.pdf; Award Letter WODT.pdf

Good Morning Trevor:

As a followup message, can you please include the William O. Douglas Trail in the Parks and Recreation Element, page 9-8, second paragraph:

> "Increased access to existing trail systems, such as the Yakima Greenway, William O. Douglas Trail, and Powerhouse Canal Pathway, is also a priority."

And it would be helpful to include the map: http://williamodouglastrail.org/Maps/williamodouglastrail.pdf

Also, Page 6-22, Exhibit 6-6 Bicycle System Plan of the Transportation Plan should show the William O. Douglas Trail along North 6th Avenue, particularly the WOD Trail segment on the west side of 6th Avenue between "I" Street and the Naches River Pathway, which is heavily used by students of the Yakima School District (see attached Building Resilient Inclusive Communities Program). This segment of the WOD Trail was constructed by the City in 2010 using state and federal grant funds (see attached Bid Documents cover page and grant programs).

D 16

2010 -004

Construction Contract Specif
Bid Documents

Bid Opening:
2.3.2010

Time:
2:00 PM

Location:
City of Yakima - Council Chambers



William O. Douglas Trail Enhan

6th Avenue - 'I' Street to the Naches Rive

City of Yakima - Engineering

City of Yakima No. 2166
Federal Aid No. STPE-1485(02

January 2010

This project is an asphalt pedestrian pathway extends from the intersection of "I" Street an along the west side of 6th Avenue to the nort into the Yakima Greenway Path just north of

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D-16

Thank you,

Ray

On Oct 15, 2026, at 5:04 PM, Ray Paolella <rlpaolella@gmail.com> wrote:

Hi Trevor:

On behalf of the William O. Douglas Trail Foundation (WODTF) based in Yakima, WA, I ask that the City extend the public participation review and comment period until the October 28, 2026 Planning Commission meeting, regarding: (1) the *NEW* Comprehensive Plan 2025 Update on Climate Resiliency and Transportation elements and (2) SEPA Checklist and Proposed DNS.

In a long-standing partnership with the City of Yakima, the William O. Douglas Trail serves many people in the East Yakima Overburdened Community, as designated by the Washington State Department of Health. WODTF has received grant funding from federal, state, and local agencies to support healthy outdoor recreation opportunities and access to green space for residents in the East Yakima Overburdened Community. For example, see the attached grant award from the Yakima Health District under the BRIC program (Building Resilient Inclusive Communities).

Many hundreds of children living in East Yakima use the William O. Douglas Trail on a daily basis to travel safely to and from school by foot or by bicycle. You can see this at Stanton Academy High School at the beginning and end of each school day.

WODTF also works closely with the Yakama Nation on enabling tribal access to Traditional Cultural Properties (TCP).

WODTF has been unable to effectively comment on the Climate Resiliency Element because the City did not disclose to the public the Climate Vulnerability Assessment Memo and Climate Element Crosswalk document. SEPA requires environmental full disclosure to the public. As of this morning, these important Climate documents were not on the City's designated public participation website.

Please include this email in the official record that goes to the Yakima City Council.

Thank you,

Raymond Paolella
WODTF President

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D-46

Grant Programs re
William O. Douglas Trail Project

Title	Lead Applicant	Project No	Agency	Funding Program	Award	Summary
William O. Douglas Trail Connections	City of Yakima	06-1851	Recreation and Conservation Office (RCO)	Washington Wildlife and Recreation Program (WWRP), Trails Category	$796,883	Acquisition of land to connect existing trail segments, construction of 6th Avenue and trolley bridge pathways, and placement of Cowiche Creek bridge
Cowiche Creek Protection and Restoration	Cowiche Canyon Conservancy	07-1598C	Salmon Recovery Funding Board (SRFB)	Salmon Program (administered by NOAA Fisheries)	$277,140	Acquisition and restoration of five parcels on Cowiche Creek
BNSF Bridge/ YVT Bridge Safety Fencing	City of Yakima		Washington Utilities and Transportation Commission (WUTC)	Grade Crossing Protective Fund	$20,000[1]	Fencing off Naches River trolley and railroad bridges
Yakima Valley Transportation Company Preservation Project	City of Yakima		Washington State Department of Transportation	SAFETEA-LU Enhancement	$495,592	Acquisition of trolley repair barn and substation, restoration of track and wire
Heritage Trails: Wiliam O. Douglas, Cowlitz, & Upper Nisqually Trails	City of Yakima		Washington State Department of Transportation	SAFETEA-LU Enhancement	$499,890	Research, signs, restoration of trolley bridge, acquisition of right-of-way
William O. Douglas Trail Enhancement	William O. Douglas Trail Foundation		Washington State Department of Transportation	SAFETEA-LU Enhancement	$582,047[2]	Construct pathway on 6th Avenue and trolley bridge
					$2,671,552	

[1] Award limit. No official award amount has been determined yet.

[2] From a publication of transportation enhancement awards in 2006 on WSDOT's web site. This total includes a March 8, 2006, grant award in the amount of $327,408 and a November 27, 2007, supplemental grant award of $254,639.

D-16

March 1, 2022

Lilian Bravo, Public Health Partnerships Coordinator
Yakima Health District
1210 Ahtanum Ridge Drive
Union Gap, WA 98903

RE: Building Resilient Inclusive Communities Funding Request

Dear Ms. Bravo:

I am writing on behalf of the William O. Douglas Trail Foundation (WODTF), a Washington non-profit 501(c)(3) organization, to request funding under the Building Resilient Inclusive Communities (BRIC) program to increase community access to nature and safe physical activity opportunities.

WODTF would like to request a total of $6,900.00 in BRIC funds. These funds will be used to enhance inclusive and equitable access to safe physical activity areas among disproportionately impacted, low-SES and communities of color in northeast Yakima by designing trail access improvements near 6th Avenue. The strategies to increase community access are described below, and the design tasks are specified in Attachment A: Budget.

The northeastern neighborhoods of Yakima are a significant "Overburdened Community" where vulnerable populations face combined, multiple environmental harms and health impacts. The State Department of Health has designated these overburdened neighborhoods as having high "Environmental Health Disparities," where communities of color and low-income populations are disproportionately affected by lack of access to safe physical activity areas and nature.

"Upstream" social, environmental, and institutional inequities can be the root cause of "downstream" chronic disease and increased rates of morbidity, especially in communities of color and among lower income populations that historically lacked adequate access to parks, green space, and healthy outdoor recreation opportunities. One key strategy for preventing and controlling chronic disease and reducing health inequities resulting from upstream factors can be to increase access to walking, biking, running, and experiencing nature close to home.

WODTF owns 70 acres of open space recreation lands on the north bank of the Naches River, including the William O. Douglas Hill Climb at Selah Gap. This area was used by U. S. Supreme Court Justice William O. Douglas (as a teenager) to strengthen his disease-weakened legs by regularly walking two miles from his northeast Yakima home, crossing the Naches River, and then hiking up Selah Ridge. His health improved greatly. As he grew stronger and matured, Douglas continued with regular physical activities close to his Yakima home, became a brilliant student, a lawyer and judge, and came close to becoming President of the United States.

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WODTF is working with the Cities of Yakima and Selah, and Yakima County, to create healthier neighborhoods by improving access to parks, open space, nature, and outdoor recreation areas close to where people live. Northeast Yakima residents could especially benefit from providing safe access to recreation opportunities along the Naches River and the William O. Douglas Hill Climb recreation lands at Selah Gap (see attached photo of Naches River Bridge with north bank recreation areas in background, together with a second photo of students who accessed this area from the Selah side).

WODTF seeks funding for engineering design and specifications for bridge decking and fencing on the Naches River Multi-Modal Bridge so northeast Yakima residents and students can walk, run, or bike north on the existing 6th Avenue pathway and safely cross the Naches River to access open space recreation areas at Selah Gap without relying on motor vehicle transportation. A licensed bridge and structural engineer will design this bridge walkway to meet and exceed all applicable safety standards and codes.

Thank you for your consideration.

Sincerely,

Raymond L. Paolella

Raymond L. Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907
(509) 594-6999

Attachment A: Budget

Description	Total
Engineering Services, Plans, and Specifications • Design pedestrian walkway on Naches River Bridge that meets and exceeds all applicable safety standards and codes. • Design ADA accessible ramp from existing Greenway Path.	$4,900
Wayfinding/Interpretive Signage • Design, fabricate, and install directional trail signs. • Design, fabricate, and install an informational sign about health benefits of hiking on William O. Douglas Trail.	$2,000

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D-16

Attachment B: Support Letters and Supplemental Information



Vision Statement:

"Beginning with the end in mind…"

Mission Statement:

Students, families, and staff working together towards graduation.

2015-2016 School Focus:

Literacy
Relationships
Collaboration

Dave Chaplin
Principal

Rod Bryant
Dean of Students



Stanton Academy

802 River Road • Yakima, WA 98902 • 573-1200

William O. Douglas Trail Foundation
4001 Summitview Avenue, Suite 5-45
Yakima, WA 98908

To whom it may concern:
I am currently the principal at Stanton Academy located on River Road to the west of 6th Avenue. We have direct access to the William O. Douglas Trail. Our students utilize the trail on a daily basis, coming to and departing school. A basic requirement for our students to graduate is the knowledge of United States History. What better opportunity than to explore the early life of one our Supreme Court Justices? The local effort to preserve this important part of history is a movement our students should be involved in.

During the 2015-2016 school year, we had one third of our students participate in an outdoor activity that spanned many content areas. In order to do this transportation, was a large detractor to planning. The activity included history, hiking, natural sciences, and sustaining nature. Having grown up in the area and hiked and biked in the proposed area, I personally support the project. To have access to an area such as the proposed Selah Ridge Area and the William O. Douglas hill climb would be a boon for us.

Our students get most of their experience of the city, state, and federal government through text or multimedia presentations. The opportunity to participate in this effort at whatever level will support their acquisition of local history, local government processes, and the federal court system. Students will have the chance to participate in the improvements in the city infrastructure along the route they travel on a daily basis.

As this effort progresses, I hope that we may participate in some way to help the project succeed. Stanton Academy has a strong sense of family. The values that this project is built upon is to bring a sense of community, history and pride which being a part of a family includes. These are a few of the reasons that I, as principal of Stanton Academy and an educator in the Yakima School District for 34 years can support this effort.

Sincerely,

David Chaplin
Principal

Yakima School District encourages workforce diversity and complies with all state and federal laws prohibiting unlawful discrimination.

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A.C. Davis High School
212 South 6th Avenue
Yakima, Washington 98902
509-573-2700

International Baccalaureate

Leadership Yakima
Greater Yakima Chamber of Commerce
P.O. Box 1490
Yakima, WA 98907

Dear Leadership Yakima Team:

I would like to write in support of the Naches River Bridge Walkway proposed by Leadership Yakima and the William O. Douglas Trail Foundation. The Yakima School District and the staff of A.C. Davis High School endeavor to provide the highest quality educational programs and leaning opportunities for our students. Part of the educational process is teaching students the significance of our heritage.

The William O. Douglas Trail presents an excellent opportunity to teach students about local history and the environment. Davis High School plays an important role at the start of this trail because Douglas attended and served on the faculty of this institution. Several teachers have guided students on interpretive hikes to the Selah Gap area. These treks have enabled us to integrate important aspects of natural history, literature, and social studies in a manner that is not always possible in the classroom. Many students learn best when the theories or concepts acquired in the classroom are linked to "hands on" or "on the ground" learning. The Selah Gap and Naches/Yakima Rivers Confluence Area possesses a rich storehouse of local history, natural history, and landforms within the urban area that enhance such learning.

Installation of a pedestrian walkway on the trolley bridge will enable students, faculty, and community members to access this important resource area at the confluence of the Yakima and Naches Rivers. We hope to see this project completed to promote these unique leaning opportunities and healthy outdoor activities for the community.

Sincerely,

Ben Ramirez, Principal
A.C. Davis High School

DOC. INDEX # D-16

WILLIAM O. DOUGLAS HERITAGE TRAIL

William O. Douglas grew up in Yakima, WA challenged by poverty and life-threatening illness. In a rags-to-riches story, Douglas overcame severe childhood disabilities, excelled academically, served prominently on the U.S. Supreme Court, and came close to becoming President of the United States.

William O. Douglas (born 1898) served on the U.S. Supreme Court from 1939 to 1975 — longer than any other justice in U.S. history. His father died when Douglas was 6 years old, and he was raised in Yakima by his mother. He graduated from North Yakima High School (valedictorian) in 1916 and attended Whitman College in Walla Walla from 1916-1920. He taught at Yakima High School for two years before jumping a train east to attend law school at Columbia, and thereafter became a law school professor at Columbia and Yale before being appointed in 1936 by President Franklin D. Roosevelt to the new Securities and Exchange Commission. FDR appointed him to the Supreme Court in 1939 to fill the seat of retiring Justice Louis Brandeis.

On the Supreme Court, Douglas became a staunch advocate of Equal Protection for minority people, of First Amendment rights of expression, assembly, and religion, and of privacy rights. His influence on our law continues to be strongly felt. He was an extremely important figure to Native Americans and a very effective champion of preserving wilderness all over the Nation. He was also a prolific author, writing dozens of books and hundreds of magazine articles about his adventure travels and outdoor recreation. Douglas narrowly missed being selected as FDR's Vice-President in 1944, which would have made him President upon FDR's death in April 1945.

As a child, Douglas nearly died after being stricken with polio and was left greatly weakened. In 1912 he decided to strengthen his legs by hiking north from his 5th Avenue house in Yakima up into the hills near Selah Gap. The cure worked -- growing ever bolder during his teenage years, he explored further into the tangled, rugged mountains of the Pacific Northwest, and ultimately journeyed east to New York and Washington, D.C.

Info: www.williamodouglastrail.org Email: williamodouglastrail@gmail.com

DOC. INDEX # D16

U. S. Supreme Court Justice William O. Douglas on Hiking and Botanizing at Selah Ridge

My love of the mountains, my interest in conservation, my longing for the wilderness - all these were lifetime concerns that were established in my boyhood in the hills around Yakima and in the mountains to the west of it. This is one of the quietest, most peaceful spots on earth. It has special values for me. The Yakima Valley, whose orchards I see by day and lights by night, is the treasure house of my boyhood. It was there I dreamed the dream I lived as a man.

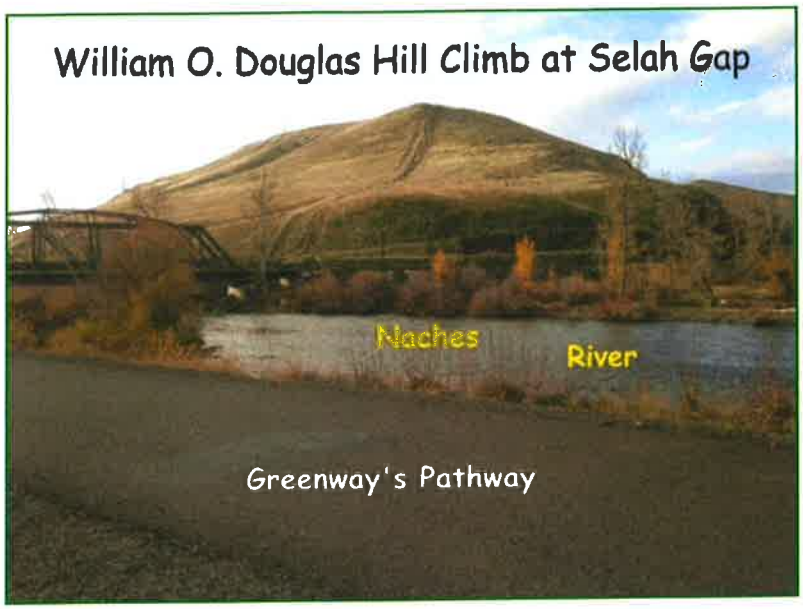
It was infantile paralysis that drove me to the outdoors. By boyhood standards, I was still a cripple, unable to compete physically. . . . I was a failure. If I were to have happiness and success, I must get strong. And so I searched for ways and means to do it. I got myself a set of barbells and practiced day after day, trying to strengthen my legs, back, and arm muscles. Even so, strenuous exercise still made me feel faint. Sometimes I would vomit, sometimes I'd get a severe headache. So I decided to start hiking the sagebrush hills that rim Yakima.

I would leave the town and head to Selah Gap, the point of the hills nearest my home on North Fifth Avenue. . . . The hills to the north of Yakima were only about two miles away. Thus I started my treks, and used the foothills as one uses weights or bars in a gymnasium. First I tried to go up them without stopping. When I conquered that, I tried to go up without a change of pace. When that was achieved, I practiced going up not only without a change of pace but whistling as I went.

That fall and winter the exercise began to work a transformation in me. By the time the next spring arrived, I had found new confidence in myself. My legs were filling out. They were getting stronger. I could go the two miles to Selah Gap at a fast pace and often reach the top of the ridge without losing a step or reducing my speed. My heart filled with joy, for I knew I could accept the invitation to visit the mountains. I would have legs and lungs equal to it.

The desert hills of Yakima had a poverty that sharpened perception – when a lone bitterroot is seen in bloom on scabland between batches of bunchgrass and sage, it can transform the spot as completely as only a whole bank of flowers could do in a more lush environment. It is the old relationship between scarcity and value, one of the botanical lessons which the foothills of Yakima taught me.

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D-16


William O. Douglas Hill Climb at Selah Gap
Naches
River
Greenway's Pathway



DOC. INDEX # D-6

Notification of Award

March 22, 2022

Attn: Raymond L. Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907

Dear Mr. Paolella

Thank you for submitting your Letter of Request for Funding for Building Resilient Inclusive Communities (BRIC) Funds.

I am pleased to inform you that the William O' Douglas Trail Foundation has been awarded its full requested amount of $6,900.00.

Our accounting department requires a W-9 from all awarded applicants. Please submit this to Jessica.vandoren@co.yakima.wa.us. **Please note: All BRIC funds need to be invoiced to the Yakima Health District by June 1, 2022.**

We look forward to seeing how the project evolves with the help of the BRIC funds. We welcome the opportunity to collaborate with any future activities that help engage and increase safe physical activity that results in a healthier future for Yakima County.

Sincerely,

Lilián Bravo
Director of Public Health Partnerships

DOC. INDEX #

Rivera, Eva

From: Ray Paolella <rlpaolella@gmail.com>
Sent: Thursday, October 15, 2026 5:24 PM
To: Martin, Trevor
Cc: 350 Yakima Climate Action; Ask Planning; Bob Cox; Felipe Rodriguez-Flores
Subject: Re: Planning Commission Public Hearing on Climate Resiliency Subelement

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Trevor:

Thank you for letting us know about the recent posting of the climate resiliency documents — it appears that these climate documents were posted for the first time today. I know they were not publicly available on the website when I checked yesterday, October 14, 2026. The William O. Douglas Trail Foundation (WODTF) can now review these climate resiliency related documents and provide comments on the Comprehensive Plan and associated SEPA Checklist before the October 28, 2026 Planning Commission meeting.

Please include this email in the official record that goes to the Yakima City Council.

Thank you,

Raymond Paolella
WODTF President

> On Oct 15, 2026, at 4:14 PM, Martin, Trevor <Trevor.Martin@yakimawa.gov> wrote:
>
> Good afternoon,
>
> All drafts, appendices and recent notices are contained here
> - https://www.yakimawa.gov/services/planning/cpas/
>
> Thank you,
> Trevor
>
> **Trevor Martin, AICP**
> Planning Manager
> City of Yakima
> 129 N. 2nd St.
> Yakima, WA 98901
> 509-575-6042
> Trevor.Martin@yakimawa.gov

From: 350 Yakima Climate Action <350yakimaclimateaction@gmail.com>
Sent: Thursday, October 15, 2026 3:55 PM

DOC. INDEX # D45

To: Martin, Trevor <Trevor.Martin@yakimawa.gov>; Ask Planning <Ask.Planning@yakimawa.gov>
Cc: Bob Cox <3coxb1943@gmail.com>; Felipe Rodriguez-Flores <feliperflores@gmail.com>; Ray Paolella <rlpaolella@gmail.com>
Subject: Planning Commission Public Hearing on Climate Resiliency Subelement

Dear Planning Manager Martin,

Yesterday, October 14, 2026, the City of Yakima Planning Commission held a public hearing on policy and goal language on the new *Climate Resiliency Subelement* requirements in the State Growth Management Act. Prior to the public hearing, 350 Yakima Climate Action submitted written comments saying that critical documents such as the Proposed Determination of Nonsignificance (DNS), 6 appendices and Planning Commission 10/14/2026 agenda were not made available to the public. Also, the "Climate Vulnerability Assessment Memo" and "Climate Element Crosswalk" summary have not been released for public for review and comment.

In addition, I attended yesterday's hearing in person, and I testified that critical documents, including the Climate Vulnerability Assessment Memo and Climate Element Summary, have not been made available for public review. This limits the public's ability to meaningfully evaluate the Climate Resiliency Plan.

Planning Commissioner Anne Knapp expressed concern that the public cannot review the Comprehensive Plan Appendices [including Climate Resiliency reports], and she was concerned about a lot of errors in the Comprehensive Plan documents. Ms. Knapp also asked how public comments will be considered/incorporated in the Comprehensive Plan. And then she asked, does the Planning Commission have time to review "the comments from people like Ms. Anderson" and come back at another meeting to address the public comments? The Planning Manager's response was "No, we don't have that kind of time." Commission Chair Charles Hitchcock then suggested addressing these public comments at the October 28 Planning Commission meeting, but just as the Commission was about to decide on the October 28 meeting, Berk Consultant Ferdouse Oneza interrupted. Ms. Oneza said these public comments could be addressed in 5 years as part of an Implementation Plan, which surprised me.

350 Yakima Climate Action respectfully requests the City of Yakima do the following:

1. Release the "Climate Vulnerability Assessment Memo" and "Climate Element Crosswalk" for public review and comment;
2. Issue a revised Notice of Public Hearing & public comment period on the Comprehensive Plan Climate Resiliency Subelement and SEPA until the October 28 Planning Commission meeting;
3. At the October 28 meeting, the Planning Commission can consider and incorporate public comments into the Climate Resiliency Subelement; and
4. Please postpone sending the 60-day Commerce Department Notice of Intent to amend the Comprehensive Plan Climate Resiliency Subelement until October 28.

DOC. INDEX # D-15

Washington Departments of Health and Ecology estimated 78 deaths/100,000 population in the East Yakima Overburdened Community from PM 2.5 air pollution that has been exacerbated by climate change. This is by far the highest mortality rate in Washington. How can this not be significant enough to do SEPA environmental review on new Climate Resiliency Subelement?

At the hearing, the Planning Manager said it wasn't necessary to do a SEPA review because it was already done in 2017 as part of the 2017 Comprehensive Plan process. But, the 2017 Supplemental Environmental Impact Statement did not consider any of this new information and could not have considered the Climate Resiliency Subelement requirements because they were not enacted into state law until six years later in 2023.

Thank you for your consideration,

350 Yakima Climate Action

Coleen Anderson

cc: Yakima City Planning Commission

--

350 Yakima Climate Action acknowledges we live and work on the ancestral lands of the fourteen Confederated Tribes and Bands of the Yakama Nation. The people of the Yakama Nation inhabited more than 12 million acres across Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, and Yakima Counties. We thank the caretakers of this land who have lived here and continue to live here since time immemorial.

DOC. INDEX #
D-45

Rivera, Eva

From: Ray Paolella <rlpaolella@gmail.com>
Sent: Thursday, October 15, 2026 5:04 PM
To: Martin, Trevor
Cc: Ask Planning
Subject: Yakima Comprehensive Plan Update and SEPA
Attachments: YHD BRIC Funding Request.pdf; Award Letter WODT.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Trevor:

On behalf of the William O. Douglas Trail Foundation (WODTF) based in Yakima, WA, I ask that the City extend the public participation review and comment period until the October 28, 2026 Planning Commission meeting, regarding: (1) the *NEW* Comprehensive Plan 2025 Update on Climate Resiliency and Transportation elements and (2) SEPA Checklist and Proposed DNS.

In a long-standing partnership with the City of Yakima, the William O. Douglas Trail serves many people in the East Yakima Overburdened Community, as designated by the Washington State Department of Health. WODTF has received grant funding from federal, state, and local agencies to support healthy outdoor recreation opportunities and access to green space for residents in the East Yakima Overburdened Community. For example, see the attached grant award from the Yakima Health District under the BRIC program (Building Resilient Inclusive Communities).

Many hundreds of children living in East Yakima use the William O. Douglas Trail on a daily basis to travel safely to and from school by foot or by bicycle. You can see this at Stanton Academy High School at the beginning and end of each school day.

WODTF also works closely with the Yakama Nation on enabling tribal access to Traditional Cultural Properties (TCP).

WODTF has been unable to effectively comment on the Climate Resiliency Element because the City did not disclose to the public the Climate Vulnerability Assessment Memo and Climate Element Crosswalk document. SEPA requires environmental full disclosure to the public. As of this morning, these important Climate documents were not on the City's designated public participation website.

Please include this email in the official record that goes to the Yakima City Council.

Thank you,

Raymond Paolella
WODTF President

DOC. INDEX #
D-14

Notification of Award

March 22, 2022

Attn: Raymond L. Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907

Dear Mr. Paolella

Thank you for submitting your Letter of Request for Funding for Building Resilient Inclusive Communities (BRIC) Funds.

I am pleased to inform you that the William O' Douglas Trail Foundation has been awarded its full requested amount of $6,900.00.

Our accounting department requires a W-9 from all awarded applicants. Please submit this to Jessica.vandoren@co.yakima.wa.us. **Please note: All BRIC funds need to be invoiced to the Yakima Health District by June 1, 2022.**

We look forward to seeing how the project evolves with the help of the BRIC funds. We welcome the opportunity to collaborate with any future activities that help engage and increase safe physical activity that results in a healthier future for Yakima County.

Sincerely,

Lilián Bravo
Director of Public Health Partnerships

D-14

March 1, 2022

Lilian Bravo, Public Health Partnerships Coordinator
Yakima Health District
1210 Ahtanum Ridge Drive
Union Gap, WA 98903

RE: Building Resilient Inclusive Communities Funding Request

Dear Ms. Bravo:

I am writing on behalf of the William O. Douglas Trail Foundation (WODTF), a Washington non-profit 501(c)(3) organization, to request funding under the Building Resilient Inclusive Communities (BRIC) program to increase community access to nature and safe physical activity opportunities.

WODTF would like to request a total of $6,900.00 in BRIC funds. These funds will be used to enhance inclusive and equitable access to safe physical activity areas among disproportionately impacted, low-SES and communities of color in northeast Yakima by designing trail access improvements near 6th Avenue. The strategies to increase community access are described below, and the design tasks are specified in Attachment A: Budget.

The northeastern neighborhoods of Yakima are a significant "Overburdened Community" where vulnerable populations face combined, multiple environmental harms and health impacts. The State Department of Health has designated these overburdened neighborhoods as having high "Environmental Health Disparities," where communities of color and low-income populations are disproportionately affected by lack of access to safe physical activity areas and nature.

"Upstream" social, environmental, and institutional inequities can be the root cause of "downstream" chronic disease and increased rates of morbidity, especially in communities of color and among lower income populations that historically lacked adequate access to parks, green space, and healthy outdoor recreation opportunities. One key strategy for preventing and controlling chronic disease and reducing health inequities resulting from upstream factors can be to increase access to walking, biking, running, and experiencing nature close to home.

WODTF owns 70 acres of open space recreation lands on the north bank of the Naches River, including the William O. Douglas Hill Climb at Selah Gap. This area was used by U. S. Supreme Court Justice William O. Douglas (as a teenager) to strengthen his disease-weakened legs by regularly walking two miles from his northeast Yakima home, crossing the Naches River, and then hiking up Selah Ridge. His health improved greatly. As he grew stronger and matured, Douglas continued with regular physical activities close to his Yakima home, became a brilliant student, a lawyer and judge, and came close to becoming President of the United States.

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WODTF is working with the Cities of Yakima and Selah, and Yakima County, to create healthier neighborhoods by improving access to parks, open space, nature, and outdoor recreation areas close to where people live. Northeast Yakima residents could especially benefit from providing safe access to recreation opportunities along the Naches River and the William O. Douglas Hill Climb recreation lands at Selah Gap (see attached photo of Naches River Bridge with north bank recreation areas in background, together with a second photo of students who accessed this area from the Selah side).

WODTF seeks funding for engineering design and specifications for bridge decking and fencing on the Naches River Multi-Modal Bridge so northeast Yakima residents and students can walk, run, or bike north on the existing 6th Avenue pathway and safely cross the Naches River to access open space recreation areas at Selah Gap without relying on motor vehicle transportation. A licensed bridge and structural engineer will design this bridge walkway to meet and exceed all applicable safety standards and codes.

Thank you for your consideration.

Sincerely,

Raymond L. Paolella

Raymond L. Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907
(509) 594-6999

Attachment A: Budget

Description	Total
Engineering Services, Plans, and Specifications • Design pedestrian walkway on Naches River Bridge that meets and exceeds all applicable safety standards and codes. • Design ADA accessible ramp from existing Greenway Path.	$4,900
Wayfinding/Interpretive Signage • Design, fabricate, and install directional trail signs. • Design, fabricate, and install an informational sign about health benefits of hiking on William O. Douglas Trail.	$2,000

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D-14

Attachment B: Support Letters and Supplemental Information



Vision Statement:

"Beginning with the end in mind…"

Mission Statement:

Students, families, and staff working together towards graduation.

2015-2016 School Focus:

Literacy
Relationships
Collaboration

Dave Chaplin
Principal

Rod Bryant
Dean of Students



Stanton Academy

802 River Road • Yakima, WA 98902 • 573-1200

William O. Douglas Trail Foundation
4001 Summitview Avenue, Suite 5-45
Yakima, WA 98908

To whom it may concern:
I am currently the principal at Stanton Academy located on River Road to the west of 6th Avenue. We have direct access to the William O. Douglas Trail. Our students utilize the trail on a daily basis, coming to and departing school. A basic requirement for our students to graduate is the knowledge of United States History. What better opportunity than to explore the early life of one our Supreme Court Justices? The local effort to preserve this important part of history is a movement our students should be involved in.

During the 2015-2016 school year, we had one third of our students participate in an outdoor activity that spanned many content areas. In order to do this transportation, was a large detractor to planning. The activity included history, hiking, natural sciences, and sustaining nature. Having grown up in the area and hiked and biked in the proposed area, I personally support the project. To have access to an area such as the proposed Selah Ridge Area and the William O. Douglas hill climb would be a boon for us.

Our students get most of their experience of the city, state, and federal government through text or multimedia presentations. The opportunity to participate in this effort at whatever level will support their acquisition of local history, local government processes, and the federal court system. Students will have the chance to participate in the improvements in the city infrastructure along the route they travel on a daily basis.

As this effort progresses, I hope that we may participate in some way to help the project succeed. Stanton Academy has a strong sense of family. The values that this project is built upon is to bring a sense of community, history and pride which being a part of a family includes. These are a few of the reasons that I, as principal of Stanton Academy and an educator in the Yakima School District for 34 years can support this effort.

Sincerely,

David Chaplin
Principal

Yakima School District encourages workforce diversity and complies with all state and federal laws prohibiting unlawful discrimination.

DOC. INDEX #
D-44

A.C. Davis High School
212 South 6th Avenue
Yakima, Washington 98902
509-573-2700

International Baccalaureate

Leadership Yakima
Greater Yakima Chamber of Commerce
P.O. Box 1490
Yakima, WA 98907

Dear Leadership Yakima Team:

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The William O. Douglas Trail presents an excellent opportunity to teach students about local history and the environment. Davis High School plays an important role at the start of this trail because Douglas attended and served on the faculty of this institution. Several teachers have guided students on interpretive hikes to the Selah Gap area. These treks have enabled us to integrate important aspects of natural history, literature, and social studies in a manner that is not always possible in the classroom. Many students learn best when the theories or concepts acquired in the classroom are linked to "hands on" or "on the ground" learning. The Selah Gap and Naches/Yakima Rivers Confluence Area possesses a rich storehouse of local history, natural history, and landforms within the urban area that enhance such learning.

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Sincerely,

Ben Ramirez, Principal
A.C. Davis High School

DOC. INDEX # D-14

WILLIAM O. DOUGLAS HERITAGE TRAIL

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Info: www.williamodouglastrail.org Email: williamodouglastrail@gmail.com

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D-14

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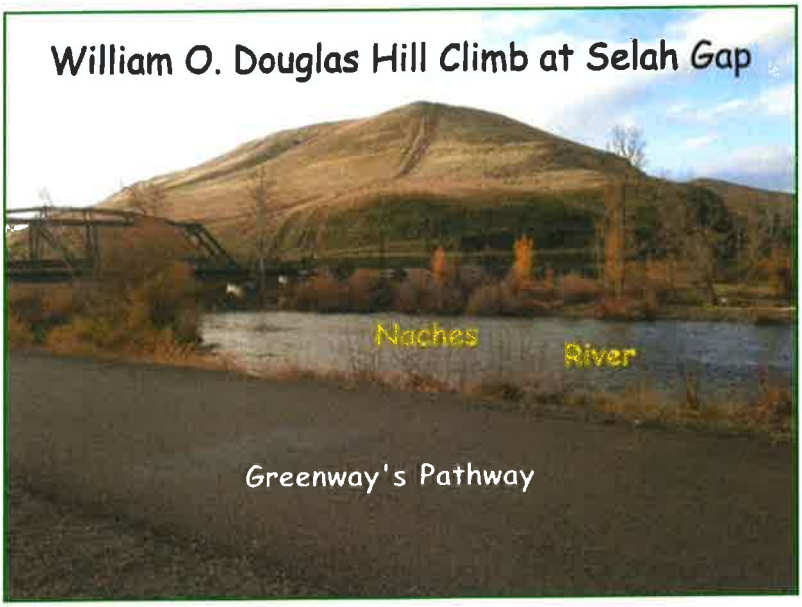
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D-14





DOC. INDEX #
D-14

Rivera, Eva

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Sent: Thursday, October 15, 2026 3:55 PM
To: Martin, Trevor; Ask Planning
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In addition, I attended yesterday's hearing in person, and I testified that critical documents, including the Climate Vulnerability Assessment Memo and Climate Element Summary, have not been made available for public review. This limits the public's ability to meaningfully evaluate the Climate Resiliency Plan.

Planning Commissioner Anne Knapp expressed concern that the public cannot review the Comprehensive Plan Appendices [including Climate Resiliency reports], and she was concerned about a lot of errors in the Comprehensive Plan documents. Ms. Knapp also asked how public comments will be considered/incorporated in the Comprehensive Plan. And then she asked, does the Planning Commission have time to review "the comments from people like Ms. Anderson" and come back at another meeting to address the public comments? The Planning Manager's response was "No, we don't have that kind of time." Commission Chair Charles Hitchcock then suggested addressing these public comments at the October 28 Planning Commission meeting, but just as the Commission was about to decide on the October 28 meeting, Berk Consultant Ferdouse Oneza interrupted. Ms. Oneza said these public comments could be addressed in 5 years as part of an Implementation Plan, which surprised me.

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3. At the October 28 meeting, the Planning Commission can consider and incorporate public comments into the Climate Resiliency Subelement; and

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D-13

4. Please postpone sending the 60-day Commerce Department Notice of Intent to amend the Comprehensive Plan Climate Resiliency Subelement until October 28.

Washington Departments of Health and Ecology estimated 78 deaths/100,000 population in the East Yakima Overburdened Community from PM 2.5 air pollution that has been exacerbated by climate change. This is by far the highest mortality rate in Washington. How can this not be significant enough to do SEPA environmental review on new Climate Resiliency Subelement?

At the hearing, the Planning Manager said it wasn't necessary to do a SEPA review because it was already done in 2017 as part of the 2017 Comprehensive Plan process. But, the 2017 Supplemental Environmental Impact Statement did not consider any of this new information and could not have considered the Climate Resiliency Subelement requirements because they were not enacted into state law until six years later in 2023.

Thank you for your consideration,

350 Yakima Climate Action

Coleen Anderson

cc: Yakima City Planning Commission

--

350 Yakima Climate Action acknowledges we live and work on the ancestral lands of the fourteen Confederated Tribes and Bands of the Yakama Nation. The people of the Yakama Nation inhabited more than 12 million acres across Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, and Yakima Counties. We thank the caretakers of this land who have lived here and continue to live here since time immemorial.

EDC INDEX #
D-13

Rivera, Eva

From:	Ray Paolella <rlpaolella@gmail.com>
Sent:	Wednesday, October 14, 2026 2:58 PM
To:	Martin, Trevor
Cc:	Ask Planning
Subject:	Additional Comments on the Draft Comprehensive Plan 2050
Attachments:	UTC & BNSF Approval of Shared Use Trail in RR ROW.pdf; WSDOT Statewide Significance.pdf; City of Yakima -- William O. Douglas Heritage Trail.pdf; DAHP Section 106 No Adverse Effects.pdf; Ordinance 2006-31 William O. Douglas Bridge.pdf; image.tiff; YNCRP Letter to City of Yakima 12.3.2025.pdf; 1856 Topographic Map -- Selah Fishery.pdf; 1856 Yakama Indian Country Map.pdf; U. S. Army Harasses Indians - Selah Gap 1856.pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged

Hi Trevor:

I previously sent you a pdf map of the William O. Douglas Trail for recommended inclusion in the Comprehensive Plan Chapter 6. Transportation. In case that file was too large, the map is available at http://williamodouglastrail.org/Maps/williamodouglastrail.pdf

The William O. Douglas Trail Foundation (WODTF) owns 70 acres of public recreation land adjacent to the railroad tracks, and WODTF hopes the Comprehensive Plan can discuss plans to allow members of East Yakima to access this natural are as a "Shared-Use" Trail on the Naches River Bridge.

Here is additional information:

There are sensitive cultural resources in the area, and WODTF recommends doing an Environmental Impact Study on this area as part of comprehensive planning:

Finally, for recommended inclusion for study in an EIS is the history of the historic trail that is coextensive with the trolley tracks in Selah Gap:

Thank you for your consideration I considering inclusion of this information in the Comprehensive Plan,

Raymond Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907

D-12

TR-072009

WASHINGTON UTC UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250
(360)664-1257 or (360)664-1100
Fax: (360)586-1150
Web: www.wutc.wa.gov
E-mail: records@utc.wa.gov

GRADE CROSSING PROTECTIVE FUND
APPLICATION FOR FUNDING

The Washington Utilities and Transportation Commission (commission), through its Grade Crossing Protective Fund (GCPF), funds projects that eliminate or mitigate public safety hazards at railroad crossings and along railroad rights-of-way in Washington State. Any public, private, or non-profit entity may submit an application to the commission for GCPF monies.

Please complete and submit the following information as part of the application process:

Applicant Information

Applicant Name:	Dick Zais, City Manager
Organization:	City of Yakima
Address:	129 North Second Street, Yakima, WA 98901
Phone:	(509) 575-6040
E-mail:	
Fax:	(509) 576-6335

Please list all other companies, organizations or state or local agencies that may be involved in implementing this proposal and the contact name, address and phone number for each.

Yakima Valley Trolleys
Kenneth G. Johnson
P.O. Box 796
Yakima, WA 98907-0796
yakimavalleytrolleys@hotmail.com

Burlington Northern Santa Fe Railroad Company
Daniel MacDonald, P.E.
Managing Engineer – Seattle
2454 Occidental Avenue South, Suite 1_A
Seattle, WA 98134
(206) 625-6150, Fax (206) 625-6115
daniel.macdonald@bnsf.com

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DOC. INDEX #
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Grade Crossing Protective Fund Application Form

Project Information

1. *Provide a detailed summary of the hazard being addressed. Include:*
   - *Any information about accidents or incidents at the site.*
   - *Photographs, drawings or other materials that supports the application.*

Currently, there are only two pedestrian crossing facilities for crossing the Naches River at the northern city limits of the City of Yakima. One is located at the eastern city limits (I-82) and the other is at the western city limits (Powerhouse Road). Due to this lack of pedestrian facilities, and despite "No Trespassing" signs, pedestrians occasionally use the BNSF railroad bridge to cross the Naches River. On July 12, 2007, a man and woman who were crossing the Naches River on the railroad bridge were struck by a passing train and seriously injured.

On several occasions recently, railroad police hired by BNSF have had to remove trespassers from the railroad property in this vicinity.

2. *Provide a detailed description of the proposed project and explain how it will eliminate or mitigate the hazard. Include any drawings or construction plans for the proposed project.*

This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

3. *Provide cost estimates. Include:*
   - *Total costs of the project.*
   - *Names of parties contributing to the project and the amount each is contributing.*

Total project costs are estimated to be $37,000. The City is requesting a grant of $20,000 toward this total from WUTC.

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012

4. *Provide the name of the party responsible for long-term maintenance.*
The City of Yakima and/or the Yakima Greenway Foundation will provide longterm maintenance of the fence.

5. *Provide an estimated timeline of project, if approved.*
Weather permitting; the project will be completed this fall. If not, the project will be completed next spring

6. *Provide a description of how the project's success would be measured.*
Success of this project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF Bridge.

7. *Provide any other information the applicant believes would be useful to the commission in considering the project.*
At several recent meetings, BNSF personnel have expressed their encouragement and approval of our plans to channel pedestrians away from railroad property and to reduce trespass by means of fencing.

8. *If the project involves any construction, modification or demolition on a railroad right-of-way, complete the attached Railroad Commitment form. This includes fencing, gates or other structures located near enough to the tracks to be on the railroad right-of-way, modification to a grade crossing or any other project that involves railroad property or rights-of-way.*
See accompanying email from BNSF engineer Daniel MacDonald expressing the railroad's concurrence with this project.

Submitting the Application

After completing the GCPF application, please send the original to:

Washington Utilities and Transportation Commission
Attention: Grade Crossing Protective Fund
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250

A signed application may be filed electronically at records@utc.wa.gov. When filing electronically, please specify "Grade Crossing Protective Fund" in the subject line.

Assistance

For questions or assistance, please contact:

- Kathy Hunter at (360)664-1257 or by e-mail at khunter@utc.wa.gov.
- David Pratt at (360)664-1100 or by e-mail at dpratt@utc.wa.gov.

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Railroad Commitment
TR-072009

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2008 APR 22 AM 10:06
UTIL. & TRANSP.
COMMISSION

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

The City of Yakima has applied for GCPF funds to erect fencing for trespass abatement purposes. The City's trolley bridge and the adjacent BNSF Railway bridge cross the Naches River at the northern end of Yakima City limits. See attached photos for location of fencing. It is believed the BNSF has a 200 ft. right-of-way at this location and much of the fencing would be on that right-of-way. The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

See Notes below.

John Li
Printed name of Railroad Representative

Signature of Railroad Representative

Manager, Public Projects
Title

206 625 6146
Phone

john.li@bnsf.com
E-mail

Date: 4/21/08

Notes: BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. The City will also need to obtain a permit from BNSF with current indemnity language and insurance limits and with a 30-day cancellation clause, if the fencing would be on BNSF's Right-of-Way.

DOC. INDEX #
D-12

From: MacDonald, Danniel
To: Wayenberg, Karen
Cc: Polnicky, Bruce K; Agee, David W
Subject: RE: Yakima, WA - UTC Grant Application
Date: Friday, October 05, 2007 3:24:51 PM

Ms. Wayenberg,

Thank you for the opportunity to review the City of Yakima's UTC GCPF application. BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. We look forward to working with the City of Yakima address this safety concern.

Please contact me if you need additional information regarding BNSF's participation. Again, we look forward to working with the City on this issue.

Respectfully,

Dan

Danniel MacDonald, P.E.
Manager Engineering - Seattle
BNSF Railway Company
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134
Office: (206) 625-6150
Fax: (206) 625-6115
danniel.macdonald@bnsf.com

From: Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]
Sent: Friday, October 05, 2007 12:53 PM
To: MacDonald, Danniel
Subject: RE: Yakima, WA - UTC Grant Application

Thanks for reviewing our application and the page requiring BNSF signature. Feel free to call me or reply to this email.

From: MacDonald, Danniel [mailto:Danniel.MacDonald@BNSF.com]
Sent: Friday, October 05, 2007 12:47 PM
To: Wayenberg, Karen
Subject: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

With reference to our conversation this afternoon, my contact information is following. I look forward to reviewing this application.

Respectfully,

Dan

Danniel MacDonald, P.E.

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D-12

HOME FRONT
Yakima Herald-Republic
Friday, July 13, 2007



GORDON KING/Yakima Herald-Republic

A woman is placed in an ambulance after nearly being struck by a train near Berglund Lake in Yakima on Thursday. She was injured when she was thrown off the tracks by a companion as the train approached.

Man hit by train after saving companion

He tosses woman from the tracks

By BOB ARTONE
YAKIMA HERALD-REPUBLIC

A man was struck by a train Thursday morning after Yakima police said he saved a woman moments earlier by throwing her from a trestle as the train bore down on them.

The man, who has not been identified, suffered serious injuries and was taken to Seattle's Harborview Medical Center.

The two were among four people attempting to walk across a railroad bridge over the Naches River shortly after 8 a.m.

Although two of the men reached safety, the woman fell on the tracks, police said. She was helped to her feet by the third man, who attempted to get them both to safety. But he ended up throwing her down a 10 to 15 foot embankment moments before being struck, police said.

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two refrigerated boxcars of corn, tried to warn the group by sounding the horn and then applying emergency brakes, said Burlington Northern Santa Fe spokesman Gus Melonas.

The train had slowed from 35 mph to between 10 and 15 mph when it struck the man, he said.

"This is an unfortunate situation," he said. "But this time of year we see an increase in trespassing situations.

"People take shortcuts and risks often by crossing railroad property and we encourage the public to use designated areas."

Yakima police initially said the man may have suffered back injuries. Authorities initially said it appeared the woman, who was also not identified, broke a leg when she landed on rocks below the trestle.

Melonas later said she suffered only cuts and bruises. There was no immediate word on their conditions. Although Yakima police handled the initial investigation, it has been handed off to BNSF investigators.



TJ MULLINAX/Yakima Herald-Republic

Melonas said nine people have been killed on railroads this year in Washington state.

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Gra

'No doubt he saved my life'

Train encounter broke victim's leg, pelvis

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

As they crossed the bridge over the Naches River, Lisa Boitano was telling her three friends how cool it would be to see a passing train from up close.

That's when they saw the locomotive bearing down.

From her hospital bed Friday, Boitano recalled her friend Mark Brown's reaction.

"He said, 'You might get your chance — run.'"

But as they ran, Boitano fell, and her right leg slipped and became stuck between the wooden ties.

"I was freaking out and tried to pull myself up," she said. "But Mark came up behind me, grabbed both arms and pulled me out.

"No doubt he saved my life."

As the two prepared to leap off the tracks to an embankment about 10 to 15 feet below the tracks, they were struck.

"I felt the train hit my lower back, but he got the full force of it," said 21-year-old Boitano.

The impact threw them about 20 feet into the rocks below. Boitano said she broke her nose and fractured her right leg and pelvis. But then she looked up she saw that Brown, or Green as he is known to his friends, was hurt much worse.

"It was the scariest thing I've ever seen. Blood was everywhere," she said. "I kept saying, 'Green, don't die, Green, don't die. Wake up, wake up.'"

i Form

She is now at Yakima Memorial Hospital. Brown, 26, was taken to Seattle's Harborview Medical Center, where he was listed in serious condition after undergoing surgery Friday.

Boitano said doctors there told her he suffered multiple injuries, including two broken legs, a shattered pelvis, a broken jaw and a broken arm.

"He would have been okay if he had just jumped, if he hadn't stopped to help me," she said.

Earlier that morning, the four had watched the sunrise from the ridge between Yakima and Selah. They were walking the tracks back to Yakima, and were crossing the bridge shortly after 8 a.m.

Boitano said two of her friends had nearly reached the end of the bridge; she and Brown were only about halfway across.

SEE **TRAIN** PAGE 8A



SARA GETTYS/Yakima Herald-Republic

Lisa Boitano recovers in Yakima Valley Memorial Hospital on Friday, after being hit by a train while she and three others were crossing the trestle over the Naches River.

TRAIN

Continued from Page 1A

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two boxcars, spotted the group and began sounding the horn and applying emergency brakes, which slowed the train from 35 to about 10 to 15 mph, Burlington Northern Santa Fe spokesman Gus Melonas said Thursday.

Boitano said that the horn came too late — the train was almost on them when it sounded. And while braking probably saved their lives, she had no idea at the time that the train had slowed at all.

"It sure as hell didn't feel like it was going 15 mph when it hit us," she said.

Although Melonas said that technically the four were trespassing on railroad property, he did not say whether BNSF would pursue charges.

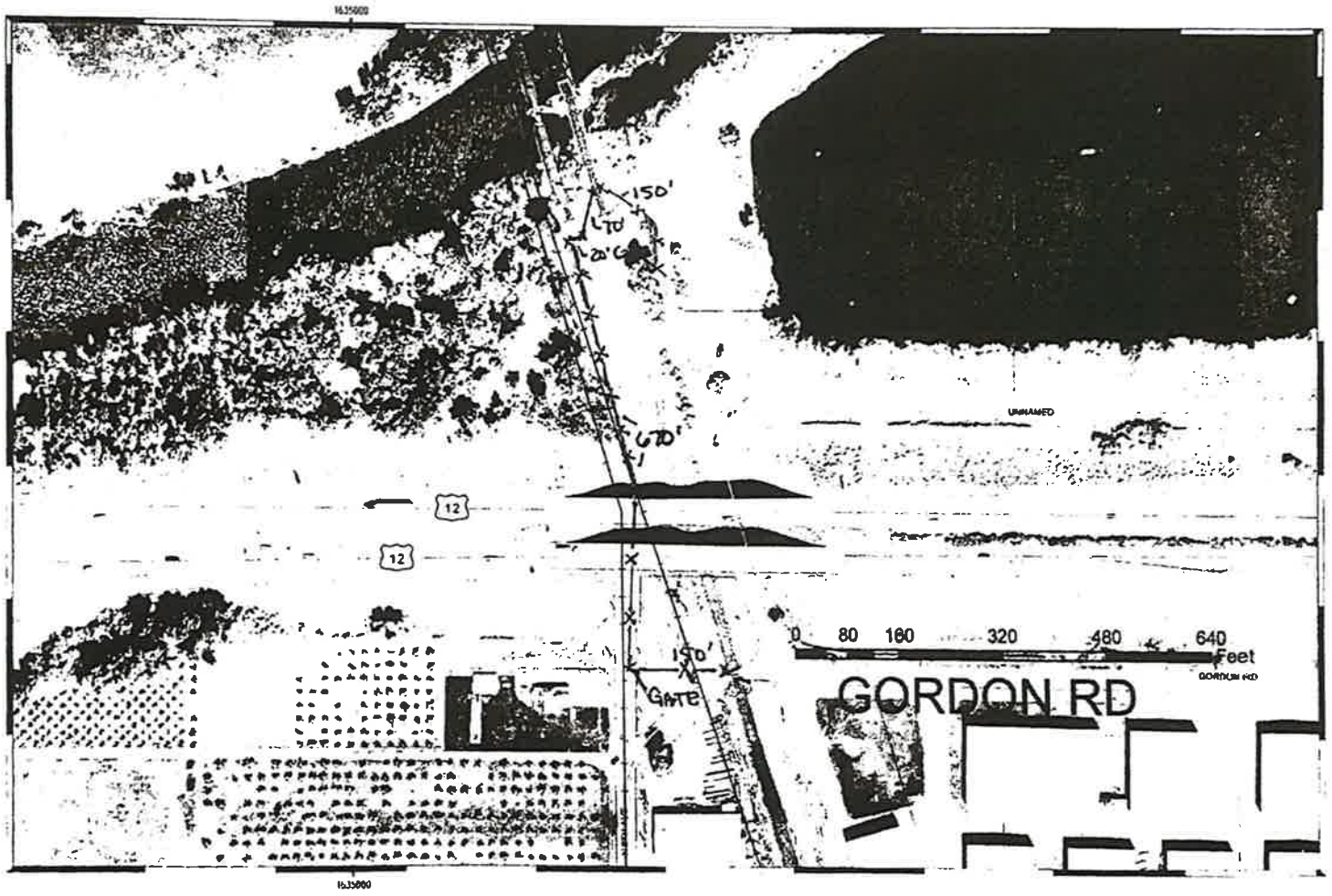
Boitano said she and her friends did not know they were trespassing.

All she does know is that Brown, a man whom she described as being like a brother to her for the past four to five years, was willing to sacrifice himself to save her. The two met while she was a teenager living on the streets and have been close friends ever since.

"I would have been stuck in the tracks if he hadn't helped me out," she said. "He's just a wonderful person."

• *Rod Antone can be reached at 577-7028 or rantone@yakimaherald.com.*

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12
0 80 160 320 480 640
Feet
150'
GATE
GORDON RD
16.35000

DOC INDEX

TR-072009

Boston, Bob (UTC)

From: Sheffield, Brett [bsheffie@ci.yakima.wa.us]
Sent: Tuesday, November 04, 2008 11:59 AM
To: Boston, Bob (UTC)
Subject: Grade Crossing Protective Fund Grant
Attachments: YVT Fence.pdf

Bob,

As we have discussed, part of the William O. Douglas Trail will include a pathway across the Trolley Bridge to allow pedestrians access across the Naches River. I believe that the description in the original application should have been modified to read like the following:

> This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

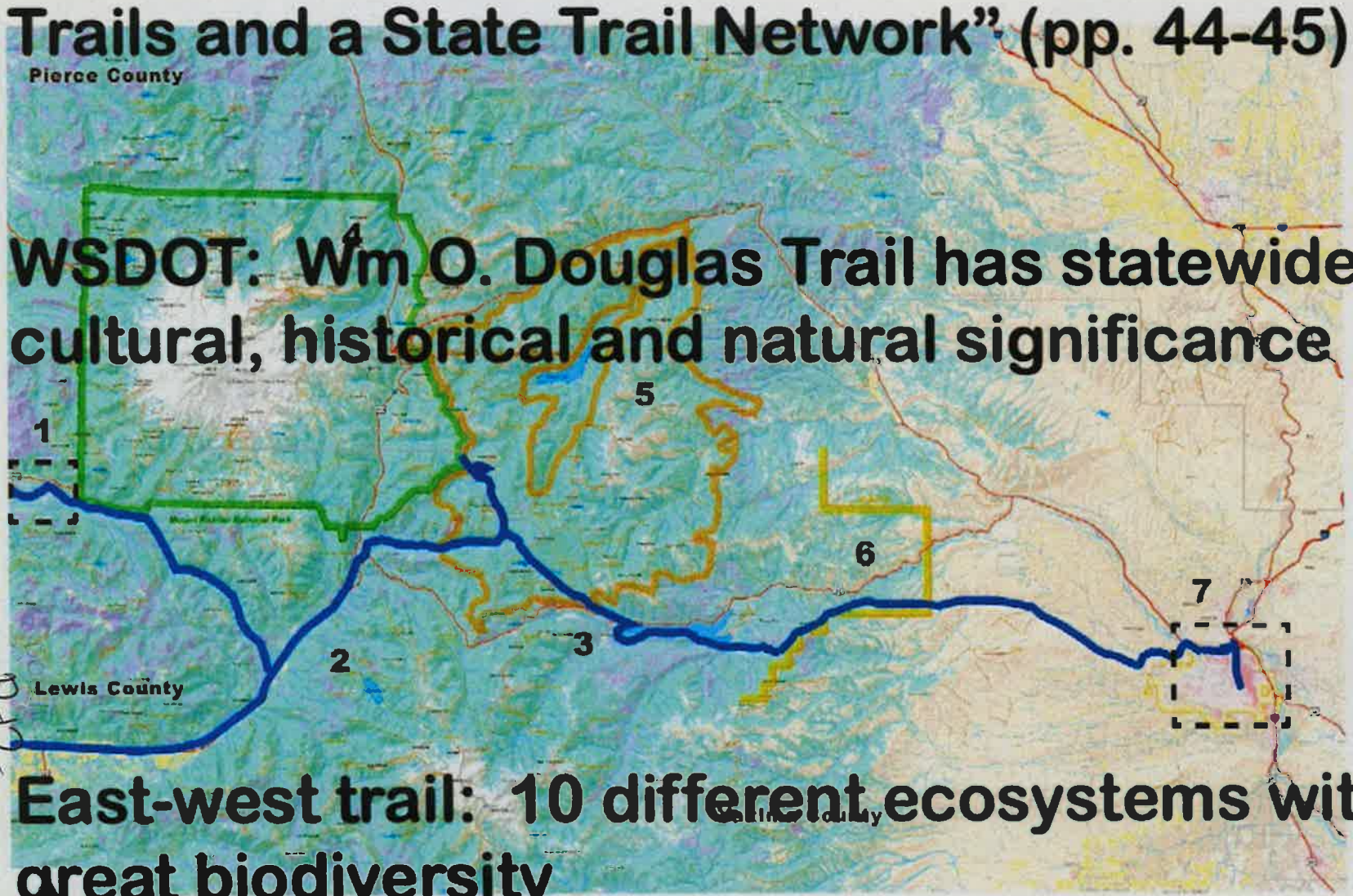
I have also attached a drawing showing the proposed fencing project. If you have any questions or require additional information, please don't hesitate to contact me. Thanks for your help.

Brett H. Sheffield, P.E.
Chief Engineer
City of Yakima
PH. (509) 576-6797
Fax (509) 576-6305

DOC. D-12

Trail Fulfills Statewide Needs

Wash. State Trails Plan calls for "Long Distance Trails and a State Trail Network" (pp. 44-45)



CONNECTING WASHINGTON THROUGH HERITAGE TRAILS: TELLING THE STORIES OF THE WILLIAM O. DOUGLAS, COWLITZ, AND UPPER NISQUALLY TRAILS

TRAIL VICINITY MAP

MAP LEGEND

1. Proposed Upper Nisqually Trail Connection (see inset map-blue)
2. Proposed Cowlitz Pass Indian Trail and Historic Native American Trail Interpretive Corridor (blue)
3. Proposed Douglas Trail (blue)
4. Mount Rainier National Park (boundary in green)
5. William O. Douglas Wilderness Area (boundary in brown)
6. USFS Boundary (shown in yellow at trail crossing)
7. Yakima (see inset maps)

Note: County Boundaries indicated in gray

WSDOT: Wm O. Douglas Trail has statewide cultural, historical and natural significance

East-west trail: 10 different ecosystems with great biodiversity

RESOLUTION NO. R-2008-98

A RESOLUTION authorizing and directing the City Manager to acquire right-of-way under the Transportation Enhancement and Recreation and Conservation Office Grant Programs for the William O. Douglas Trail Connections Project.

WHEREAS, City Council Resolution R-2005-121 authorized the submission of transportation enhancement grant applications to the Washington State Department of Transportation (WSDOT); and

WHEREAS, on March 8, 2006, WSDOT approved a transportation enhancement grant in the amount of $499,890 for research, signs, restoration of the City of Yakima trolley bridge, and acquisition of right-of-way for the William O. Douglas Trail; and

WHEREAS, under City Council Resolution R-2006-65, the City Council authorized formal application to the Interagency Committee for Outdoor Recreation (IAC), now Recreation and Conservation Office (RCO), for funding assistance for the William O. Douglas Trail Connections (City Contract No. 2008-82); and

WHEREAS, under City Council Resolution R-2006-87, the City Council authorized necessary and prudent actions to implement the transportation enhancement grant previously accepted by the City of Yakima; and

WHEREAS, under Board of Yakima County Commissioners Resolution No. 246-2006, the Yakima County Commissioners authorized a joint application with the City of Yakima to IAC for funding assistance for the William O. Douglas Trail Connections Project; and

WHEREAS, WSDOT has recently approved the right-of-way plan for the William O. Douglas Trail Connections Project; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

The City Manager is hereby authorized and directed to acquire right-of-way and develop the William O. Douglas Trail using transportation enhancement grant funds and RCO grant funds, and the City Manager and City Attorney are authorized and directed to prepare and execute legal closing documents and to take all necessary and prudent actions to implement the William O. Douglas Trail Connections grant conditions and agreements entered into with WSDOT and RCO.

ADOPTED BY THE CITY COUNCIL this 10th day of June, 2008.

David Edler, Mayor

ATTEST:

Deborah Moore
City Clerk

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Transportation Enhancement Report

Washington State Department of Transportation

Agency Name and Project Title
City of Yakima; Connecting Washington Through Heritage Trails: Telling the Stories of the William O. Douglas, Cowlitz and Upper Nisqually Trails

Contractor
Project not yet awarded.

Project Description
The project connects Eastern Washington to Western Washington through the William O. Douglas Trail, Cowlitz Trail, Mount Rainier National Park, and the Upper Nisqually Heritage Trail to create a multi-modal recreational system that recognizes the state's cultural heritage, diverse natural landscape, and scenic beauty. Combined, the trails tell the story of the significant role of historic paths in our state's cultural heritage and how these trails have linkages that are important to this day.

Recent Progress
N/A – The project has not started yet.

Schedule and Scope changes
(Explain why the project has advanced or delayed since the last update.)

No State funds will be utilized for this project.

Environmental Impacts / Compliance
N/A – Environmental review not required.

Federal fund Impacts
Federal funds are included in this project for research and interpretation of the trails, trailhead signs, restoration of the Naches River Bridge, and right-of-way acquisition for the William O. Douglas Trail.

Project Milestones	Scheduled	Attained	Milestone Outlook
Environmental Documents Approved	M/Y	M/Y	N/A – Environmental review not required.
RW Complete	3/06	3/07	Acquisition of rights-of-way for William O. Douglas Trail.
Contract Advertised	3/06	M/Y	For bridge restoration contractor. No subcontractors needed for trail interpretation work.
Contract Awarded	5/06	M/Y	30-60 days from award of grant.
Groundbreaking	6/06	M/Y	6/06 for start of bridge restoration. Begin trail history research immediately upon signing of contract.
Open to Traffic	9/06	M/Y	9/06 for end of bridge restoration. Trail interpretation to be completed one year from contract date.

Project Cost Summary:	Dollars in millions	Percent of total
Preliminary Engineering (bridge restoration)	$0.06 m	13 %
Construction (bridge restoration)	$0.13 m	27 %
Right-Of-Way (WOD Trail)	$0.15 m	30 %
WOD Trail Interpretation	$0.05 m	10 %
Cowlitz Trail Interpretation	$0.05 m	10%
Nisqually Trail Interpretation	$0.05 m	10 %
Total Project Cost	$0.49 m	100 %
Total Grant Request: $499,890		

2005-07 Cash Flow (expenditures billed to WSDOT):

Date	Planned	Revised	Actual
8/05	$		
11/05	$		
2/06	$		
5/06	$ 50,000		
8/06	$ 180,000		
11/06	$ 179,650		
2/07	$ 60,240		
5/07	$ 30,000		
6/07	$		
Total 05-07	$ 499,890		
Carryover of 05-07	$		
Total 07-09	$		
GRAND TOTAL	$499,890		

Agency Contact Information: Bill Cook, Director, City of Yakima Dept of Community and Economic Development, 129 N. 2nd St., 2nd Fl., Yakima, WA 98901, (509) 575-6113, bcook@ci.yakima.wa.us

The Trail will be open to all forms of muscle-powered users, including pedestrian, bicycle, equestrian, snowshoeing, and skiing. The trail system connects valley bottom to Cascade crest—the Cities of Elbe and Yakima to Mount Rainier National Park. The Mountain figures prominently in the state's history and natural environment, serves as an icon of the region, and connects Eastern Washington to Western Washington.

Naches River Bridge Restoration - The William O. Douglas Trail begins in downtown Yakima at the historic Trolley Repair Barn. The trail follows the trolley line up 6th Avenue to the Naches River Bridge. The bridge is listed as part of the Yakima Valley Transportation Company National Register Historic District, which consists of the Trolley Barn, Substation, trolley track system, and the Naches River Bridge. Constructed ca. 1895, the bridge was purchased by the Yakima Valley Transportation Company (YVT) from the Union Pacific Railroad Company. YVT dismantled the structure and brought it to Yakima from Nebraska. In 1912, YVT installed the Naches River Bridge for the trolleys.

The bridge is an important part of the Yakima Transportation Company Electric Railway because it makes access possible across the river for the trolley travel north to the City of Selah. The bridge is located at a place historically used by Native Americans and early pioneers to ford the river at the gateway to the Yakima Valley. Douglas hiked across the bridge many times on his way to climb the 500 foot hill just beyond the bridge to the northwest. Today, high school and middle school students traverse the bridge on school field trips to study history, science, and literature. The Naches River Bridge is integral to the whole experience of using the William O. Douglas Trail.

The bridge is in need of restoration and must be cleaned and repainted. Over many decades, layers of rust and soot have settled on the bridge, thus compromising the condition of the structure. An existing condition and feasibility report for the Naches River Bridge was prepared for the City of Yakima in September of 2005. The report recommended repairs to the bridge and cited paint failure on the truss and stringer beams. Keeping the bridge from further rusting is a priority to ensure long-term use of the historic structure. The project proposes to use Transportation Enhancement Funds to restore the bridge. This portion of the project is ready to proceed if funding is available through this application.

Right-of-Way Access to Trail - Currently, ninety percent of the William O. Douglas Trail exists and is open to public use as publicly owned trail or as non-profit owned trail. Those portions that are in private ownership are located in the City of Yakima or Yakima County. The City of Yakima proposes that Enhancement funds be used fill in trail gaps by acquiring additional right-of-way adjacent to existing roads and historic routes or adjacent to private parcel boundary lines. Additional right-of-way adjacent to nineteen private parcels will allow the William O. Douglas Trail to be fully accessible to the public as a continuous 75-mile pathway.

Opportunities for Interpretation of Cultural Sites – The William O. Douglas Trail offers many ways to interpret the significant cultural heritage sites as related to Douglas himself and other individuals, communities, events, and Native American history. Trail users can learn about our heritage through interpretive projects such as trailhead signs, information kiosks, brochures, and a website. The project proposes to use Transportation Enhancement Funds to perform comprehensive historic research, gather information and develop interpretive materials for the William O. Douglas Trail.

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Pathway to Greenway Interconnect/William O. Douglas Trail

City of Yakima GIS Information Service

Digital Color Orthophotography flown 4/30/2004

Legend

- Yakima Valley Transportation Company Electric Railway
- Resource
- Proposed 6th Avenue Pathway
- Proposed Bicycle/Pedestrain Pathway on the Naches River Bridge
- Yakima Greenway

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Washington State Department of Transportation

2166 AGENCY

0056501

Local Agency Agreement

Agency City of Yakima

Address 129 N. 2nd Street
Yakima, WA 98901

CFDA No. 20.205
(Catalog of Federal Domestic Assistance)

Project No. STPE-1485(020)

Agreement No. LA: 6136

For OSC WSDOT Use Only

The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code Highways, (2) the regulations issued pursuant thereto, (3) Office of Management and Budget Circulars A-102, A-87 and A-133, (4) the policies and procedures promulgated by the Washington State Department of Transportation, and (5) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

Project Description

Name William O. Douglas Trail - 6th Ave & Naches River Bridge Length 0.85 mi

Termini N. 6th Avenue & Naches River to N. 6th Avenue & 'I' Street

Description of Work

Construction of a one mile pathway along 6th Avenue adjacent to the historic Yakima Valley Electric Railway Line, and construction of a shared use (trolleys & pedestrians) pathway over the Naches River bridge.

Type of Work		Estimate of Funding (1) Estimated Total Project Funds	(2) Estimated Agency Funds	(3) Estimated Federal Funds
PE	a. Agency	50,704.00		50,704.00
100 %	b. Other Consultant	5,000.00		5,000.00
	c. Other			
Federal Aid Participation Ratio for PE	d. State	1,000.00		1,000.00
	e. Total PE Cost Estimate (a+b+c+d)	56,704.00		56,704.00
Right of Way	f. Agency			
%	g. Other			
	h. Other			
Federal Aid Participation Ratio for RW	i. State			
	j. Total R/W Cost Estimate (f+g+h+i)			
Construction	k. Contract			
	l. Other			
	m. Other			
	n. Other			
100 %	o. Agency			
Federal Aid Participation Ratio for CN	p. State			
	q. Total CN Cost Estimate (k+l+m+n+o+p)			
	r. Total Project Cost Estimate (e+j+q)	56,704.00		56,704.00

Agency Official

By _____

Title City Manager

Deborah J. Moore, City Clerk

Washington State Department of Transportation

By _____

Assistant Secretary for Highways and Local Programs

Date Executed JUL 10 2006

DOT Form 140-039 EF
Revised 01/2004

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PART 3. Project Narrative

Please address each of the following Regional Enhancement Prioritization Criteria with *a **brief** narrative response.*

1. Describe how the project supports the intent of the federal TEA 21 Enhancement Program.

This project will greatly enhance pedestrian and bicycle access in Yakima by connecting the Yakima Greenway Path, the William O. Douglas Trail, the historic Yakima Valley Transportation Company's trolley line, and the Naches River Bridge. The 6th Avenue Pathway will also connect to a proposed Kayak Park along this stretch of the Naches River and adjacent to the Greenway.

6th Avenue Pathway: 6th Avenue currently does not have a safe pathway for pedestrians from "I" Street to the Yakima Greenway. This stretch of 6th Avenue is a missing link between the northern section of the city to the Naches River. Traveling along 6th Avenue, the trolley line leads to the Yakima Greenway, a 10-mile, paved, recreational pathway for pedestrians and bicyclists that runs along the Naches and Yakima Rivers. The trolley line runs along 6th Avenue and there are no sidewalks or pathways on either side of the street. As part of this project, the William O. Douglas Trail Foundation proposes to work with the City of Yakima to build a concrete pathway on the east side of the street from "I" Street to River Road. An asphalt pathway will be built from River Road to the Greenway. The new one-mile pathway will provide safe access for pedestrians to the Greenway and form a critical connecting segment of the William O. Douglas Trail.

The William O. Douglas Trail Foundation is a Washington State non-profit organization dedicated to establishing, operating, and maintaining the William O. Douglas Trail from the city of Yakima to Mount Rainier National Park. The Trail is a 75-mile recreational pathway which courses through the City of Yakima, traverses Yakima County, and reaches portions of Lewis and Pierce Counties, ending in Mount Rainier National Park. The Trail will be open to all forms of muscle-powered users, including pedestrian, bicycle, equestrian, snowshoeing, and skiing. It is named after Supreme Court Justice William O. Douglas, who grew up in Yakima and was the longest serving Justice in U.S. history. Stricken with polio as a boy and in a weakened state, Douglas frequently traveled along 6th Avenue and used the railway system to access the trailhead where he walked regularly to strengthen his legs. Along the trail there will be multiple sites for historic, natural, and cultural interpretation.

Naches River Bridge Pathway: Another component of this project is the design and construction of a bicycle/pedestrian pathway on the historic Naches River Bridge. The bridge is listed as part of the Yakima Valley Transportation Company National Register Historic District, which consists of the Trolley Barn, Substation, trolley track system, and the bridge. Constructed ca. 1895, the bridge was purchased by the Yakima Valley Transportation Company (YVT) from the Union Pacific Railroad Company. YVT dismantled the structure and brought it to Yakima from Nebraska. In 1912, YVT installed the Naches River Bridge for the trolleys. Currently, there is no safe access for pedestrians and bicyclists to the north side of the river. Renovating the bridge to allow for multi-modal uses will greatly enhance connections between the City of Yakima, the City of Selah, and recreational opportunities on the north side of the Naches River where the young William O. Douglas hiked to strengthen his polio-stricken legs.

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2. Describe how the project is regional in nature (i.e. enhancement benefiting multiple jurisdictions).

The new 6th Avenue pathway and shared bicycle/pedestrian pathway on the Naches River Bridge will be new components of an existing, larger, transportation system consisting of the William O. Douglas Trail, the Yakima Valley Transportation Company (Electric Railway, Naches River Bridge, trolley line, and track system), and the Yakima Greenway. This larger system spans the cities of Yakima and Selah, and Yakima County, reaches into portions of Lewis County and ends in Pierce County at Mount Rainier National Park.

Based on experiences in other communities throughout the West, the interconnected pathway system (Greenway, William O. Douglas Trail, 6th Avenue Pathway, Powerhouse Pathway to Cowiche Canyon Trail) will stimulate economic development and recreation-based tourism as businesses and individuals seek to locate near and/or visit the interconnected pathway system.

3. Describe the extent to which the project relates to the Regional Transportation Plan goals and policies (available online at www.yvcog.org/trans/enhance/RTPexcerpts.pdf). Demonstrate how the project is compatible with Growth Management plans and policies, or other planning documents and policies. Describe the project's public involvement process.

The project supports the Regional Transportation Plan goals and policies by addressing the important issues of safety and connectivity. The proposed new pathway on 6th Avenue will provide connectivity and a safer way for pedestrians to reach the Yakima Greenway and the Naches River Bridge. Currently, pedestrians must walk in the street for one mile between "I" Street and the Greenway. The new pathway would reduce the conflicts between modes of transportation. The new pathway also supports the goals and objectives of the City of Yakima's *Bicycle and Pedestrian Plan* (1996) by establishing another link to a larger path system that includes the Greenway. The new shared bicycle/pedestrian path on the Naches River Bridge will also address both safety and connectivity by opening up safe access to new users of the bridge. The bridge will become a multimodal transportation facility.

Public involvement is important to the William O. Douglas Trail Foundation. The organization exists to benefit the public by offering a unique recreational experience, which has ties to transportation and Yakima's heritage. The City of Yakima's *Bicycle and Pedestrian Plan* was produced with significant involvement by the Pedestrian and Bicycle Advisory Committee, a volunteer citizen committee. The committee has identified the development of a pathway on 6th Avenue between "I" Street and the Yakima Greenway as a priority project. The factors considered by the committee in prioritizing projects include readiness to proceed, connectivity, usage, and safety. The project scored high in every category. Connectivity and safety are high priorities because the path provides a missing link between the existing sidewalk system in Yakima and the Greenway. Usage would be high because the path serves the urban area and improves access to the Greenway.

4. Demonstrations of local and/or regional support or partnerships.

- Non-partner letters:

  The following attached *non-partner* letters demonstrate local and general public written policy-driven and existing program support:

  a. *Washington Trust for Historic Preservation*, September 14, 2005

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DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
William R. Cook, Director

Engineering Division
129 North Second Street
Yakima, Washington 98901
Phone: (509) 575-6111 • Fax (509) 576-6305

Tuesday, July 14, 2009

Long Painting Company
21414 – 68th Ave South
Kent, WA 98032

Re: Heritage Trails - Yak YVT3 Bridge Restoration
City Project No 2167

To Whom It May Concern:

The City Manager of the City of Yakima has authorized an award of the contract for the above referenced project to your company on the basis of your low bid submitted on July 10, 2009 in the amount of $246,750 00

This letter is official notification of the award of the contract to your company by the City of Yakima

Enclosed is one set of the specifications, proposal and contract documents for your information. Also enclosed are three copies of the contract and a performance bond form Please sign and return all copies of the contract form to this office, along with the fully executed performance bond and certificate of insurance, within ten (10) calendar days Your attention is directed to Section 1-07 18 Public Liability and Property Damage Insurance (APWA GSP) of the Construction Contract Specifications for coverage limits, additional insurance requirements and special ACORD form wording We have also included a Liability Certificate Checklist for you and your surety's convenience When these items have been approved, the City will execute the contract form and bind a signed contract, certificate, and proposal into contract document books The three completed books will be distributed to the City Clerk, City Engineer and Contractor.

Please contact Bruce Floyd, Construction Supervisor, of our office within ten (10) days of this date to schedule a pre-construction conference, and to discuss various forms and documentation that must be completed and turned into him at the Pre-construction Conference. The Notice to Proceed will also be discussed at the Pre-construction Conference Bruce's office phone is 575-6138

For your information, we are enclosing a copy of the bid summary for this project.

Sincerely,

Douglas Mayo, P E
City Engineer

encl

cc: Bruce Floyd, Construction Supervisor
Brett Sheffield, Project Engineer
Susie Lorrance, Contract Specialist
City Clerk
Debbie Baldoz, Finance
File

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STATE OF WASHINGTON
DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION
1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

RECEIVED
FEB 04 2008
CITY OF YAKIMA
PLANNING DIV.

January 29, 2008

Mr. Trent de Boer
Archaeologist
WSDOT, Highways & Local Programs
PO Box 47390
Olympia, WA 98504-7332

In future correspondence please refer to:
Log: 010207-42-FHWA
Property: William O. Douglas Trail, 6th Ave Greenway Interconnect, Fed Aid # STPE-1485(020)
Re: Determined Eligible

Dear Mr. de Boer:

Thank you for contacting our office. I have reviewed the materials you provided to our office and we concur with your professional opinion that the following historic properties are eligible or listed on to the National Register of Historic Places:

- YVTC—Naches River Bridge
- YVTC—Trolley line between Yakima and Selah
- YVTC--Car Barn
- YVTC—Stone shed
- YVTC--Substation

I also concur with your professional opinion that the undertaking, as proposed, will not adversely affect the Yakima Valley Transportation Company Historic District or the YVTC—Naches River Bridge.

I would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4) and the survey report when it is available. These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800.

Sincerely,

Russell Holter
Project Compliance Reviewer
Russell.Holter@dahp.wa.gov

Cc: Matthew Sterner (DAHP) Vaughn McBride (Yakima)

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION
Protecting Past, Shaping the Future

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WASHINGTON TRUST FOR HISTORIC PRESERVATION

September 14, 2005

Yakima Valley Conference of Governments
6 South 2nd Street, Suite 605
Yakima, Washington 98901

Subject: Letter of Support, Transportation Enhancement Grant Application: William O. Douglas Trail: Pathway to Greenway Interconnect

Dear Enhancement Advisory Committee:

Please accept this letter of support from the Washington Trust for Historic Preservation (the "Trust") for the William O. Douglas Trail Foundation's Transportation Enhancement Grant Application for its William O. Douglas Trail: Pathway to Greenway Interconnect project.

The Washington Trust for Historic Preservation is a statewide, tax exempt 501(c) 3 non-profit organization founded in 1976 to safeguard Washington's historic places through advocacy, education, stewardship and collaboration. We work to be an effective problem-solver when local preservationists need our help on issues involving historic resources.

The proposal to build two new pathways for pedestrians and bicyclists—one on 6th Avenue (near the trolley line) from "I" Street to the Yakima Greenway and the other on the historic Naches River Bridge, demonstrates local and regional commitment to multi-modal transportation. The two pathways will provide important links to the William O. Douglas Trail and to the Yakima Valley Transportation Company Electric Railway, the country's only intact, ca. 1910, continuously operating, interurban electric railway. Any work on the historic Naches River Bridge should respect the integrity of the bridge's original design and we believe the proposed pathway will accomplish this by using the Secretary of the Interior's Standards for Rehabilitation.

Sincerely,

Mary Thompson
Interim Executive Director

1204 Minor Avenue • Seattle, WA 98101 • tel 206 624 9449 fax 206 624 2410 • wa-trust.org

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ORDINANCE NO. 2006 – 31

AN ORDINANCE amending the 2006 budget for the City of Yakima; and making an appropriation of $827,298 within the 142—Arterial Street Fund for expenditure during 2006 to provide for William O Douglas Bridge Restoration and Trail Enhancements.

WHEREAS, the amount of $499,890 has been awarded as a transportation enhancement grant from the Washington State Department of Transportation (WSDOT) and $327,408 has been awarded as a grant to the William O Douglas Foundation with the City of Yakima designated as expending agent, thereby resulting in the need to appropriate the amount of $827,298 within the 142—Arterial Street Fund to provide for William O Douglas Bridge Restoration and Trail Enhancements; and

WHEREAS, at the time of the adoption of the 2006 budget the revenue funds for this project were not known; and the City Council declares that an emergency exists of the type contemplated by RCW 35 33.091 and that it is in the best interests of the City to make appropriation herein provided; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YAKIMA.

Section 1 The amount of $827,298 is hereby appropriated from the Unappropriated Fund Balance in the 142—Arterial Street Fund to the following accounts:

Resources:	
WSDOT Transportation Enhancement Grant—142-142-528-2167-33320-2FH	—$499,890
WSDOT Transportation Enhancement Grant—142-142-528-2166-33320-2FH	—$327,408
Total Resources	$827,298
Expenditures.	
W O Douglas Bridge Restoration & Trailheads-142-142-528-2167-59479-630	—$499,890
W O Douglas Trail Enhancement——————142-142-528-2166-59479-630	—$327,408
Total Expenditures	$827,298

Section 2 This ordinance is one making an appropriation and shall take effect immediately upon its passage, approval and publication as provided by law and by the City Charter

PASSED BY THE CITY COUNCIL, at a regular meeting and signed and approved this 11th day of July, 2006

David Edler, Mayor

ATTEST
Karen S Roberts
City Clerk

First Reading: 6-27-2006
Publication Date: 7-14-2006
Effective Date 7-14-2006

Cje William O Douglas Trail ordinance 06 6/21/2006

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Grant Programs re
William O. Douglas Trail Project

Title	Lead Applicant	Project No.	Agency	Funding Program	Award	Summary
William O. Douglas Trail Connections	City of Yakima	06-1851	Recreation and Conservation Office (RCO)	Washington Wildlife and Recreation Program (WWRP), Trails Category	$796,883	Acquisition of land to connect existing trail segments, construction of 6th Avenue and trolley bridge pathways, and placement of Cowiche Creek bridge
Cowiche Creek Protection and Restoration	Cowiche Canyon Conservancy	07-1598C	Salmon Recovery Funding Board (SRFB)	Salmon Program (administered by NOAA Fisheries)	$277,140	Acquisition and restoration of five parcels on Cowiche Creek
BNSF Bridge/ YVT Bridge Safety Fencing	City of Yakima		Washington Utilities and Transportation Commission (WUTC)	Grade Crossing Protective Fund	$20,000[1]	Fencing off Naches River trolley and railroad bridges
Yakima Valley Transportation Company Preservation Project	City of Yakima		Washington State Department of Transportation	SAFETEA-LU Enhancement	$495,592	Acquisition of trolley repair barn and substation, restoration of track and wire
Heritage Trails: Wiliam O. Douglas, Cowlitz, & Upper Nisqually Trails	City of Yakima		Washington State Department of Transportation	SAFETEA-LU Enhancement	$499,890	Research, signs, restoration of trolley bridge, acquisition of right-of-way
William O. Douglas Trail Enhancement	William O. Douglas Trail Foundation		Washington State Department of Transportation	SAFETEA-LU Enhancement	$582,047[2]	Construct pathway on 6th Avenue and trolley bridge
					$2,671,552	

[1] Award limit. No official award amount has been determined yet.

[2] From a publication of transportation enhancement awards in 2006 on WSDOT's web site. This total includes a March 8, 2006, grant award in the amount of $327,408 and a November 27, 2007, supplemental grant award of $254,639.

DCC. EXHIBIT
D-12

Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

December 3, 2025

Sent via electronic mail

Trevor Martin AICP
City of Yakima Community Development Department
Planning Division
129 N. 2nd Street
Yakima, WA 98901

Re: SEPA Application #014-25 - Yakima Valley Trolleys Operation Agreement

Dear Mr. Martin:

The Yakama Nation Cultural Resources Program has reviewed the referenced State Environmental Policy Act (SEPA) checklist for Application #014-25. We find this application fundamentally deficient and unable to support informed environmental and cultural resources review. The application's widespread use of "N/A" responses without explanation, contradictory project descriptions, and absence of basic geographic, environmental, and cultural information render it incomplete under SEPA requirements and inconsistent with the associated responsibilities.

Contradictory Project Description

The application contains conflicting statements about the project scope that prevent meaningful review:

- Question 11 (Brief Description) states this application is *"only analyzing the Yakama Valley Trolleys responsibility for operating and maintaining the existing Trolley System"* and that *"there is no specific project action associated with this SEPA proposal."*
- Question 6 (Timing/Schedule) indicates a 5-year operational period from January 1, 2026 through December 31, 2030.
- Question 8 references a *"Safety Plan (per WAC 468-550-040(4))"* and *"Inventory of assets (Exhibit C)"* that are not included with the application.
- Question 7 acknowledges *"routine operations and maintenance"* of trolley facilities but provides no detail about what these activities entail.

These statements indicate ongoing operational activities with environmental implications, not a purely administrative agreement transfer without a project action. Even non-project

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SEPA reviews under WAC 197-11-442 require analysis of a program's cumulative environmental effects. The application cannot simultaneously claim *"no specific project action"* while describing multi-year operational activities requiring safety plans, asset inventories, and routine maintenance.

Systematic Misuse of 'N/A' Without Justification

The applicant has marked numerous environmental checklist questions as *"N/A"* without providing any explanation for why they do not apply to trolley operations and maintenance. SEPA instructions explicitly state that *"N/A"* should only be used *"when you can explain why it does not apply and not when the answer is unknown."*

The following sections demonstrate either lack of due diligence or deliberate avoidance of required environmental analysis:

Surface Water (Questions 1-5, Pages 4-5)
All surface water questions are marked N/A despite the trolley route crossing multiple waterways and drainage features in the Yakima Valley. Maintenance activities, vegetation management along the right-of-way, and stormwater runoff from rail infrastructure all have potential surface water impacts. Question 2 specifically asks about work *"within 200 feet"* of waters, yet receives an N/A response with the note *"operations and maintenance only, project specific actions will require additional SEPA review."* This circular logic suggests the applicant acknowledges potential impacts but declines to analyze them in this review.

Ground Water (Questions 1-2, Page 6)
Groundwater questions are marked N/A without explaining why infrastructure maintenance, potential chemical use (herbicides for vegetation management), or waste material disposal would not affect groundwater. Historic rail corridors commonly have legacy contamination issues that should be addressed.

Plants and Animals (Questions 3-5, Pages 6-7)
Question 3 (threatened/endangered species) is marked N/A without documentation of Endangered Species Act consultation or biological survey. Question 4 (landscaping/vegetation preservation) is marked N/A despite obvious vegetation management needs along a linear transportation corridor. Question 5 (noxious weeds) is marked N/A without any invasive species assessment or vegetation management plan.

Environmental Health (Questions 2-5, Page 8)
Questions 2 through 5, addressing site contamination, hazardous chemicals, toxic materials, and emergency services, are all marked N/A without acknowledging that historic rail corridors commonly contain contaminated soils from legacy pollutants. No Phase I Environmental Site Assessment or contamination screening appears to have been conducted.

Land and Shoreline Use (Questions 2, 13-14, Pages 8-10)
Question 2 asks about conversion of agricultural or forest lands and receives an N/A response without analyzing whether the trolley route traverses these land use

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categories. Questions 13-14 regarding compatibility with existing land uses and nearby agricultural/forest operations are marked N/A without assessment of potential conflicts.

Complete Avoidance of Supplemental Nonproject Section

Section D (Supplemental Section for Nonproject Actions Only) represents deficiency in this application. WAC 197-11-960 and SEPA guidelines specifically require nonproject proposals to address questions about:

- How the proposal would increase discharges to water, emissions to air, or noise production
- Effects on plants, animals, fish, or marine life
- Depletion of energy or natural resources
- Use or effects on environmentally sensitive areas
- Effects on land and shoreline use
- Increased demands on transportation or public services
- Potential conflicts with environmental laws or requirements

The applicant marked ALL SEVEN questions (Questions 1-7, Pages 13-15) as *"N/A"* without any explanation. This defeats the purpose of completing the supplemental section and fails to satisfy SEPA's requirement for informed decision-making.

Insufficient Location and Geographic Information

Question 12 (Location of Proposal) identifies "306 W Pine Street/404 S. 3rd Ave, Yakima, WA; trolley lines within Yakima and Selah" but provides no:

- Linear footage or mileage of track to be maintained
- Total acreage of right-of-way affected by operations
- Map or geographic coordinates showing the route
- Identification of watercourse crossings
- Proximity analysis to archaeological sites or culturally sensitive areas
- Slope conditions and mass wasting potential along the corridor

The application notes that legal description is *"provided in Exhibit B of the agreement"* but this exhibit is not included. Without basic geographic data defining the project area, it is impossible to assess potential impacts to any environmental or cultural resource. The trolley route is a significant linear feature traversing landscapes occupied by Yakama ancestors for

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thousands of years. We cannot complete meaningful review without knowing where maintenance activities will occur further this SEPA is not a functional.

Inadequate Cultural Resources Analysis

The Historic and Cultural Preservation section (Page 11) presents several concerning deficiencies:

- Question 1 acknowledges the trolley system is listed on national and local registers of historic places, demonstrating the corridor's significance. However, this historic designation applies to the rail infrastructure itself and does not address archaeological resources along the route or traditional cultural properties that may be affected by operations and maintenance activities.

- Question 2 asks about "landmarks, features, or other evidence of Indian or historic use or occupation" and receives the response "None known along trolley route." This statement is inconsistent with the known archaeological sensitivity of the Yakima Valley and the thousands of years of continuous Yakama occupation in this region. The response "none known" suggests no professional cultural resources survey or tribal consultation has been conducted. The Yakima Valley contains numerous recorded archaeological sites, traditional use areas, and culturally significant landscapes.

- Question 3 asks for proposed measures to "avoid, minimize, or compensate for loss, changes to, and disturbance to resources" and receives the response "Continued operations of the Yakima Trolleys for educational and cultural purposes." This response does not address archaeological site protection, inadvertent discovery protocols, or cultural resource management measures that could be helpful.

The linear nature of the trolley corridor presents unique cultural resource concerns. Archaeological sites adjacent to or within the rail right-of-way are susceptible to slope movement and mass wasting, which can have significant upslope and downslope impacts. Vegetation management, track maintenance, drainage work, and visitor access ground-disturbing activities with potential to affect buried archaeological deposits.

Once the scope of the project is defined the applicant could then demonstrate some understanding in order to inform the checklist and the necessary inventory and permitting requirements.

Missing Required Documentation

The checklist references but does not include several pieces of information necessary to understanding project scope and environmental implications:

- Inventory of assets (Exhibit C, referenced in Question 8)

- Yakima Valley Trolleys Operation Agreement
- Legal description (Exhibit B of the agreement, referenced in Question 12)

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These documents are essential for reviewers to understand what activities are authorized, where they will occur, what infrastructure exists, and what safety and operational protocols govern the proposal.

Conclusion and Path Forward

This SEPA checklist does not provide sufficient information to complete environmental and cultural resources review pursuant to the State Environmental Policy Act (RCW 43.21C). The wholesale use of *"N/A"* without explanation, contradictions between claiming "*no project action*" while describing 5-year operational activities, and absence of basic geographic and archaeological data render this application incomplete.

The Yakama Nation is not opposed to trolley operations that preserve this significant historic transportation resource and provide educational and cultural benefits to the community. However, we cannot complete our review or provide informed comment without understanding what this proposal actually entails.

We respectfully request the City of Yakima withdraw this incomplete application and resubmit with the following information:

Clarification of Project Scope
Completion of Section D
Geographic and Location Data
Cultural Resources Assessment
Operational Details and Measures to Avoid or Mitigate
Attachment of Referenced Documents

Provide these documents in complete form via email to the Yakama Nation Tribal Council Chairman, Gerald Lewis via Gerald_Lewis@yakama.com as well as Cultural Resource Program Manager, Casey Barney @ Casey_Barney@Yakama.com.

The Yakama Nation looks forward to meaningful consultation on this project once adequate information is provided. We are committed to working cooperatively with the City of Yakima to ensure trolley operations can proceed in a manner that protects cultural resources, preserves this important historic asset, and honors our shared stewardship responsibilities for the Yakima Valley landscape.

Please contact our office if you have questions about these comments or need clarification on information requirements. Thank you for the opportunity to comment on this project.

Respectfully,

Noah Oliver

Noah Oliver
YNCRP Geographer and Archaeologist
Yakama Nation Cultural Resource Division

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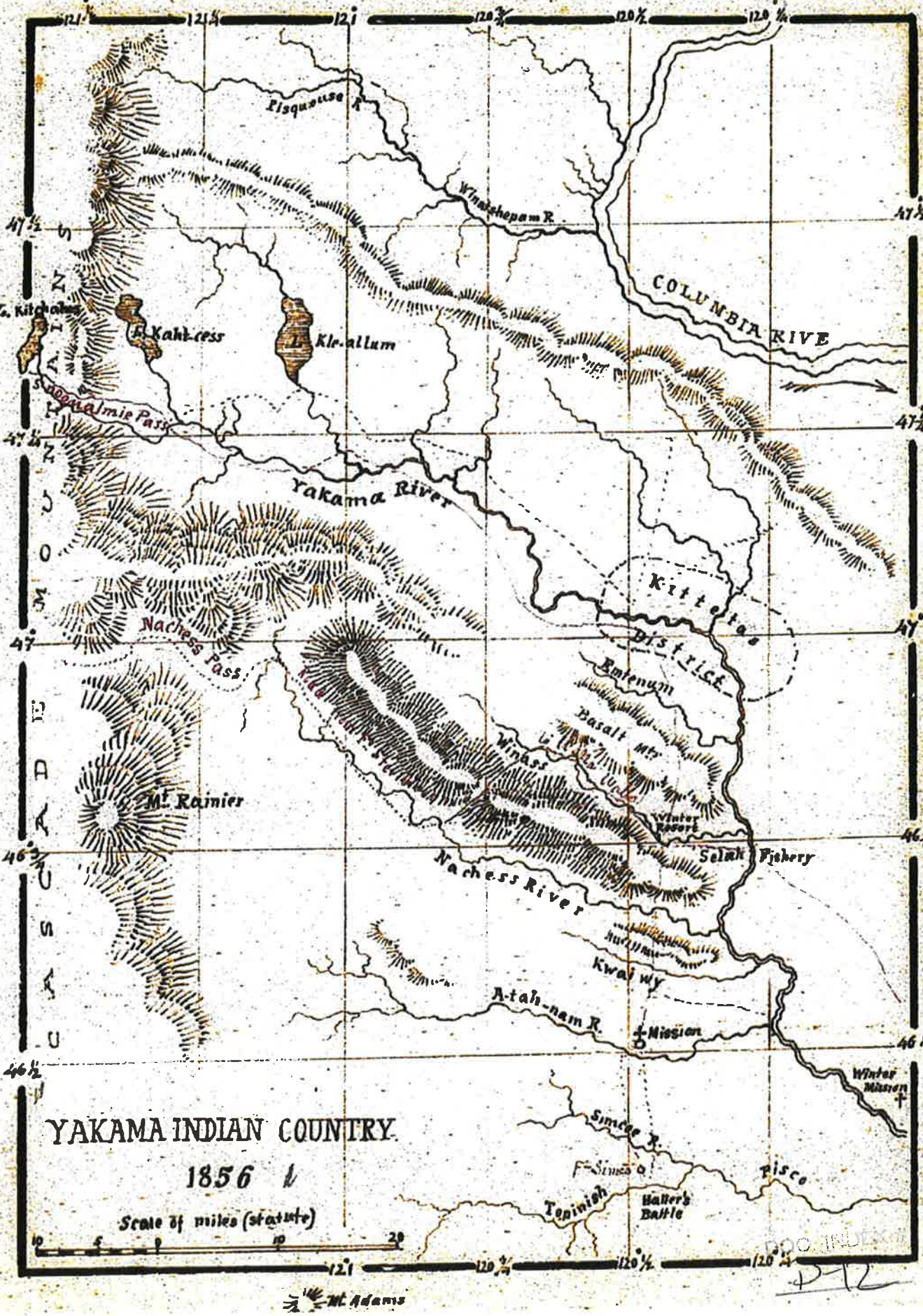


Lieut. Lyman Bissell prepared a topographical map of Colonel Wright's operations in the Yakima country in 1856, which Wright forwarded to Department of the Pacific headquarters with a letter dated May 15, 1857. Wright also reports the establishment of Fort Simcoe and reconnaissance of the route north from Fort Dalles so that six-mule wagons could carry supplies to the new post most of the year. (National Archives, RG 98, Dept. of Pacific, Letters Received; map RG 77.)

H. Dean Guie, ***Bugles in the Valley***, OHS, 1977, 14

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XVII


Pisquouse R.
Wenatchapam R.
COLUMBIA RIVE
Lk. Kitchelas
Lk. Kahk-cess
Lk. Kle-allum
Snoqualmie Pass
Yakama River
Kittetas
District
Entenum
Basalt Mts.
Winass
Nachess Pass
Mt. Rainier
Winter Resort
Selah Fishery
Nachess River
Kwai wy
A-tah-nam R.
Mission
Winter Mission
Simcoe R.
Simcoe
Pisco
Tepinish
Haller's Battle
YAKAMA INDIAN COUNTRY
1856
Scale of miles (statute)
10 5 0 10 20
Mt. Adams

HEADQUARTERS, NORTHERN DISTRICT,
Department of the Pacific, Camp on the Na-chess river,
Washington Territory, May 30, 1856.

SIR: Since my last communication, which I addressed to you on the 18th instant, nothing has occurred to change the position I then occupied in relation to the Indians. The river is now, and has been at all times, impassable. The Indians cross over by swimming their animals, and by this means I collect what news I can as to their movements and designs.

The salmon have not commenced running in any numbers, and hence the Indians are compelled to go to the mountains to seek subsistence. It is reported that Kamiakin has gone over to see some of the Nez Percés chiefs who were engaged with him in getting up this war, and is expected back in three days from this time. I believe that most of these chiefs desire peace, but some of them hold back in fear of the demands that may be made upon them for their murders and thefts.

They seem to think, and say, that they had strong and good reasons for the murders they have committed, both of the miners and Indian agent; the outrages of the former and the injudicious and intemperate threats of the latter, if true, as they say, I doubt not, maddened the Indians to murder them.

Colonel Steptoe joined me yesterday with four companies; his pack-train returns immediately to Fort Dalles to bring up supplies, escorted by Captain Patterson of the ninth infantry, with his company.

Exclusive of detachments with pack-trains, I have about five hundred men with me, and as soon as I can cross the river I shall advance to the We-nass and the fisheries; and if I do not bring the Indians to terms, either by a battle or a desire for peace on their part, I shall endeavor to harass them so much that they will find it impossible to live in the country.

I am now throwing up a field-work of earth and gabions of dimensions sufficient to contain a company or two and all our stores. This depot will enable me to move unencumbered with a large pack-train.

Very respectfully, your most obedient servant,

G. WRIGHT,
Colonel Ninth Infantry, Commanding.

Captain D. R. JONES, *Assistant Adjutant General,*
Headquarters, Department of the Pacific, Benicia, California.

Official.

D. R. JONES,
Assistant Adjutant General.

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He says he came over with about twenty warriors, with their women and children. He is decidedly for peace. This man Leschi is connected with Ow-hi's people by marriage; and if peace is made, he is perfectly willing to go wherever I say—either to the Sound, or to remain with Ow-hi. I think he would prefer the latter, and perhaps that would be the best disposition that could be made of him.

After very great labor, the bridge over the Na-chess is this day completed. The river is broad, at one part twelve feet deep, and a velocity of eight or nine miles an hour. It is made on trestles, and *may* stand for a long time; but should the water rise very high, the floating logs would much endanger its safety.

Very respectfully, your most obedient servant,

G. WRIGHT,
Colonel 9th Infantry, Commanding.

Captain D. R. JONES, *A. A. G.*,
Headquarters Dept. of the Pacific, Benicia, Cal.

F.

HEADQUARTERS, NORTHERN DISTRICT, DEPT. OF THE PACIFIC,
Camp on the Yakima river, W. T., Kittetas Valley, June 20, 1856.

SIR: In my last communication (No. 11,) which I had the honor to address to department headquarters on the 11th instant, I reported the visit of the chiefs Ow-hi and Te-i-as and their promise to come in at the expiration of five days. I have no question as to their sincerity and strong desire for peace, and I am at a loss to know the reason of their failure; however, such is the fact. I have not seen any of those Indians since. The chief told me that they had sent a messenger over to the Sound, and they seemed very anxious to hear from there before they came in; but whether they did or not, they were to come in at the expiration of five days.

I now learn from Governor Stevens that Ow-hi and Te-i-as some three months since made overtures of peace and desired to pass over into the Sound district; that several messages have passed between them, and that the governor's last message invited them to meet him at a point west of the Cascades. After the last visit of the chiefs to my camp I did not relax my labors on the bridge across the Na-chess. The difficulties were greater than I anticipated; after bridging the main stream, a dense undergrowth of six hundred yards had to be cut through and five or six smaller bridges made. However, on the evening of the 17th the road was opened.

On the morning of the 18th I crossed the Na-chess with eight companies, (one dragoons, one artillery, two of the 4th infantry, and four of the 9th infantry,) 450 rank and file, and marched north over a broken country nine miles, and encamped on the We-nass. Yesterday morning I marched at sunrise, and still pursuing a northerly course, crossed two ranges of mountains over a very rocky and steep trail, where the mountain howitzer had to be dismounted and packed, and arrived in

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this valley (17 miles) at 2 p. m. On our march I saw no Indians to-day. I have scouting parties out exploring the country. This is a very fine valley, some twenty miles in diameter, several branches of the Yakima flowing through it. It is almost entirely surrounded by high mountains, some of them now covered with snow.

I have made a personal examination of the Na-chess to its mouth, from thence up the Yakima to the fisheries, the military road and the We-nass river; and I now occupy with my troops all the great valley.

Major Garnett joined me on the 13th, with companies B and K, 9th infantry. I left Brevet Lieutenant Colonel Steptoe, with three companies of the 9th infantry and a mounted howitzer with artillerymen, to occupy "*Fort Na-chess.*" This is an important point as a depot, and within easy marches of the great fisheries.

I do not despair of ultimately reducing these Indians to sue for peace. I believe they really desire it, and I must find out what outside influence is operating to keep them from coming in. I shall probably stay in this valley several days. This is an unknown region, and I have to feel my way; but when the campaign is over I hope to present a good sketch of the country.

My men are much in want of some articles of clothing, especially shoes, stockings and overalls; I pray that the quartermasters may be able to keep a supply on hand. Shoes, particularly those pegged, last but a few days, marching over sharp rocks.

Very respectfully, your most obedient servant,

G. WRIGHT,
Colonel 9th Infantry, Commanding.

Captain D. R. JONES, *A. A. G.*,
Headquarters Dept. of the Pacific, Benicia, Cal.

G.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, January 19, 1856.

SIR: Herewith you will receive special order No. 6 for your present guidance.

The general commanding expects to be at Fort Vancouver before the season for operations against the Indians commences, when he will communicate his plans and instructions more fully; meantime he wishes you to gather all the information possible about the country to be occupied in the spring, taking as a basis one military post somewhere near Walla-Walla, and one near the Seelah fisheries, to be the principal ones, and perhaps a smaller post somewhere between the Seelah fisheries and Fort Dalles—say at the Yakima mission, or on the Simcoe river. By the next mail the general will send you a map of the country and some reliable topographical information concerning the principal points, from which the fisheries and grazing grounds can be so guarded as to keep the Indians from them.

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DR

Rivera, Eva

From: Ray Paolella <rlpaolella@gmail.com>
Sent: Wednesday, October 14, 2026 2:42 PM
To: Martin, Trevor
Cc: Ask Planning; William O. Douglas Trail Foundation
Subject: Public Hearing Comments on SEPA and Draft Comprehensive Plan 2050 (for 10.14.2026 hearing)
Attachments: williamodouglastrail.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Trevor:

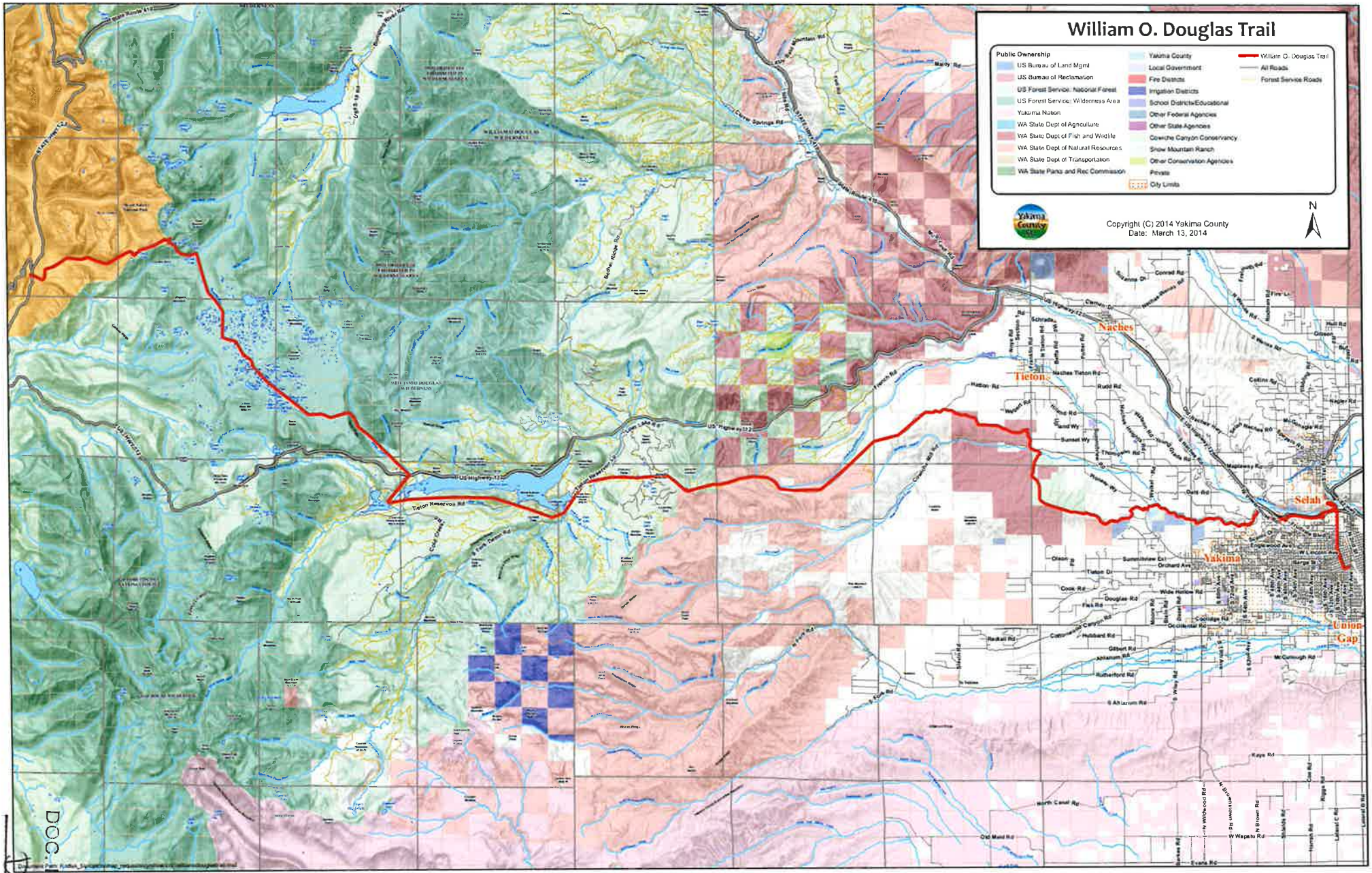
The William O. Douglas Trail Foundation (WODTF) is a nonprofit 501(c)(3) organization based in Yakima. WODTF requests that you include a map of the William O. Douglas Trail in the Comprehensive Plan 2050 Chapter 6. Transportation:

This map was in a previous City Comprehensive Plan under both Transportation and Recreation. The City has in the past been very involved in trail development. The map is also available at: http://williamodouglastrail.org/Maps/williamodouglastrail.pdf

Thank you for your consideration,

Raymond Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907

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William O. Douglas Trail
Public Ownership
US Bureau of Land Mgmt
US Bureau of Reclamation
US Forest Service: National Forest
US Forest Service: Wilderness Area
Yakima Nation
WA State Dept of Agriculture
WA State Dept of Fish and Wildlife
WA State Dept of Natural Resources
WA State Dept of Transportation
WA State Parks and Rec Commission
Yakima County
Local Government
Fire Districts
Irrigation Districts
School Districts/Educational
Other Federal Agencies
Other State Agencies
Cowiche Canyon Conservancy
Snow Mountain Ranch
Other Conservation Agencies
Private
City Limits
William O. Douglas Trail
All Roads
Forest Service Roads
Copyright (C) 2014 Yakima County
Date: March 13, 2014
N
Naches
Tieton
Selah
Yakima
Union Gap
US Highway 12
Tieton Reservoir Rd
Rattlesnake Ridge Rd
Cowiche Mtn Rd
Naches Tieton Rd
Rudd Rd
Nelson Rd
Summitview Rd
Orchard Ave
Tieton Dr
Cook Rd
Douglas Rd
Fisk Rd
Wide Hollow Rd
Cottonwood Canyon Rd
Holbrook Rd
Gilbert Rd
Rutherford Rd
Ahtanum Rd
Keyes Rd
North Canal Rd
Old Main Rd
Evans Rd
W Wapato Rd
McCullough Rd
Cascade Rd
Coolidge Rd
Occidental Rd
Kiwanis Park
Yakima Greenway

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YAKIMA CITY CLERK
'26 OCT 14 PM2:32

TO: YAKIMA CITY PLANNING COMMISSION and PLANNING DIVISION
FR: YAKIMA TAXPAYERS FOR FISCAL RESPONSIBILITY
DA: October 14, 2026
RE: Comments on Proposed Yakima Comprehensive Plan 2050

Yakima Taxpayers for Fiscal Responsibility (YTFR) submit the following comments on the proposed Comprehensive Plan 2050 Update, SEPA Environmental Checklist, and proposed SEPA Determination of Nonsignificance (DNS).

The Comprehensive Plan (CP) Historic Preservation Element is being amended. On page 4-8 of the proposed Historic Preservation Element, there is a section on City-owned Facilities that says "the Yakima Valley Trolley, which includes associated buildings and track" is a "significant" property and is important as an anchor to downtown and the growing tourism market.

Although the City owns former railroad buildings and land at South 3rd Avenue and Pine Street, the City does **not** own the abandoned railroad tracks north of Gordon Road in the City of Yakima. The City of Yakima does not own any land with railroad tracks in the City of Selah. The City of Yakima does not own any land with railroad tracks in unincorporated Yakima County.

After abandoning the freight-only electric railroad in 1985, Yakima Valley Transportation Company (YVTC) gave City of Yakima a Bill of Donation for *personal property* and delivered to the City of Yakima a Donation Quitclaim Deed for *real property* owned by YVTC, if any.

The 1985 Bill of Donation to Yakima included an itemized list of equipment transferred to the City but *excluded* "structures and other fixtures." Thus, YVTC's bridge, trackage, wires, and poles attached to land were structures or fixtures that were *excluded* from the Bill of Donation.

The 1985 Donation Quitclaim Deed to Yakima *included* "all trackage, wires, poles, structures, and other fixtures and appurtenances located on said real property." Thc Donation Quitclaim Deed legal description was limited to "the rights-of-way of the Yakima Valley Transportation Company." But the Yakima Valley Transportation Company did not own the *right-of-way* in Selah Gap – in 1985, the abandoned rail line in

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Selah Gap was on the right-of-way land owned exclusively by Burlington Northern Railroad (now BNSF). So, the Donation Quitclaim Deed did not pass any real property to the City in Selah Gap.

There is no recorded easement in Selah Gap from Northern Pacific/BNSF to the City of Yakima. An unrecorded 1912 "Agreement" between Northern Pacific Railway and Yakima Valley Transportation Company allowed YVTC to operate a main line railroad on Northern Pacific land but that License Agreement was not assigned to the City of Yakima. In 1934, Yakima County ended its franchise for passenger rail service to Selah. Passenger rail use through Selah Gap was permanently abandoned in 1935 under the case *In re Electric Railway Service of Yakima Valley Transportation Company* (Order of Washington Department of Public Works; Cause No. 6832; Apr. 11, 1935). When the YVTC railroad went out of business and was abandoned in 1985, any remaining license agreements lapsed.

As to YVTC's Selah Line outside of Yakima street right-of-way and outside of outside of BNSF right-of-way, YVTC obtained right-of-way deeds from private landowners and received a Yakima County Franchise to build tracks in County right-of-way. Yakima County revoked the franchise for passenger service in 1934. As to private right-of-way deeds, the State Supreme Court has ruled in a line of cases that absent contemporaneous extrinsic evidence to the contrary, railroad right-of-way deeds are treated as easements that are automatically extinguished once railroad operations permanently cease. Since Selah Line passenger rail operations permanently ceased in 1935, passenger rail easements were extinguished in 1935 and automatically reverted back to the underlying private landowners.

In *Congdon Orchards v. City of Yakima, et. al*, the court held that the Yakima trolley streetcar operation is not a railroad but instead is a "*tourist attraction*." The court cited Supreme Court case law distinguishing between railroads and trolley streetcars. The *Congdon* court ruled that under *both* case law and the explicit language of the Congdon easement itself, seasonal tourist trolley use "is not in conformity with the purposes" of the railroad easement and therefore, "the right of way reverts to the original landowner."

The Draft Comprehensive Plan 2050, Volume II Technical Analysis, Page 4-46 (Draft June 2026) discusses "repairs to the Yakima Valley Trolley Bridge over the Naches River" under Project WA-15913 but this project should be entirely removed from the Technical Analysis document because on July 7, 2026, the Yakima City Council passed a motion "to remove the Naches River Bridge from the Transportation Improvement

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Program" and specified that "no City funds shall be used for trolley track infrastructure consistent with Council's previous direction regarding TBD funds."

The Draft Comprehensive Plan 2050, Volume II Technical Analysis, Page 4-52 (Draft June 2026) discusses project R-3 "6th Avenue Rehabilitation (Walnut to River Road). The total listed cost for project R-3 is $7,720,000 but that amount is very inaccurate and should be $18,254,800, according to HLA Engineer's Opinion of Construction Cost (11/6/2025). The trolley portion of that total is $8,402,500 in 2025 dollars.

The abandoned Selah Rail Line is 4 miles long between Yakima and Selah. Re-engineering and rebuilding this heavily degraded rail line is a very complex project. To construct just 7,800 linear feet of track/overhead catenary system on 6thAve. costs about **$5.7 Million per mile**. The cost to re-engineer and rebuild the entire 4-mile Selah Line is about **$22.8 million** based on the $5.7 million per mile engineering estimate for 6th Avenue tracks.

The final cost may be higher if the City and trolleys face challenges obtaining permits to traverse a mile-long strip of oversteepened slopes within the County-designated "High Risk" Geologically Hazardous area. Ten years ago, it cost **$135 Million** to build the 2.5-mile First Hill Streetcar tracks & OCS and **$56 Million** to build the 1.3-mile South Lake Union trolley line. The annual streetcar operating costs are $4.5 Million to $5 Million for each streetcar. By contrast, Yakima's annual trolley expenditure budget for 4.5 miles of track is $13,637, with budgeted annual revenues of $11,869.

The trolley should be completely removed from all City Transportation documents because Yakima's seasonal tourist trolley is a "tourist attraction," and is **Not Transportation** under state and federal laws, case law, and city ordinances. In any case, Yakima lacks authority to operate trolleys north of the Naches River. The SEPA Environmental Checklist should be redone to consider the "high-risk" landslide potential in Selah Gap where a mile of tracks pass through the County-designated geologic hazard area. An environmental/cultural impact study may be necessary to evaluate the impacts of trolley operation and maintenance activities in this hazard area.

Mary Place

Mary Place

(509)966-1590

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1. 6th Avenue Project –S18.3 MILLION
2. 9.15.25 Trolley Letter – Attorney Carmody
3. Bill of Donation – Personal Property
4. Congdon orchards v. Yakima 1987 Court Decision
5. Disputed ROW R-1991-D5887 Interurban Lines copy
6. Donation Quit Claim Deed – Real Property
7. Landslide High Ris A=Int-fo Along Trolley Route
8. Letter Brown & Berg 1-20-26
9. City Council Minutes -07-07-2026
10. Seasonal Tourist and Sightseeing Trolleys
11. State Order Permanent Abandonment Passenger Rail Service to Selah
12. Trolley Not Eligible for Transportation Funds
13. Yakima County-wide Planning Policy)2003)
14. YNCRP Letter to City of Yakima 12.3.2025
15. YVT 12/3/25 Attorney Carmony Letter
16. YVTC Letter to DAHP
17. Northern Pacific RR co ROW Dept. Hope to Ellensburg
18. 1912 Railroad License Agreement Cover Sheet
19. 1912 Approval of Trail in NPRR ROW
20. City Council Minutes 02-17-2026

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TO: YAKIMA CITY COUNCIL
FR: YAKIMA TAXPAYERS FOR FISCAL RESPONSIBILITY
DA: July 7, 2026
RE: Comments on Six-Year TIP, Transportation System Plan, and Capital Facilities Element

On July 7, 2026, the Yakima City Council will hold a Public Hearing regarding: A) Resolution adopting the Six-Year Transportation Improvement Program (TIP) for the period of 2027 through 2032, and to amend the 2040 Transportation System Plan; and B) Resolution amending the Yakima Comprehensive Plan Capital Facilities Element. Yakima Taxpayers for Fiscal Responsibility ("Yakima Taxpayers") submits these Public Hearing comments and respectfully requests City Council make two motions to revise pages 4 and 14 of the TIP as follows:

> TIP page 4: Delete the three words "including trolley provisions" from the Project Description for "6th Avenue Roadway Improvements" and change the "Total Funds and Expenditures" from $17,350,000 TO $10,000,000.
>
> TIP page 14: Delete the word "Trolley" and substitute the word "Transportation" in the Project Description for "Naches River Bridge Repair."

The trolley is Not Eligible for inclusion in the TIP because: (1) Yakima County Superior Court ruled the trolley is not a railroad but instead is a "tourist attraction"; (2) Under state and federal laws, the seasonal tourist trolley is not "public transportation" and is not a "transportation improvement"; (3) On 2/17/2026, City Council removed the trolley tracks from the 6th Avenue Roadway Project amid concerns the trolley was not an eligible "transportation improvement." SEPA Review must be completed before amending the Capital Facilities Element.

Attachments:

1. City Council Motion # 1 revising TIP page 4
2. City Council Motion # 2 revising TIP page 14
3. Yakima Ordinance No. 2026-005
4. Yakima City Council Meeting Minutes (2/17/2026)
5. Letter from Attorney James C. Carmody (1/20/2026)
6. WSDOT: Naches River Bridge not eligible for Transportation Alt. funds (1/20/2026)
7. Congdon Orchards v. City of Yakima Court Decision (Excerpt 4/8/1987)
8. Letter from Attorney James C. Carmody (12/18/2025)
9. Yakama Nation Request for Formal Consultation (12/3/2025)
10. Letter from Attorney James C. Carmody (12/3/2025)
11. Letter from Attorney James C. Carmody (9/15/2025)
12. Yakima County "High Risk" Geologic Hazard GMA Critical Areas Map
13. Utilities and Transportation Commission Public Safety Order
14. National Historic Preservation Act § 106 Consultation
15. Trolley Operation License Agreement (Page 2 excerpt 1/20/2026)
16. Memorandum: Sightseeing Tourist Trolley not Eligible (STIP ID WA-15913)

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Motion # 1

I MOVE TO DELETE THE THREE WORDS "INCLUDING TROLLEY PROVISIONS" FROM THE PROJECT DESCRIPTION FOR "6TH AVENUE ROADWAY IMPROVEMENTS" ON PAGE 4 OF THE TIP AND CHANGE THE TOTAL FUNDS AND EXPENDITURES FROM $17,350,000 TO $10,000,000.

REASONS: THE TROLLEY IS **NOT ELIGIBLE** FOR INCLUSION IN THE TIP

City Council Resolution 2024-095 originally contemplated the use of Yakima's Transportation Benefit District (TBD) funds to rebuild tracks and overhead electric wires on a 1.5-mile segment of the 4-mile Yakima to Selah rail line. However, that 2024 Resolution was superseded by a 2026 **"No Tracks"** City Ordinance and accompanying Motion to *"remove the trolley tracks from the TBD list."* (Yakima Ordinance 2026-005 and City Council Meeting Minutes--Feb. 17, 2026). HLA Engineering 2024 estimate of $7.4 Million to build 6th Avenue tracks and overhead electric power system should be deducted from the total costs of the 6th Avenue Roadway Project.

In a Legal Opinion on TBD transportation improvements sent to the City January 20, 2026, Yakima Attorney Jamie Carmody stated: *"The inclusion of funding for trolleys would violate state law."* On February 17, 2026, the City Council voted to not use any TBD funds for the 6th Avenue tracks and overhead electric wires. City Council member Juliet Potrykus explained the City Council's decision to not spend City funds on the trolley: *"I would just like to draw a very hard line about the responsibility of paying for anything having to do with the trolley going forward being in the hands of the trolley not the taxpayers"* (Yakima City Council meeting transcription, 2/17/2026 at 1:33:30 minutes).

Yakima County Superior Court ruled the tourist trolley used for scenic excursions is not a "*railroad*" but instead is a "*tourist attraction*." The seasonal, non-ADA-accessible tourist trolley that operates on summer weekends and holidays does not provide continuous or functional mobility and therefore does not qualify as "*transportation*" or "*public transportation*" under various state and federal laws, e.g., RCW 81.104.015(4). Federal law says sightseeing tourist trolleys and charters are not "*public transportation.* " For many years, Yakima trolley operating agreements have restricted trolley use to "*tourist attraction.*" Yakima does not own any land with railroad tracks to Selah. Passenger rail service was legally abandoned in 1935 by Order of Washington State Transportation Division, and there is nothing in the record documenting established railway use rights or authority for operations in Selah. The 1935 abandonment of passenger rail operations caused an automatic reversion of the passenger rail easement to private landowners.

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Motion # 2

I MOVE TO DELETE THE WORD "TROLLEY" AND SUBSTITUTE THE WORD "TRANSPORTATION" IN THE PROJECT DESCRIPTION FOR "NACHES RIVER BRIDGE REPAIR" ON PAGE 14 OF THE TIP.

REASONS: THE TROLLEY IS **NOT ELIGIBLE** FOR INCLUSION IN THE TIP

The trolley is **Not Eligible** for inclusion on the TIP because the Yakima trolley is not a "railroad" and does not qualify as "*transportation*" or "*public transportation*" under various state and federal laws. Under Supreme Court case law, the abandonment of passenger rail service to Selah in 1935 and abandonment of freight service in 1985 triggered an automatic reversion of the railroad easement back to the adjacent private landowners. In Washington, when an easement is granted to a railroad by private conveyance, the easement is not a "perpetual public easement." *Lawson v. State of Washington*, 107 Wn.2d 444 (1986). Sightseeing tourist trolley excursions are not railroad operations and therefore trigger reversion of land possession back to the underlying private property owners.

Another example of the trolley not being eligible for transportation funding was a January 20, 2026 email from the Washington State Department of Transportation informing the City that the Naches River Bridge was not eligible for transportation alternative funding as a non-motorized facility because the bridge does not allow pedestrians. Tourist attractions do not qualify for transportation funding.

The historically accurate name for the bridge over the Naches River is "Yakima Valley Transportation Company Bridge" not "Yakima Valley Trolley Bridge." Yakima Valley Transportation Company is listed in the National Register of Historic Places; Yakima Valley Trolleys is not on the National Historic Register. If the TIP is not changed from "trolley" to "transportation," the capital facilities amendment will enable ground disturbance and operations in "High Risk" geologic hazard Critical Areas where the Yakama Nation requested formal consultation. This would also be inconsistent with a UTC Public Safety Order.

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CITY OF YAKIMA
6th Avenue Rebuild and Rail Renovation
Engineer's Opinion of Construction Cost

11/6/2025

City Project No. 2796
HLA Project No. 24069

Item No.	Description	Payment Specification	Unit	Unit Cost	Overall Quantity	Overall Cost
Schedule A - Road Improvements						
1	Minor Change	1-04.4(1)	FA	$25,000.00	1	$25,000.00
2	SPCC Plan	1-07.15(1)	LS	$500.00	1	$500.00
3	Mobilization	2-01.5	LS	$1,060,000.00	1	$1,060,000.00
4	Project Temporary Traffic Control	2-04.5	LS	$300,000.00	1	$300,000.00
5	Clearing and Grubbing	3-01.5	LS	$50,000.00	1	$50,000.00
6	Removal of Structures and Obstructions	3-02.5	LS	$100,000.00	1	$100,000.00
7	Unclassified Excavation Incl. Haul	3-03.5	CY	$30.00	18,000	$540,000.00
8	Crushed Surfacing Base Course	4-05.5	TON	$40.00	15,100	$604,000.00
9	Crushed Surfacing Top Course	4-05.5	TON	$50.00	2,000	$100,000.00
10	HMA Cl. 1/2-Inch PG 64H-28	5-04.5	TON	$120.00	14,500	$1,740,000.00
11	HMA Cl. 3/8-Inch PG 64H-28	5-04.5	TON	$140.00	1,600	$224,000.00
12	Storm Sewer Pipe 12 In. Diam.	7-04.5	LF	$90.00	4,000	$360,000.00
13	Underdrain Pipe Infiltration Trench System 12 In. Diam	7-04.5	LF	$150.00	1,600	$240,000.00
14	Catch Basin Type 2 48 In. Diam.	7-05.5	EA	$3,000.00	24	$72,000.00
15	Catch Basin Type 1	7-05.5	EA	$2,500.00	52	$130,000.00
16	Pretreatment Manhole 48 In. Diam.	7-05.5	EA	$25,000.00	2	$50,000.00
17	Adjust Manhole	7-05.5	EA	$1,000.00	30	$30,000.00
18	Adjust Telephone Manhole	7-05.5	EA	$1,200.00	10	$12,000.00
19	Shoring or Extra Excavation	7-08.5	LF	$5.00	5,600	$28,000.00
20	Select Backfill, as Directed	7-08.5	CY	$50.00	250	$12,500.00
21	Erosion Control and Water Pollution Prevention	8-01.5	LS	$10,000.00	1	$10,000.00
22	Landscape Restoration	8-02.5	FA	$20,000.00	1	$20,000.00
23	Basalt Rock Mulch	8-02.5	CY	$100.00	400	$40,000.00
24	Cement Conc. Traffic Curb and Gutter	8-04.5	LF	$30.00	15,600	$468,000.00
25	Commercial Driveway Approach	8-06.5	EA	$7,500.00	23	$172,500.00
26	Monument Case and Cover	8-13.5	EA	$800.00	19	$15,200.00
27	Cement Conc. Sidewalk 6-Inch Thick	8-14.5	SY	$90.00	1,000	$90,000.00
28	Cement Conc. Sidewalk 4-Inch Thick	8-14.5	SY	$80.00	5,500	$440,000.00
29	Cement Conc. Curb Ramp	8-14.5	EA	$3,000.00	164	$492,000.00
30	Mailbox Support Type 1 or 2	8-18.5	EA	$500.00	31	$15,500.00
31	Illumination System, Complete	8-20.5	LS	$160,000.00	1	$160,000.00
32	Rapid Flashing Beacon System	8-20.5	EA	$25,000.00	2	$50,000.00
33	Overhead Trollley Wire, Complete	8-20.5	LS	$2,100,000.00	1	$2,100,000.00
34	Permanent Signing	8-21.5	LS	$20,000.00	1	$20,000.00
35	Pavement Markings	8-22.5	LS	$50,000.00	1	$50,000.00
36	Trolley Rail Replacement	1-07.28(8)	LF	$575.00	7,800	$4,485,000.00
				Subtotal		$14,306,200.00
				Contingency 10%		$1,430,600.00
				Sch. A Total Estimated Construction Cost		**$15,736,800.00**
				Sch. A Construction Engineering 16%		$2,518,000.00
				Sch. A Total Estimated Project Cost		**$18,254,800.00**

Assumptions

1. Roadway section, 0.5' HMA, 0.5' CSBC
2. Pathway section, 0.25' HMA, 0.33' CSTC
3. Basalt Rock Mulch (Landscape Rock on Plans) placed in buffer
4. New roadway profile will be included in the 60% submittal.
5. New storm drainage will be included in the 60% submittal
6. Curb Ramp locations and styles will be included in the 60% submittal
7. Removal of trees and vegetation included in Clearing and Grubbing
8. Removal of drain structures included in Removal of Structures and Obstructions
9. Rapid Flashing beacons for school crossing
10. Street lights included on utility poles

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*Also admitted in Oregon
**Also admitted in Oregon & Virginia

JACOB A. LARA
ROBERT S. URLOCKER
PARDIES ROOHANI
HARLEY MONTOYA
NICHOLAS FRONTIN
MARIO BATKI

September 15, 2025

Vicki Baker, City Manager
City of Yakima
129 N. 2nd Street
Yakima, WA 98901
vicki.baker@yakimawa.gov

Bill Preston, Community Development Director
City of Yakima
City Hall – Second Floor
129 N. 2nd Street
Yakima, WA 98901
Bill.Preston@yakimawa.gov

Sara Watkins, City Attorney
City of Yakima Legal Department
200 South 3rd Street, Second Floor
Yakima, WA 98901
sara.watkins@yakimawa.gov

Dear City Manager Baker, SEPA Responsible Official Preston, and City Attorney Watkins:

I write on behalf of Yakima Taxpayers for Fiscal Responsibility (YTFR), an unincorporated association. YTFR understands the City Council may soon consider authorizing trolley operations both within and outside of the City of Yakima through an Operating License Agreement. ("Agreement"). *Attachment A.* The Agreement authorizes the use of the City's electric railway system as a tourist attraction running between the City and Selah, Washington.

The City of Yakima ("City" or "Yakima") should postpone taking any action on the "Operation License Agreement" with Yakima Valley Trolleys because: (1) Yakima appears to have no existing authority to operate tourist trolleys outside of Yakima, (2) Yakima is required to conduct SEPA Environmental Review *before* authorizing operations within and outside of Yakima that will impact public safety and the environment in the "High Risk" Selah Gap Hazardous Area, and (3) Yakima taxpayers should be informed of the full costs, direct and indirect, that Yakima will incur to permit, rebuild, and operate the abandoned railroad tracks & wires on the 4-mile Selah Line.

Yakima Valley Trolleys proposes to operate public tourist trolley excursions across a mile-long route in Selah at the base of oversteepened slopes and within the "run-out area" of County-designated "High

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Risk" Geologically Hazardous slopes.[1] In 2022, Yakima Valley Trolleys notified the City of Yakima of this "*dangerous situation for rail traffic.*"[2] Previous Trolley operations have included excavating rockslides at the toe of this potential landslide area. The use of explosives has even been mentioned because rockslides regularly block railroad tracks. The Selah tracks are currently blocked by multiple rockslides. Excavating rocks in the run-out area could destabilize the steep rocky slopes above, triggering more rockslides or a larger landslide. This could be catastrophic to the public riding trolleys and to the BNSF interstate rail line and nearby Yakima River. Rock removal also harms sensitive cultural sites and fish habitat in the adjacent Yakima River.

History of Railroad Tracks in Selah

Starting in 1907 and ending in 1983, Yakima Valley Transportation Company (YVTC) operated an electric interurban railroad between Yakima and Selah. Passenger streetcars operated within Yakima city streets, whereas "interurban" electric railroad cars operated outside Yakima, primarily to transport fruit to the Yakima distribution center from outlying rural orchards in Selah. In 1935, all "interurban" electric passenger service ended and never resumed due to operating costs greatly exceeding income.[3] In 1983, Yakima Valley Transportation Company (YVTC) notified Washington State that YVTC was no longer an electric railroad and no longer provided electric freight or passenger service. YVTC also said "tourist trolley cars" or excursions were not part of the railroad's operations.[4]

In a lawsuit against the City of Yakima and the trolley association, the court ruled in 1987 that Yakima's trolleys are "*not a railroad*" but instead are a "*tourist attraction*," and a streetcar line is not a railroad.[5] State law also says streetcars like the trolleys are not a "railroad," and are not "Public Transportation."[6] The tourist trolleys are not listed on the National Historic Register.[7]

In 1985, all YVTC tracks were fully abandoned, legally and operationally, under Order of the U.S. Interstate Commerce Commission (ICC). The railroad was also abandoned under state law because YVTC gave written "Notice of Intent" to abandon the railroad and actually abandoned use of the tracks and overhead electric power system.[8] A 1912 license agreement between Northern Pacific Railroad (NP) and YVTC allowed "railroad" operations on NP land (but did not include tourist trolleys); however, when YVTC abandoned the railroad and ceased operations, the unassigned 1912 contract also ended.

The former railroad's rights of way, vehicles, and equipment were donated to Yakima for seasonal tourist trolley excursions and museum. However, the 1985 Quit Claim Deed from YVTC to Yakima did not convey any right-of-way in Selah Gap to Yakima because YVTC did not own the right-of-way in

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[1] High Risk Geologic Hazards Map, Yakima County GIS (August 29, 2018)
[2] Letter from Trolley Association Attorney Paul D. Edmondson submitted to Yakima City Council (June 23, 2022)
[3] Johnsen, Kenneth G., *Apple Country Interurban: A History of the Yakima Valley Transportation Company* (Golden West Books, 1979); Johnsen, Kenneth G., *Images of Rail: Yakima Valley Transportation Company* (Arcadia Publishing 2010)
[4] Letter from President of Yakima Valley Transportation Company to WA Historic Preservation Officer (Nov. 14, 1983)
[5] Memorandum Opinion, *Congdon Orchards, Inc. v. City of Yakima, Yakima Valley Transportation Co., and Yakima Interurban Lines Association* (86-2-00503-9, April 8, 1987)
[6] *See, e.g.,* RCW 36.75.010(12) and RCW 81.104.015(4).
[7] *National Register of Historic Places Inventory—Nomination Form: Yakima Valley Transportation Company*, Prepared June 1983, NPS Received September 18, 1984; Listing Number: 84004012
[8] *Abandonment of Yakima Valley Transportation Company in Yakima, County, WA* (U.S. Interstate Commerce Commission, Docket No. AB-131, (November 1985)

(3)

YVT DONATION TO CITY OF YAKIMA
PLD 120-12-20

BILL OF DONATION

WHEREAS, the YAKIMA VALLEY TRANSPORTATION COMPANY, a Washington corporation (hereinafter referred to as "YVT"), is the owner of an electric railroad in the City of Yakima, Washington, and adjoining communities; and

WHEREAS, YVT has been authorized by the Interstate Commerce Commission to discontinue and abandon all common carrier freight service over said electric railroad; and

WHEREAS, the City of Yakima, a Washington municipal corporation (hereinafter referred to as "City"), operates two electric passenger excursion trolleys over YVT's electric railroad; and

WHEREAS, City desires that YVT donate locomotives, rolling stock, vehicles, machinery, electrical equipment, tools, spare parts and supplies associated with the electric railroad to City to allow continued operation of the excursion trolleys; and

WHEREAS, YVT is willing to make said donation;

NOW, THEREFORE, YVT hereby conveys and donates to the City, without monetary or other consideration of any kind, the locomotives, rolling stock, vehicles, machinery, electrical equipment, and tools identified on Exhibit A attached hereto and incorporated herein by this reference.

YVT also hereby conveys and donates to City, without monetary or other consideration of any kind, all electrical parts, supplies, and miscellaneous equipment, and all locomotive, rolling stock, and vehicle spare parts, supplies, and equipment, and all such other personal property related to operation and maintenance of the YVT electric railroad, stored as of the date hereof upon the premises of YVT's central shop complex located at the intersection of South Third Avenue and Pine Street in the City of Yakima.

Original is in Contract file
under 85-98
Related to Contract Nos. 85-90 and 85-97

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Exhibit D

The following items are mutually agreed upon by the City and YVT to be recurring administration expenditures which YVT shall routinely submit to the City for prompt reimbursement from Fund 162 – Trolley, subject to availability of funds. Backup material for all reimbursement items must be provided.

1. Gas utility bills
2. Electric utility bills
3. Water and sewer utility bills
4. Solid waste utility bills
5. Phone, internet, and telecommunications bills

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K. 2 donation boxes
L. 2 rows of five theater seats
M. Television and VCR on portable dolly
N. Bathroom with toilet, 1911 sink and inline water heater.

14. Powerhouse gift shop
All items, display cases and cash register are Yakima Valley Trolleys property.

15. Powerhouse vault
Storage for Yakima Valley Trolleys' records and proprietary items.

16. Powerhouse office
A. Desk and chair
B. Typewriter
C. Adding machine
D. Mimeograph machine
E. 4 file cabinets
F. YVT Telephone

17. Fuel shed
A. Assorted lubricants for trolleys
B. Assorted paints
C. Electric gasoline pump
D. Fuel for power car

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8. Carbarn main room
    A. Motor/generator set #3
    B. Two wheel grinder
    C. Belt drive machine shop equipment

        1. General Electric motor
        2. Hallidie Machinery Company lathe
        3. National Machinery Company milling machine
        4. Hallidie Machinery Company milling machine
        5. Cincinnati Shaper Company 20-inch shaper

    D. Press
    E. 5 spare trolley poles with harps and wheels
    F. 57 mast arm assemblies

9. Carbarn forge room
    A. Blacksmith's forge and hood
    B. Assorted blacksmith's tools
    C. P & H arc welder on highway wheels

10. Carbarn Office
    A. Desk
    B. Table and 10 folding chairs
    C. Air conditioner

11. Carbarn tool room
    A. Assorted hand tools (drills, wrenches, hammers, screwdrivers, saws, etc.)
    B. Assorted spare parts for trolleys
    C. Assorted spare parts for overhead wire
    D. Assorted railroad crossing signs

12. Carbarn sand room
    A. Assorted outdoor tools (shovels, rakes, picks, bars, brooms, etc.)
    B. 6 track jacks
    C. Gas powered rail saw
    D. Rail drill
    E. Assorted road work signs
    F. 3 large cones
    G. Miscellaneous other materials and parts

13. Powerhouse main room
    A. Motor/generator #1
    B. Motor/generator #2
    C. Switching equipment for motor/generators #1 and #2
    D. Rectifier #1
    E. Rectifier #2
    F. Rectifier #3
    G. Dynamic brake unit #3
    H. Automatic voltage sensing unit
    I. Cabinet with spare parts for rectifiers
    J. YVT McKee waiting-station

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EXHIBIT "C"

An inventory of the electric railroad system owned by the City of Yakima
As of January 27, 2025, compiled by Kenneth G. Johnsen.

Items located on City property which are not owned by the City are not included in this list.

1. Approximately 5 miles of standard gauge track located in the YVT yard, on Pine Street; on North 6th Avenue, in Selah Gap and in Selah.

2. Approximately 5 miles of overhead contact system, portions of which are temporarily removed due to theft or accidental damage.

3. Structures
   A. Powerhouse
   B. Carbarn
   C. Oil Shed
   D. Pegram Truss Bridge at Naches River

4. Locomotives, trolley cars and freight cars
   A. Master Unit #21, Brill, 1930
   B. Master Unit #22, Brill, 1930
   C. Oporto #1776, STCP, 1928
   D. Oporto #1976, STCP, 1928
   E. Freight Motor #298, General Electric, 1922
   F. Line Car #A, Niles Car Company, 1910
   G. Tank Car U.P. #68130, 1958
   H. Flatcar YVT #1014, 1928
   I. Flatcar YVT #1015, 1928

5. Three four-wheel track push cars

6. Motor Vehicles
   A. Chevrolet YVT #A-6, 1968
   B. International Harvester YVT #A-7, 1956
   C. Chevrolet van #Yakima Interurban Trolley Lines

7. Track materials in YVT yard
   A. Approximately 300 railroad ties
   B. Approximately 65 33-foot lengths of 60# rail
   C. Switch points and frogs for approximately 12 turnout switches.
   D. 9 railroad crossing sign posts
   E. 20 pallets of tie plates (mostly 60# rail, some 90# rail)
   F. 9 pallets offish plates (mostly 60# rail, some 90# rail)
   G. 7 pallets of other miscellaneous track parts H
   H. 2 Nelson in-street switch machines
   I. 13 standard YVT switch machines
   J. 3 barrels of railroad spikes
   K. 1 barrel of track bolts
   L. 2 pair truck hyrail wheels (enough for one truck)
   M. 2 couplers and other miscellaneous railcar parts
   N. 5 5000-foot spools of guy wire
   O. 3 3000-foot spools of aluminum feeder wire (damaged by vandals)
   P. 6 spools messenger wire

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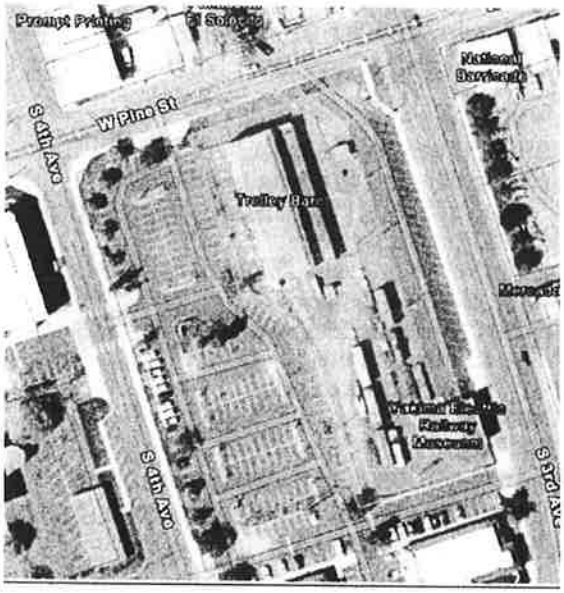
Exhibit B

City of Yakima Property for the Yakima Valley Trolleys (YVT)
Parcel #181324-44465

Yakima County Assessor's Legal Description for this parcel # 181324-44465

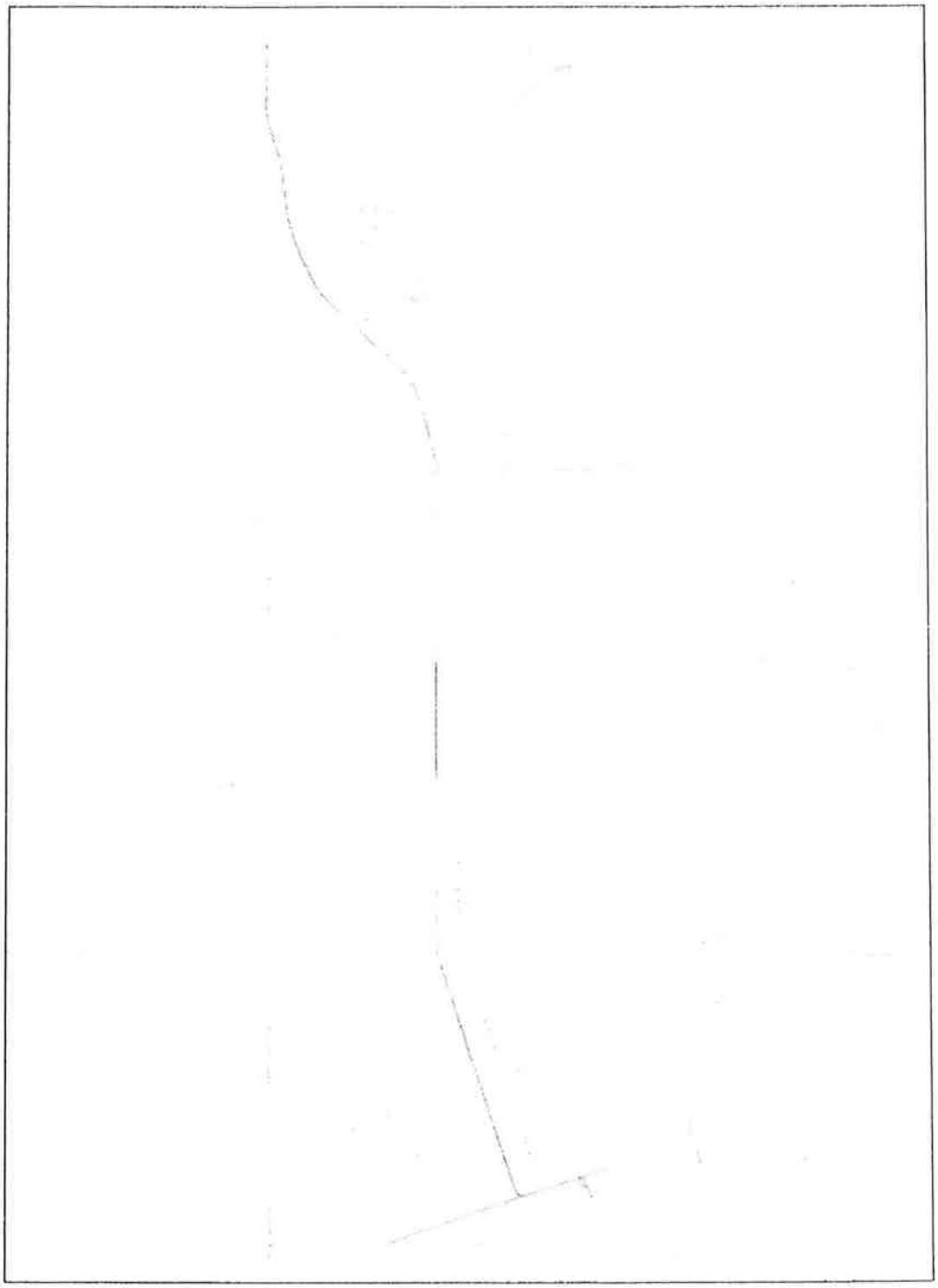
County Narrative Description : LUND'S ADDTO NORTH YAKIMA: PT BLK 255 & VAC ALLEY & VAC ST DESC AS FOL: BEG NE COR SD BLK 255, TH S 71^ 23' 15"" W 187 FT ,TH S 18^ 37' 15"" E 177 FT, TH N 63^ 37' 15"" E 51 FT,FT, TH S 18^37'15""E 153.76 FT, TH N 71^23'15""E 138.45 FT TO E LN OF SD BLK 255, TH N 18^37'15""W AL SD E LN TO POB





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Exhibit A



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agreement compliance and guidance regarding City policies and procedures.

27. **Venue**. The venue for any action to enforce or interpret this License Agreement shall lie in a court of competent jurisdiction that is located in Yakima County, Washington.

28. **Integration**. This written document constitutes the entire License Agreement between the City and YVT and supersedes any and all previous written and/or oral License Agreements between the parties. There are no other oral or written License Agreements between the parties as to the matters covered herein. No changes or additions to this License Agreement shall be valid or binding upon either party unless such change or addition be in writing and executed by both parties.

CITY OF YAKIMA

By:_____
Victoria Baker, City Manager

Date:_____

ATTEST:

_____
City Clerk

YAKIMA VALLEY TROLLEYS

By:_____
Ken Johnsen, President of the Board

Date:_____

City Contract No._____

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to insist upon strict performance of any License Agreement, covenant or condition of this License Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such License Agreement, covenant, condition or right.

20. Severability. If any provision of this License Agreement is determined to be invalid and unenforceable, all of the other provisions of this License Agreement shall remain valid and enforceable notwithstanding, unless the provision found to be invalid and unenforceable is of such material effect that this Agreement cannot be performed in accordance with the intent of the parties in absence thereof.

21. Ambiguities Shall Not Be Construed Against the Drafter. Both the City and YVT have participated in the drafting of this License Agreement. As such, the parties agree that the common law principles of construing ambiguities against the drafter shall have no application to this License Agreement.

22. Termination. Either party, through their respective representatives who have signed this Agreement, or their successors, may terminate this License Agreement, with or without cause, by giving the other party sixty (60) calendar days prior written notice of termination.

23. Survival. Any provision of this License Agreement which imposes an obligation after termination or expiration of this License Agreement shall survive the term or expiration of this License Agreement and shall be binding on the parties to this License Agreement.

24. Notices. Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand delivered to the parties to their addresses as follows:

TO CITY:
Community Development Director
City of Yakima
129 North Second Street
Yakima, WA 98901

TO YVT:
President
Yakima Valley Trolleys
P.O. Box 796
Yakima, WA 98907

Or for hand delivery:
Yakima Valley Trolleys
313 N 3rd St
Yakima, WA 98901

or to such other addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand delivered. Such notices shall be deemed effective when mailed or hand delivered at the addresses specified above.

25. Governing Law. This License Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

26. Trolley Liaison. The YVT shall allow the City to have a liaison to attend Board meetings. Said Liaison shall be a City employee appointed by the City Manager and shall not have any voting rights on the Board. The Liaison may attend YVT Board meetings and assist the YVT with

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d. Nothing in this section or this Agreement shall be construed to create a liability or a right of indemnification in any third party.

e. The terms of this section shall survive any expiration or termination of this Agreement.

16. Liability Insurance. The City agrees to provide YVT with liability and directors and officers insurance, each with a minimum liability limit of $2,000,000 combined single limit bodily injury and property damage. Said policy shall be in effect for the duration of this License Agreement. The policy shall name the City, its elected officials, officers, agents, and employees as additional insureds. The insurance shall be with an insurance company or companies rated A-VII or higher in Best's Guide and admitted in the State of Washington.

17. Documents, Records, and Records Retention.

a. The records relating to this Agreement shall, at all times, be subject to inspection by and with the approval of the City, but the making of (or failure or delay in making) such inspection or approval shall not relieve YVT of responsibility for performance of this Agreement, notwithstanding the City's knowledge of defective or non-complying performance, its substantiality or the ease of its discovery. YVT shall provide the City sufficient, safe, and proper facilities, and/or send copies of the requested documents to the City. Contractor's records relating to this Agreement will be provided to the City upon the City's request.

b. YVT shall promptly furnish the City with such information and records which are related to this Agreement as may be requested by the City. Until the expiration of six (6) years after termination of this Agreement, or for a longer period if required by law or by the Washington Secretary of State's record retention schedule, YVT shall retain and provide the City access to (and the City shall have the right to examine, audit and copy) all of YVT's books, documents, papers and records which are related to this Agreement. If any litigation, claim, or audit is started before the expiration of the six-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.

c. All records relating to this Agreement must be made available to the City, and the records relating to this Agreement are City of Yakima records. They must be produced to third parties, if required pursuant to the Washington State Public Records Act, Chapter 42.56 RCW, or by law. All records relating to YVT's responsibilities under this Agreement must be retained by YVT for the minimum period of time required pursuant to the Washington Secretary of State's records retention schedule.

d. Nothing in this Agreement shall be interpreted to require YVT to disclose records that are unrelated to the performance of this Agreement (including personnel files or trade secrets that have no direct bearing on the contractual obligations) unless disclosure of such records is specifically required by law.

e. The terms of this section shall survive any expiration or termination of this Agreement.

18. Assignment. This License Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by YVT to any other person or entity

19. Waiver of Breach. A waiver by either party hereto of a breach of the other party hereto of any covenant or condition of this License Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party

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of this Agreement, YVT shall provide the City with a written list of any substances/materials/products necessary to operate, use and maintain the City's electric railway system and electric railway museum that have specific MSDS storage or use requirements. The City shall notify YVT in writing of the City's approval or rejection of the list of substances/materials/products no later than thirty (30) days after receiving said list. In the event the City's approval of the use of any particular listed substance/material/product is granted, the disposal of such must be done in a legal manner according to applicable laws and regulations by the YVT.

c. YVT agrees to protect, indemnify and hold harmless the City from and against any claims or losses arising out or related to the presence or release of any hazardous substances by YVT while performing this Agreement, except to the extent caused by spilling, generating, handling, disposing, or releasing of hazardous waste or substances, by the City, its agents, employees, or contractors or third parties. YVT may operate, use and store standard products and equipment such as batteries in order to conduct business provided such use is in accordance with all applicable environmental federal, state and local laws, requirements and regulations. YVT agrees to cooperate in any environmental investigations conducted by the City or independent third parties where there is evidence of contamination on the subject property, or where the City is directed to conduct such audit by an agency or agencies having jurisdiction. YVT shall provide the City with notice of any inspections of the subject property, notices of violations, and orders to clean up contamination.

d. Failure to provide this information may result in termination of the agreement per Section 24.

15. General Indemnification and Hold Harmless.

a. YVT shall take all necessary precautions in performing its obligations under this Agreement to prevent injury to persons or property. YVT agrees to release, indemnify, defend, and hold harmless the City, its elected and appointed officials, officers, employees, agents, representatives, insurers, attorneys, and volunteers from all liabilities, losses, damages, and expenses related to all claims, suits, arbitration actions, investigations, and regulatory or other governmental proceedings arising from or in connection with this Agreement or the acts, failures to act, errors or omissions of YVT, or any of YVT's agents or subcontractors, in performance of this Agreement, except for claims caused by the City's sole negligence.

b. Industrial Insurance Act Waiver. It is specifically and expressly understood that YVT waives any immunity that may be granted to it under the Washington State industrial insurance act, Title 51 RCW, solely for the purposes of this indemnification. YVT's indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers' compensation acts, disability benefit acts or any other benefits acts or programs. YVT shall require that its subcontractors, and anyone directly or indirectly employed or hired by YVT, and anyone for whose acts YVT may be liable in connection with its performance of this Agreement, comply with the terms of this paragraph, waive any immunity granted under Title 51 RCW, and assume all potential liability for actions brought by their respective employees. The Parties acknowledge that they have mutually negotiated this waiver.

c. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of YVT and the City, YVT's liability, including the duty and cost to defend, shall be only to the extent of YVT's negligence.

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10. **Nondiscrimination Provision**. During the performance of this License Agreement, YVT shall not discriminate in violation of any federal, state, and/or local law and/or regulation on the basis of race, age, color, sex, religion, national origin, creed, marital status, political affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff, or termination, rates of pay or other forms of compensation, selection for training, and the provisions of services under this License Agreement.

11. **The Americans with Disabilities Act**. YVT shall comply with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. (ADA), and its implementing regulations, and Washington State's anti-discrimination law as contained in RCW Chapter 49.60 and its implementing regulations ("WLAD"), with regard to the activities and services provided pursuant to this License Agreement. The ADA and the WLAD provide comprehensive civil rights to individuals with disabilities in the area of employment, public accommodations, public transportation, state and local government services, and telecommunications.

12. **Compliance With Law**. YVT shall obtain and maintain all permits and/or licenses from the City, state and/or federal government necessary and/or required to use, operate, promote and maintain the City's electric railway system and electric railway museum under this License Agreement. Further, YVT shall use, operate, promote and maintain the City's electric railway system and electric railway museum under this License Agreement in full compliance with any and all applicable laws, rules, and regulations adopted or promulgated by any governmental agency or regulatory body, whether federal, state, local, or otherwise.

13. **Debts and Liens**. YVT shall not permit/allow any lien to attach to the City's electric railway system, electric railway museum and/or any other City property. YVT shall not permit/allow any debt to be imposed on the City as a result of YVT's use, operation, promotion and/or maintenance of the City's electric railway system and electric railway museum under this License Agreement. In the event of any such lien and/or debt, YVT shall immediately take all necessary steps to have the City and City property legally released from said lien and/or debt.

14. **Compliance With Environmental Laws**.

a. YVT represents warrants and agrees that it will use, operate and maintain the City's electric railway system and/or electric railway museum in compliance with all applicable environmental laws. As used in this License Agreement, "Environmental Laws" means all federal, state and local environmental laws, rules, regulations, ordinances, judicial or administrative decrees, orders, decisions, authorizations or permits, including, but not limited to, the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, et. seq., the Clean Air Act, 42 U.S.C. § 7401, et seq., the Federal Water Pollution Control Act, 33 U.S.C. § 1251, et seq., the Emergency Planning and Community Right to Know Act, 42 U.S.C. § 1101, et seq., the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 2601, et seq., the Oil Pollution Control Act, 33 U.S.C. § 2701, et seq., and any Washington or other comparable local, state, or federal regulation, statute, ordinance and/or law pertaining to the environment or natural resources.

b. Toxic or hazardous substances are not allowed on the subject property without the express written permission of the City and under such terms and conditions as may be specified by the City. For the purposes of this License Agreement, "Hazardous Substances," shall include all those substances identified as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et seq., and the Washington Model Toxic Control Act, RCW 70.105D et seq. Within thirty (30) days of execution

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and condition as when received by YVT or as improved thereafter, with the exceptions of ordinary wear and tear, theft, vandalism, natural or manmade disaster, or other circumstances beyond YVT's control. YVT will deliver all keys to said property to the City Community Development Director.

6. **Term**. The term of this License Agreement shall commence on January 1, 2025 and shall terminate at midnight, December 31, 2034, unless sooner terminated by either party in accordance with Section 24 of this License Agreement.

7. **Inspection and Audit**. YVT shall maintain (in accordance with generally accepted accounting practices) books, accounts, records, documents and other materials related directly or indirectly to the costs, expenses and revenues of the operation and maintenance of the City's electric railway system and electrical railway museum as licensed under this License Agreement. All such books, accounts, records, documents and other materials shall be subject to inspection and audit at reasonable times by representatives of the City and/or of the Washington State Auditor. YVT shall make such books, accounts, records, documents and other materials available and shall afford the proper facilities for such inspection and/or audit within forty-eight (48) hours of inspection/audit notification from City representatives and/or the Washington State Auditor. Such books, accounts, records, documents and other materials may be copied by representatives of the City and/or of the Washington State Auditor as part of such an inspection/audit. YVT shall preserve and make available all such books, accounts, records, documents and other materials for a period of at least three (3) years after termination of this License Agreement. In addition, and as a non-profit corporation, YVT shall maintain and make available its tax returns to anyone who desires to review and inspect such tax returns as applicable by IRS law. Upon termination of the agreement, YVT shall provide all tax returns for all years YVT operated under this Operations and Maintenance Agreement.

8. **Independent Contractor Status of YVT**. YVT and the City understand and expressly agree that YVT is an independent contractor with regard to the use, operation, promotion and maintenance of the City's electric railway system and electric railway museum under this License Agreement. No officer, employee, volunteer, and/or agent of YVT shall act on behalf of or represent him or herself as an agent or representative of the City. No officer, employee, volunteer, and/or agent of YVT shall make any statement in the name of or on behalf of the City. YVT, as an independent contractor, assumes the entire responsibility for using, operating, promoting, and maintaining the electric railway system and electric railway museum. YVT and its officers, employees, volunteers, agents and/or subcontractors shall make no claim of City employment nor shall claim against the City any related employment benefits, social security, and/or retirement benefits. Nothing contained herein shall be interpreted as creating a relationship of servant, employee, partnership or agency between YVT and the City.

9. **Taxes and Assessments**. YVT shall be solely responsible for compensating its employees, agents, and/or subcontractors and for paying all related taxes, deductions, and assessments, including but not limited to, federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this License Agreement.

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c. Compliance with City Purchasing Policies. YVT shall comply with applicable City purchasing policies, procedures and instructions when purchasing equipment, materials, and supplies necessary for the operation and maintenance of the electrical railway system with funds provided and/or obtained by the City for trolley purposes. YVT shall work through the Trolley Liaison to purchase all such equipment, materials and supplies purchased with funds provided and/or obtained by the City in the name of the City. Purchasing policies are found online and will be provided upon request to YVT. YVT should consult Purchasing, or the Trolley Liaison, whenever purchasing equipment, materials, and supplies. Failure to follow City purchasing policies will result in denial of reimbursement for expenses.

d. Revenues from Operation of the Electrical Railway System and Electric Railway Museum. Fare revenue derived from the operation of the electrical railway system and electric railway museum shall be used in accordance with YMC §3.95.010 for the acquisition, operation, maintenance and capital improvements of the electrical railway system and electric railway museum and for no other purposes. Should this Agreement be terminated for any reason, any funds obtained prior to termination still held by YVT shall be transferred to the City to be used in accordance with YMC 3.95.010 and this Section.

e. Revenues from Other Sources. Should YVT derive revenue from sources other than from the operation of the electrical railway system and electric railway museum, such as, but not limited to, donations to YVT, gift shop sales, charter fees, special events, or membership dues to YVT, those revenues are solely the property of YVT to be used as YVT deems appropriate for YVT and/or the electrical railway system and electric railway museum.

Yakima Valley Trolleys (YVT) shall obtain written approval from the City of Yakima's Community Development Director prior to initiating contact with potential funding sources or submitting any grant applications or requests for capital improvement funding related to City-owned trolley infrastructure or equipment. This requirement applies specifically to activities involving capital projects. Written approval is not required for routine YVT fundraising activities or events intended to support maintenance and operations, including those at which general donations are accepted.

Safety and Accident Reporting Requirements. When operating and maintaining the electrical railway system and museum under this License Agreement, YVT shall comply with safety and accident reporting requirements of the City of Yakima and any other applicable federal, state and/or local laws, rules, and regulations. YVT shall prepare a Safety Plan within three (3) months of execution of the agreement. The Plan will include how YVT will conduct operations to ensure volunteer and passenger safety as well as reporting accidents to the City. The Plan should be similar to plans in accordance with WAC 468-550-040(4). The Safety Plan shall be approved by the Community Development Director. Failure to operate under an approved Plan may be considered a default.

Notification and Investigation of Accidents. YVT shall be responsible for and shall comply with all notification, reporting and investigation requirements of the approved Safety Plan regarding accident, incident, or unacceptable hazardous conditions as those terms are defined in the Safety Plan, including but not limited to: notifying the City within twenty- four (24) hours of the occurrence of any reportable incident, or the discovery of any unacceptable hazardous condition; and investigating all reportable incidents and unacceptable and issuing a written investigation report to the City within forty-five (45) calendar days after the occurrence of the incident, or discovery of the unacceptable hazardous condition. Failure to comply with this section shall result in termination of this Agreement.

5. Surrender of Property. YVT agrees that at the expiration of this License Agreement, YVT will quit and surrender to the City the electric railway system and electric railway museum. YVT shall surrender the electric railway system and electric railway museum in as good a state

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4. Budget and Expenditures.

The City has created Fund 162 – Trolley for administration costs associated with maintenance and operation of the electric railway system and electric railway museum. $10,000 yearly may be available to YVT to provide for overhead costs if appropriated by the City Council, in its sole discretion. YVT shall submit quarterly invoices for administration costs. Certain recurring administration expenditures, mutually agreed upon by the City and YVT and designated herein under Exhibit D, shall be considered routine and shall be approved by the Community Development Director without delay, subject to the availability of funds. Those expenditures from Fund 162 – Trolley not considered routine will be covered under section 4 (b). Failure to submit quarterly invoices may result in non-payment or untimely payment from the City.

a. Annual Operation and Maintenance Budget. YVT shall submit a proposed annual budget of expenditures relating to Fund 162 – Trolley to the Community Development Director for the operation and maintenance of the electrical railway system and the electrical railway museum. This proposed budget shall be submitted during the City Council's normal budget preparation cycle in October of the year before the proposed annual budget is to be implemented. YVT will coordinate with the Community Development Director or their designee to provide a budget consistent with City format for timely internal review by the City. The first year of the agreement the budget proposal for 2025 is due to the City by June 30, 2025. Any requests for reimbursement exceeding the Fund 162 amount shall be rejected. YVT is responsible for all expenses in excess of the Fund 162 balance unless otherwise outlined in this Agreement or approved by the City Council.

b. City Approval Required for Maintenance and Operation Expenditures. To the extent that YVT requires and seeks funding from the City for any expense and/or costs related to the maintenance and/or operation of the City's electrical railway system and electrical railway museum, beyond those expenditures mutually agreed upon in advance by the YVT and City under Exhibit D, YVT shall seek and obtain approval of the City before incurring the respective expense and/or costs in accordance with the following:

- The Community Development Director or their designee must review and approve all expenses/costs of $2,500 or less.
- The City Manager or their designee must review and approve all expenses/costs between $2,500.01 and $10,000.
- The City Council must review and approve all expenses/costs in excess of $10,000.
- No expenditure may be made from the trolley fund established under YMC Chapter 3.95 without Community Development Director approval and can only be used for the purposes specified in YMC § 3.95.010.
- Failure to receive approval prior to expenditures may result in expenses not being eligible for reimbursement and/or denial of reimbursement requests.

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Street, Yakima, Washington.

b. An inventory of the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials is attached hereto as Exhibit "C" and incorporated herein by this reference. YVT shall update this inventory as necessary and provide an updated Exhibit to the City to attach to this Agreement. Failure to update the inventory list may be considered a default.

2. Electric Railway System and Museum Use Restricted.

a. Electric Railway System Use Restriction. The operation, use and promotion license granted herein for the City's electric railway system shall be restricted to the use and operation of the electric railway system on a non-profit basis for the transport, benefit, and enjoyment of the public, as an educational resource, as a tourist attraction and a tourism promotional activity, and to activities necessary for the maintenance and operation of the electric railway system.

b. Electric Railway Museum. The operation, use and promotion license granted herein for the City's electric railway museum shall be restricted to the use and operation of the electric railway museum on a non-profit basis for the benefit, education and enjoyment of the public, as a tourist attraction and a tourism promotional activity, and to activities necessary for the care and maintenance of the electric railway museum.

3. Maintenance.

The Trolley system is an asset of the City of Yakima. Any work on a building, within the right-of-way, or improvement to any physical asset associated with the Trolley system that meets the definition of a 'public work' under RCW 39.04 shall be performed in compliance with RCW 39.04 and any other applicable requirements under Washington law. Nothing in this Agreement is intended to expand or limit the definition of a 'public work' beyond what is set forth in RCW 39.04.

a. General Maintenance. In consideration of the license granted herein, YVT assumes responsibility for and agrees to maintain the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, associated equipment and materials and the electric railway museum in good repair and in as clean, neat and orderly manner as reasonably possible. YVT must coordinate all significant general maintenance work with the, Community Development Director, or their designee. Significant general maintenance work shall be defined as any work within the City R/W, work requiring the use of any City funding including the Trolley Fund over $1000.00, or work with an estimated cost exceeding $5,000.00. This includes work or additions to a building or structure that is not already present, work on trolley tracks or poles, landscaping improvements not already installed, replacement of track, ties, catenary lines, poles, lighting, and bridge work.

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OPERATION LICENSE AGREEMENT
BETWEEN THE CITY OF YAKIMA
AND
YAKIMA VALLEY TROLLEYS

THIS OPERATION LICENSE AGREEMENT (hereinafter "License Agreement") is made and entered into by and between the City of Yakima, a Washington municipal corporation (hereinafter the "City"), and the Yakima Valley Trolleys, a Washington non-profit corporation (hereinafter "YVT").

WHEREAS, YVT desires to operate and use the City's electric railway system as shown in the Exhibits to this Agreement during calendar years 2025 through 2034.

WHEREAS, the City is willing to grant an operation license to YVT to operate the City's electric railway system in accordance with the terms and conditions of this License Agreement.

WHEREAS, the City will provide a Trolley Liaison to attend YVT Board meetings and assist the YVT with agreement compliance and guidance regarding City policies and procedures.

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms and conditions set forth herein, it is agreed by and between the City and YVT as follows:

1. Use and Operation License.

a. YVT is licensed to use, operate, maintain and promote the City's electric railway system and electric railway museum located at 306 West Pine Street. Said license to use, operate, maintain and promote said system shall include but not be limited to the authority to:

i. Operate, use and promote the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials. A map of the electric railway system is attached hereto as Exhibit "A" and incorporated herein by this reference. YVT shall provide the Community Development Director, or their designee, with a written operation schedule for each year on or before February 1st of the calendar year, except the calendar year 2025, when the written operation and promotion schedule shall be provided within thirty (30) days of the date YVT signs this Agreement. Updates and additions to the operation schedule should be forwarded to the Community Development Director in a timely manner.

ii. Operate, use and promote the City's electric railway museum located at 306 West Pine Street, Yakima, Washington, including associated exhibits, gift shop, ticket office, and restrooms. A map and legal description of the railway museum site is attached hereto as Exhibit "B" and incorporated herein by this reference. YVT shall provide the Community Development Director, or their designee, with a written museum operation schedule at the same time it provides the operation schedule outlined in section 1a(i) above. Updates and additions to the operation schedule should be forwarded to the Community Development Director in a timely manner, and before any updates in the schedule are implemented.

iii. Store and maintain the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials. Said electric railway system trolleys, cars, engines, equipment, parts, supplies, tools, machines and other materials will be stored neatly in and upon the subject property located at 306 West Pine

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ATTACHMENT A

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Please give advance notice to YTFR of any processes, meetings, decisions, determinations, or public comment opportunities under SEPA, NEPA, TBD, and Section 106 of the National Historic Preservation Act for all trolley-related projects, including 6th Avenue, Naches River Bridge, BNSF diamond crossing, and other connected projects to rebuild or operate trolley-related facilities.

Very truly yours,

James C. Carmody
Meyer, Fluegge & Tenney, P.S.

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Selah, which was owned by BNSF Railway.[9] Yakima does not own the former railroad line north of the Naches River. Landowners north of the river include BNSF, State of Washington, and City of Selah.

Transportation Benefit District (TBD) Funding

HLA Engineering estimated the 2024 cost to rebuild trolley tracks & electric wires is about $5 Million per mile; the cost to rebuild the 4-mile Selah Line could be $15 Million to $20 Million. Under state law, the trolley is not eligible for TBD funding because: (1) the trolley is not a railroad, (2) the trolley is a seasonal tourist attraction, (3) the trolley is not "Public Transportation," (4) the trolley is not a "Transportation Improvement," (5) rebuilding the trolley is not "necessitated by existing or reasonably foreseeable congestion levels," (6) the seasonal trolley will not "alleviate congestion," and (7) the trolley does not otherwise satisfy the criteria in RCW 36.73.020(1).[10]

The City of Yakima has invested taxpayer dollars in the Trolley for many years. The City should not invest additional funds in the Tourist Trolleys that do not qualify for transportation funding. The City should not assume responsibility for environmental, cultural resources, and other financial risks and liabilities rightly held by the trolleys. The Trolleys should fully address all legal concerns and explain their financial responsibilities and contributions to their enterprise.

Conclusion

Yakima is required to postpone any action on the Trolley "Operation License Agreement". SEPA requires SEPA review for any proposal which is defined as a "proposed action". WAC 197-11-784. An "action" is defined as any "...new or continuing activity ... entirely or partly financed, assisted, conducted, regulated, *licensed,* or approved by agencies." WAC 197-11-704. The City is required to conduct the SEPA process *before* licensing trolleys to operate on deteriorated/unsafe tracks that will not be usable for the foreseeable future.

Simultaneously, Yakima must also conduct the SEPA process and analyze cumulative impacts *before* working on any trolley-connected projects, such as 6th Avenue, BNSF diamond near River Road, or other degraded/missing segments of the 4-mile Selah line. SEPA requires comprehensive environmental and cultural resource review at the earliest possible stage, before committing to a particular course of action. *King County v. Boundary Review of King County,* 122 Wn.2d 648, 860 P.2d 1024 (1993).

SEPA requires cities to make a threshold determination for any proposal that meets the definition of action. "Under SEPA, the definition of 'action' covers just about everything, and within that category are project and nonproject actions," such as decisions on policies, plans or programs.[11] One of the fundamental principles of environmental review law is that when there is evidence that a project under review "will facilitate future action that will result in additional impacts," the impacts of said project must be analyzed simultaneously with those of the proposed future action, and the cumulative impact of these actions must be considered when making a threshold decision under SEPA.[12] Segmented or piecemeal environmental review is not allowed.

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[9] Quit Claim Deed from Yakima Valley Transportation Co., Grantor, to City of Yakima, Grantee (Dec. 19, 1985)
[10] RCW 81.104.015(4); RCW Chapter 36.73; City of Yakima Ordinance 2017-002
[11] *King County vs. Friends of Sammamish Valley*, 3 Wn.3d 793 (2024); RCW 43.21C.033(1); WAC 197-11-310(1), -704(2)(b)
[12] *Boehm v. City of Vancouver*, 111 Wash. App. 711, 720 (2002).

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The donation herein does not include any real property, structures, or other fixtures owned by YVT nor does it include any right of access to or right to utilize YVT's central shop complex at South Third Avenue and Pine Street in the City of Yakima.

Said donation is made without any warranties, covenants, or representations of any kind or nature by YVT or the City of Yakima.

The donation herein is effective at 2:30 p.m., the 18th day of November, 1985.

YAKIMA VALLEY TRANSPORTATION COMPANY

Attest: (Seal)

By_____ By_____
Secretary President

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EXHIBIT A

I. LOCOMOTIVES

A. YVT "A" - 1909 Niles Electric No Serial No.
B. 298 - 1922 General Electric 50 Ton Electric. Serial No. 8788.

II. ROLLING STOCK

A. Flat Car (F50-7) No. YVT 1014.
B. Flat Car (F50-7) No. YVT 1015.
C. Two (2) Section Cars.

III. VEHICLES

A. 1956 International, Serial No. 5618074056 - Special Truck used for Cantenary Maintenance.

B. 1968 Chevrolet, Model 4FB Two Ton Flat Bed, Serial No. CE638J162120.

IV. MACHINERY

A. Chicago-Pneumatic Air Compressor, 20 hp, Shop Number OWR&N 01368.
C. Lodge & Shipley 14" Lathe, No Serial Number.
D. National Bolt Threader, Serial Number 5470.
E. Bickford Radial Arm Drill Press, No Serial Number.

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EXHIBIT A

F. W. F. & J. Barnes 1/2" Drill Press
No Serial Number.
G. Grinder - Shop Made, No Serial Number.
H. Cincinatti Shaper, No Serial Number.
I. Pedestal Grinder/Drill Bit Sharpener,
No Manufacturer's Data or Serial Number.
J. General Electric Air Compressor,
Serial Number 1198417.
K. General Electric Air Compressor,
Serial Number 1198418.
L. Higley Metal Saw, No Serial Number.
M. Niles-Bement-Pond 20" Pedestal Grinder,
Serial Number 41.
N. 15 Ton Niles Overhead Bridge Crane
No Serial Number.
P. P&H Gas Engine Driven Welder
Serial No. F186-5586.
Q. Manual Screw Press, Shop Made No Serial Number.
V. Duff 50 Ton Air Jack, Serial Number 5-528RX413.
W. Duff 50 Ton Air Jack, Serial Number 5-528RX1114.
X. Duff 25 Ton Screw Jack, Serial Number 2835.
Y. Duff 25 Ton Screw Jack, Serial Number 2885.
AA. Journal Jack.
BB. Anvil.
CC. Forge - Shop Made.
DD. Pipe Vise.
EE. Miscellaneous Vises - 5 ea.
FF. Four (4) Fire Extinguishers Ansul Dry Powder.
GG. One (1) Carbon Dioxide Fire Extinguisher.

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EXHIBIT A

Electrical Equipment in YVTC Main Substation

Alternating Current Panel

1. Thomson Ammeters (4), 0-150 AC; General Electric Co., Schenectady, New York, patent April 2, 1901
2. Thomson Ammeters (3), 0-150 AC; General Electric Co., Schenectady, New York, patent June 1, 1909
3. Thomson Ammeter (1), 0-150 AC; General Electric Co., Schenectady, New York, patent June 13, 1911
4. Power Factor Indicators (2), .5 amp, 110 volt; General Electric Co., Schenectady, New York, patent May 26, 1903
5. Power Factor Indicator (1), .5 amp, 110 volt; General Electric Co., Schenectady, New York, patent June 1, 1909
6. Thomson Voltmeter (1), 0-175 volts; General Electric Co., Schenectady, New York, patent April 2, 1901
7. Operating Levers (3), 5 amp; General Electric Co., Schenectady, New York, no date visible
8. Relay (1), type P, form DB; General Electric Co., Schenectady, New York, no date visible
9. Demand Meter (1), 0-1200 kilowatts; General Electric Co., Schenectady, New York, no date visible
10. Watt-hour Meter; no name noted, no date visible
11. Alternating Current Contactors (2), three-phase; General Electric Co., Schenectady, New York, no date visible

Direct Current Panel

12. Relays (4), P2404; General Electric Co., Schenectady, New York, no date visible
13. Relay (1), P2405; General Electric Co., Schenectady, New York, no date visible
14. Relay (1), P2406; General Electric Co., Schenectady, New York, no date visible
15. Contactors (2), DC; General Electric Co., Schenectady, New York, patent December 6, 1921
16. Low Voltage Release for Circuit Breaker (1), 1200 volts; General Electric Co., Schenectady, New York, patent December 7, 1909
17. Circuit Breakers (2), 1200 amp, 650 volt; General Electric Co., Schenectady, New York, patent July 2, 1902
18. Overload Circuit Breaker (1), 800 amp, 1200 volt; General Electric Co., Schenectady, New York, patent December 12, 1911
19. Thomson Astatic Ammeters (4), 0-1500 amp; General Electric Co., Schenectady, New York, patent June 10, 1902
20. Thomson Astatic Ammeter (1); General Electric Co., Schenectady, New York, no date visible
21. Thomson Ammeter (1), 0-80 amps; General Electric Co., Schenectady, New York, patent April 2, 1901
22. Thomson Ammeter (1), 0-150 amp; General Electric Co., Schenectady, New York, patent April 2, 1901
23. Ammeter (1), Type D-7; General Electric Co., Schenectady, New York, no date visible

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EXHIBIT A

24. Thomson Astatic Voltmeter (1), 0-750 volt; General Electric Co., Schenectady, New York, no date visible
25. I.G. Rheostat Stacks (5), with thermostats; General Electric Co., Schenectady, New York, patent July 4, 1910
26. Large Knife Switches (4), labeled "Main," "Selah," "Ahtanum," and "City #1"
27. Relays (2), 220 volt, 60 cycle; General Electric Co., Schenectady, New York, no date visible
28. Operating Lever for Circuit Breaker (1), Type HA-2; General Electric Co., Schenectady, New York, patent July 4, 1922
29. Relays (2), Type PB-55; General Electric Co., Schenectady, New York, no date visible
30. Overload Relays (2), inverse time limit; General Electric Co., Schenectady, New York, patent July 23, 1907
31. Overload Relay (1), definite time limit; General Electric Co., Schenectady, New York, patent July 23, 1907
32. Direct Current Reclosing Relay (1), Type RB-112; General Electric Co., Schenectady, New York, no date visible
33. Direct Current Underload and Reverse Power Relay (1), Type RB-21; General Electric Co., Schenectady, New York, no date visible
34. Rheostat Controller (1); General Electric Co., Schenectady, New York, no date visible
35. Direct Current Under Voltage and Reverse Polarity Relay (1), Type RB-113; General Electric Co., Schenectady, New York, no date visible
36. Relay (1), Type RG-1, 220 volt, 60 cycle; General Electric Co., Schenectady, New York, no date visible
37. DC Contactors (6); General Electric Co., Schenectady, New York, patent December 6, 1921

Note: The following are components of the motor-generator sets

38. Synchronous Motor (1), #1, 435 horsepower, 2300 volts; General Electric Co., Schenectady, New York, patent December 2, 1902
39. Continuous Current Generator (1), #1, 500 amps, 600 volts; General Electric Co., Schenectady, New York, patent April 2, 1912
40. Exciter (1), #1, 64 amp, 125 volts; General Electric Co., Schenectady, New York, patent April 2, 1912
41. Synchronous Motor (1), #2, 435 horsepower, 2300 volts; General Electric Co., Schenectady, New York, patent December 2, 1902
42. Continuous Current Generator (1), #2, 500 amps, 600 volts; General Electric Co., Schenectady, New York, patent December 2, 1902
43. Exciter (1), #2, 44 amp, 125 volt; General Electric Company, Schenectady, New York, patent April 11, 1902

Note: The silicon rectifier equipment installed in 1975 is listed below

44. Silicon Rectifier Equipment (1), #1, 480 volts AC, 600 volts DC; General Electric Co., March 1975
45. Dynamic Breaking Equipment (1), #1, 600 volts DC, 50 kilowatts; General Electric Co., March 1975

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EXHIBIT A

46. Silicon Rectifier Equipment (1), #2, 480 volts AC, 600 volts DC; General Electric Co., March 1975
47. Dynamic Breaking Equipment (1), #2, 600 volts DC, 50 kilowatts; General Electric Co., March 1975
48. Heavy Duty Safety Switch (1), main disconnect, 480 volts AC, 800 amps; Westinghouse Corp., March 1975
49. Heavy Duty Safety Switch (1), Selah line, 600 amps, 600 volts; Westinghouse Corp., no date noted--installed 1975
50. Heavy Duty Safety Switch (1), Ahtanum line, 600 amps, 600 volts; Westinghouse Corp., no date noted--installed in 1975

lectrical Equipment in Wide Hollow Substation

1. Automatic Switching Equipment (1), K-2188454; General Electric Co., Schenectady, New York, patent October 15, 1918
2. Continuous Current Generator (1), 44 amps, 125 volts; General Electric Co., Schenectady, New York, patent April 11, 1905
3. Continuous Current Generator (1), 500 amps, 800 volts; General Electric Co., Schenectady, New York, patent December 2, 1902
4. Automatic Voltage Sensing Unit; General Electric Co., no date noted--installed in 1975
5. Silicon Rectifier Equipment (10, #3, 480 volts AC, 600 volts DC; General Electric Co., March 1975
6. Dynamic Breaking Equipment (1), #3, 600 volts DC, 50 kilowatts; General Electric Co., March 1975
7. Heavy Duty Safety Switch (1), main disconnect, 480 volts AC, 400 amps; Westinghouse Corp., no date noted--installed in March 1975

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CLERK OF SUPERIOR COURT YAKIMA, WASHINGTON

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BETTY McGILLEN
YAKIMA COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR YAKIMA COUNTY

CONGDON ORCHARDS, INC., a Delaware corporation, Plaintiff, vs. YAKIMA VALLEY TRANSPORTATION COMPANY, a Washington corporation, THE CITY OF YAKIMA, a municipal corporation, and YAKIMA INTERURBAN LINES ASSOCIATION, Defendants.	NO. 86-2-00503-9 MEMORANDUM OPINION

The Yakima Valley Transportation Company, hereinafter referred to as YVTC, obtained the right to build and operate a railroad line upon property owned by plaintiff's predecessors in interest, said grant by document dated August 2, 1909. (Exhibit D to plaintiff's memorandum). In said document the terms "railroad" and "railway" are used interchangeably and the Court concludes that both terms as used in this document have the same generic meaning.

On page 11 of said grant are found certain express conditions including:

> "(1). That said Transportation Company shall complete the construction of said railroad on said right-of-way and have the same in regular and permanent operation in connection with the rest of its line to North Yakima, Washington, by April 1st, A.D., 1910, and that thereafter it shall regularly operate the same between the west end of the granted right-of-way and said North Yakima ..."

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The grant also provided, on page 2:

> "Now, therefore, in consideration of the premises in the sum of ONE DOLLAR ($1.00) to the Grantors paid by the said Transportation Company, the said Grantors, Chester A. Congdon and Clara B. Congdon, husband and wife, do hereby grant, convey and quitclaim to the Yakima Valley Transportation Company, its successors and assigns, so long as the same shall be used for electric or motor, other than steam, railroad, and no longer, a right-of-way of twenty (20) feet wide over and across the parcels of land hereinbefore described ..."

There are other provisions in the document referring to the grant continuing only so long as it is used as a railroad. The grant also provides that its purpose was for the transportation of passengers or freight.

Each party hereto has filed with the Court in support or opposition to plaintiff's motion for summary judgment many documents and publications, some supported by affidavits and others not. Attached to plaintiff's memorandum are Exhibits A through P. Attached to defendants' memorandum are additional documents and publications. While neither party specifically moved to have this material admitted as exhibits, some are supported by affidavits and all were referred to and otherwise used in their respective memorandum and in argument to the Court without objection. Neither party contests the validity of any document nor the accuracy of any publications supplied. The Court will therefore consider all materials provided and used in argument of counsel.

Much of the material is very interesting historically and useful in setting the stage for current events but is not relevant to the Court's decision and will be referred to, if at all, as background information to help understand the Court's decision.

Commencing in 1909, YVTC acquired properties in an area west of North Yakima. See Exhibit C to plaintiff's memorandum. While these acquisitions were generally by agreement, there was at least one by

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condemnation.

Attached to defendants' memorandum are copies of pages from Apple County Interurban, a History of the Yakima Valley Transportation Company in the Yakima Interurban Trolley Lines. It is interesting to note in that publication, at page 47, it is stated that:

> "All of Yakima Valley Transportation's starter lines, North Fourth Street, North Eighth Street, Fairview, and Maple Street, ostensibly were built for the purpose of carrying passenger traffic. Expansion by means of lines to Selah, Henrybro, and Wiley City, however, tapped freight business. Passenger travel over those routes was merely incidental ...
>
> "Acres and acres of apples had been planted in the fertile land west of Yakima. Packing houses sprang up at Wiley, Ahtanum, Henrybro, Westbrook and Congdon, as well as at Selah to the north, providing lucrative business for the Yakima Valley Transportation Company."

It is also apparent from the grant that plaintiff's predecessor intended to benefit from the railroad by provision contained on page 10, that grantee, at grantor's request, would build a spur for the purpose of loading and unloading on grantor's property.

YVTC was a common carrier subject to the Interstate Commerce Act and it was owned by Oregon Shortline Railroad, a part of the Union Pacific system. (See YVTC's application to abandon its railroad lines in Yakima County, Exhibit G, plaintiff's memorandum.) The application details the decline in shipping, reduction in its operations and losses suffered in the early 1980's. The application is dated April 23, 1985.

On June 5, 1985, the Interstate Commerce Commission entered its order authorizing abandonment of the system by YVTC. (Exhibit H, plaintiff's memorandum).

By various documents YVTC donated its personal property and relevant real property interests to the City of Yakima. (Exhibit I, plaintiff's memorandum).

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In 1974, YVTC had offered the City of Yakima the right to use their tracks and facilities for a trolley operation. (Attachment to defendants' memorandum entitled "Joint Facility Agreements and Resolutions"). This offer was accepted by the City and trolley operations commenced on Columbus Day that year and continued until cold weather set in. (Affidavit of Robert E. Van Dyke).

In 1986, the trolley operation was transferred by the City to the Yakima Interurban Lines Association, Inc., a nonprofit corporation, to operate the trolleys for purposes of tourist promotion. (Exhibit L, plaintiff's memorandum). It should be noted that the trolleys operate on Saturdays and Sundays from late spring to Labor Day each year for public rides and at other times and into October for special charter trips. (Affidavit of Barbara Thompson).

The issue before the Court is whether the present usage of the line constitutes the operation of a railroad for the transportation of passengers or freight as provided by the grant from Congdon to YVTC dated August 21, 1909.

It is obvious from both case law, Lawson v. State, 107 Wn.2d 444, (1986), and the very explicit language of the grant itself that if the present use is not in conformity with the purposes of the grant, the right-of-way reverts to the original landowner.

The case of Burkheimer v. Seattle, 162 Wash. 645 (1931), involved a similar issue on clearly distinguishable facts. In that case, under a similar reversionary clause in the grant, the Street Railway Company changed its main line so that it no longer crossed appellant's property over which the grant was given. However that line was still maintained as a trunk line. The Supreme Court held that: "The term 'said railway' is broad enough to include the entire plant of the grantee, whether it be its main line or whether it be spur tracks or side tracks used and operated in connection with its

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main line." While that portion of the decision is based upon such different facts as to be of little aid to this Court, its ruling on interpreting such grants is very helpful. The Court, in this regard stated:

> "The purport and intent of the parties to a written instrument must be gathered, where possible, from the language of the instrument itself, considered with reference to the subject matter to which it relates and with reference to the surrounding conditions and circumstances, not by what either party thereto may aver to be its purport and intent. If the language of the instrument is plain and unambiguous, and the subject matter does not indicate that the words used therein are employed in a technical or restricted sense, the instrument will be given the interpretation its language ordinarily implies."

The Court finds no ambiguity in the language of this grant. It is obvious that the agreement contemplated a railroad that would primarily serve for transporting fruit from orchards to the distribution center in the city of Yakima

As pointed out in Johnsen's History of the Yakima Valley Transportation Company, supra, passenger service over those routes was merely incidental.

The Trolley Operating and Indemnification Agreement, Exhibit L, plaintiff's memorandum, referred to the operation of two trolley cars and their use was restricted thereby "to the operation of the trolley cars for the transporting of passengers only, as a tourist attraction and promotional activity ..."

Its operation has been restricted to operation on weekends during warmer weather and at other times for special charter trips.

The use of the railway exclusively for the operation of trolleys as a tourist attraction and for promotional activity was not within the contemplation of the parties to the grant and could not be considered as authorized use under the grant. Under the terms of

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the grant, at page 11, the grantee, in regard to the railroad, was to "have the same in regular and permanent operation in connection with the rest of its line to North Yakima". The present operation of the trolleys can hardly be termed "regular" as contemplated by the parties and the contemplated use, instead of being permanent, has been abandoned by the grantee. There are several definitions of the "trolley" contained in Webster's Third New International Dictionary by those applicable to that term's use in the case at bar are "electric car, trolley car and streetcar".

The early case of Front Street Cable Ry. Co. v. Johnson, 2 Wash. 12 (1891), is very helpful in distinguishing between railroads and what was variously referred to as a street railway, streetcar line or cable railway. While concerned with a statutory lien foreclosure action, the Court distinguished between railroads and street railways as follows:

> "We deem it to be a clear proposition, also, that these 'railways' are not 'railroads'; according to the usual and ordinary meaning of the word, to which reference must be had for the interpretation of a statute. The difference between these two valuable instruments of public convenience was clearly pointed out in the earlier days of street railways, in a contest for the possession of some of the streets of the city of Louisville, Ky., between a railroad company and a street railway company."

The Court then cited with approval from Louisville, etc., R. Co. v. Louisville City Ry. Co., 2 Duv. 175, wherein the Kentucky court stated:

> "A 'railroad' and a 'street railroad' or way are, in both their technical and popular import, as distinct and different things as a 'road' and a 'street,' or as a 'bridge' and a 'railroad bridge' . . . A street railway is not, in either the popular or legislative sense, a railroad."

It would necessarily follow that a trolley or trolley car is not a railroad in either their popular or technical sense and

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certainly was neither contemplated nor intended by the language used in the grant nor by the circumstances surrounding the giving of the grant.

Plaintiff's motion for summary judgment must be granted.

DATED this 8th day of April, 1987.

JUDGE BRUCE P. HANSON

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RESOLUTION NO. D. 5887

A RESOLUTION authorizing and directing the City Manager and City Clerk of the City of Yakima to execute an agreement with Yakima Interurban Lines Association, Inc. for trolley car operation for 1991.

WHEREAS, the City owns a railroad system, donated to the City of Yakima Valley Transportation Company, over which system the Yakima Interurban Lines Association has previously operated trolley cars as a tourist promotion activity by agreement with the City, and

WHEREAS, Yakima Interurban Lines Association, Inc. desires to continue the trolley car operation for the year 1991 as provided by the attached agreement document; and the City Council deems it to be in the best interests of the City that the attached agreement be executed, accordingly, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

The City Manager and City Clerk of the City of Yakima are hereby authorized and directed to execute an agreement with Yakima Valley Interurban Lines Association, Inc. for 1991, subject to Yakima Valley Interurban Lines Association, Inc. presenting to the City Manager proof of adequate insurance coverage in conformance with the terms of the "Trolley Operating and Indemnification Agreement" which is attached hereto and by reference made a part hereof.

ADOPTED BY THE CITY COUNCIL this 12th day of March, 1991.

Dat Brandt
Mayor

ATTEST:

Karen S. Roberts, cmc
City Clerk

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Subdivision	Section	Township	Range	Meridian
S½S½	30	" "	" "	" "
S½S½	25	" "	17 E.	" "
S½SE¼, NW¼SE¼, N½SW¼	26	" "	" "	" "
N½SE¼, NE¼SW¼, S½NW¼	27	" "	" "	" "

SEGMENT NO. 3 EASTMAN TO ORCHARD MAIN LINE

Beginning at Railroad Engineering Station 206+16.2 on the above-mentioned Yakima to Wiley City Main Line in the SW¼NW¼ of said Section 27, T. 13 N., R. 18 E.;

thence in a westerly, northwesterly and northerly direction across the hereinafter identified Sections, Townships and Ranges, a distance of 5356.8 feet (1.01 miles), more or less, to the south line of West Chestnut Street (formerly known as Orchard Avenue in Railroad Company Records) in the S½SE¼ of Section 21, T. 13 N., R. 18 E., of the Willamette Meridian in Yakima County, Washington.

Containing a net property area of 3.47 acres, more or less.

Said Segment No. 3 lying in and across the legal subdivisions identified as follows:

Subdivision	Section	Township	Range	Meridian
SW¼NW¼	27	13 N.	18 E.	Willamette
NE¼	28	" "	" "	" "
S½SE¼	21	" "	" "	" "

SEGMENT NO. 4 YAKIMA TO SELAH MAIN LINE

Beginning at Railroad Engineering Station 41+60.1 on the above-mentioned Yakima to Wiley City Main Line in the SE¼SE¼ of said Section 24, T. 13 N., R. 18 E.;

thence in a northwesterly and northerly direction across the hereinafter identified Sections, Townships and Ranges, a distance of 18,341 feet (3.47 miles), more or less, to the south line of Lot 6 of Block 1 of Selah Garden Tracts as recorded in Volume 1, Book of Plats at Page 39, and Volume 55 of

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Subdivision	Section	Township	Range	Meridian
S½N½, N½S½	27	" "	" "	" "
S½	28	" "	" "	" "
SE¼SE¼	29	" "	" "	" "
E½E½	32	" "	" "	" "
Lot 2, SE¼NE¼, NW¼SE¼, N½SW¼	5	12 N.	" "	" "
N½S½	6	" "	" "	" "
E½SE¼, SW¼SE¼ S½SW¼	1	" "	17 E	" "
N½SW¼	12	" "	" "	" "
SE¼SE¼	2	" "	" "	" "
NE¼NE¼	11	" "	" "	" "

SEGMENT NO. 2 - WIDE HOLLOW JUNCTION TO HENRYBRO MAIN LINE

Beginning at Railroad Engineering Station 264+13.3 on the above-mentioned Yakima to Wiley City Main Line in the SW¼SW¼ of said Section 28, T. 13 N., R. 18 E.;

thence in a westerly and northwesterly direction across the hereinafter identified Sections, Townships and Ranges, a distance of 27,136.2 feet (5.14 miles), more or less, to approximate Railroad Engineering Station 535+49.5 in the Town of Gromore (formerly known as Henrybro in Railroad Records) in the SW¼NW¼ of Section 27, T. 13 N., R. 17 E., of the Willamette Meridian in Yakima County, Washington.

Containing a net property area of 23.52 acres, more or less.

Said Segment No. 2 lying in and across the legal subdivisions identified as follows:

Subdivision	Section	Township	Range	Meridian
SW¼SW¼	28	13 N.	18 E.	Willamette
S½S½	29	" "	" "	" "

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EXHIBIT A

YAKIMA VALLEY TRANSPORTATION COMPANY

YAKIMA, WASHINGTON

All right, title and interest in and to the rights-of-way of the Yakima Valley Transportation Company, a Washington corporation, as now located and situated in Yakima County, Washington, the centerline of main tracks of said rights-of-way being described as follows:

SEGMENT NO. 1 - YAKIMA TO WILEY CITY MAIN LINE

Beginning at the intersection of the centerline of the main track of the Yakima Valley Transportation Company as now located and the northeasterly line of Third Avenue South where it crosses Pine Street in the SE¼ SE¼ of Section 24, T. 13 N., R. 18 E., of the Willamette Meridian in the City of Yakima, Yakima County, Washington, said point of beginning being at approximate Engineering Station 30+30 of said Railroad Company;

thence in a westerly, southerly and southwesterly direction across the hereinafter identified Sections, Townships and Ranges, a distance of approximately 47,495 feet (9.00 miles), more or less, to approximate Railroad Engineering Station 505+25 at the intersection of said centerline of main track with the centerline of West Street in Wiley City, Yakima County, Washington and the east line of that certain first described strip of land heretofore conveyed from Yakima Valley Transportation Company to Gilbert Orchards, Inc., by Quitclaim Deed dated December 18, 1974, and filed in the Records of Union Pacific Railroad Company as Y.V.T. L.S. Deed Audit No. 405.

Containing a net property area of 23.31 acres, more or less.

Said Segment No. 1 lying in and across the legal subdivisions identified as follows:

Subdivision	Section	Township	Range	Meridian
S½SE¼, S½SW¼	24	13 N.	18 E	Willamette
N½NW¼, SW¼NW¼	25	" "	" "	" "
NE¼NE¼, S½N½, N½S½	26	" "	" "	" "

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STATE OF OREGON)
) ss.
County of Multnomah)

On this 18th day of November, 1985, before me personally appeared A. L. SHOEMER, to me known to be President of YAKIMA VALLEY TRANSPORTATION COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Oregon

My Commission Expires: 9-14-86

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TROLLEY OPERATING AND INDEMNIFICATION AGREEMENT

THIS AGREEMENT, executed this 15th day of March, 1991, by and between the City of Yakima, hereinafter called the City, and Yakima Interurban Lines Association. Inc., hereinafter called YILA:

WITNESSETH:

WHEREAS, the City owns a railroad system, with some tracks outside and some tracks inside the Yakima City boundary, consisting primarily of properties of the former Yakima Valley Transportation Company, as those properties were transferred and conveyed to the City by virtue of a "Bill of Donation", a "Donation Quitclaim Deed", and also by a "YVT Blanket Assignment of Third Party Agreements to City of Yakima", and

WHEREAS, the City has substantially reduced the size of such railroad system and desires to operate a portion of such railroad system which portion is depicted on the map (EXHIBIT A), and

WHEREAS, for the purpose of current storage of railroad equipment, the City occupies real property owned by Yakima Valley Transportation Company consisting of premises depicted on the attached map (EXHIBIT B) leased to the Yakima Interurban Lines Association, and

WHEREAS, the City owns one trolley car and exercises the management and control over another trolley car, owned by Yakima County, by virtue of an agreement between the City and Yakima County dated January 29, 1974, which trolley cars have been operated on such railroad system for a number of years as a tourist promotion by agreement currently between the YILA and the City of Yakima, and

WHEREAS, inasmuch as Yakima Valley Transportation Company discontinued its operation of that railroad system and conveyed most of it to the City, as recited above, the YILA desires to continue the operation of the trolley cars on that portion of such railroad system depicted on EXHIBIT A and to promote the trolley car rides as a tourist promotion activity for the benefit of the general public of the City and its environs; and the City recognizes that the general public will benefit from the continued operation of the trolley cars, and therefore the City is willing to allow YILA to operate the trolley cars on that railroad system depicted on EXHIBIT A as provided by this agreement, now, therefore,

In consideration of the premises, and the promises of the parties hereto; and in further consideration of the benefit to inure to the general public of the City of Yakima and its environs by the

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continued operation of the trolley cars as provided by this agreement, the parties mutually agree as follows:

1. Delivery of Property to YILA

A. (1) Delivery of Railroad System. The City shall deliver possession to YILA of all property owned or claimed by the City constituting the railroad system including, but not limited to, the trolley cars, all equipment acquired from Yakima Valley Transportation Company listed on the Bill of Donation, and the track, catenary, appurtenances, and the right-of-way of the existing system both inside and outside the City boundary as depicted on the attached map (EXHIBIT A) which is incorporated herein.

(2) Licenses, Permits, Etc. Included in the delivery to YILA is the right and responsibility for the administration of pipeline crossing licenses, right-of-way use permits, leases, and similar agreements relating to the use of the right-of-way by third parties; and YILA is hereby assigned the right to collect and retain as revenue to YILA all fees provided by such licenses, permits, leases and similar agreements.

B. Use of Car Barn. The City does hereby grant to YILA the use of the car barn owned by the City on land owned by Yakima Valley Transportation Company referred to on the attached map (EXHIBIT B) which is incorporated herein.

2. YILA Acceptance of Delivery

A. Acceptance of Delivery. YILA shall possess the property referred to in Paragraph 1 hereinabove. YILA shall inventory and maintain yearly, by identifying and make a written list of all equipment, right-of-way, trolleys, barns, and all other property related to the maintenance and operation of the trolley cars and the railroad system.

3. Trolley System Operation - Use Restricted

A. System Operation. YILA shall operate the trolley cars and trolley system, and further shall administer the railroad system and its related equipment and properties, all without cost to or liability on the part of the City; and YILA shall perform and otherwise be responsible for obligations related to the possession and use of that railroad system, its equipment and related properties which would otherwise be obligations of the City in the absence of this agreement.

B. Use Restriction. The use to be made by YILA of the railroad system and related properties and equipment shall be limited to the operation of the trolley cars for the transporting of passengers, only, as a tourist attraction and promotional activity; and to activities necessarily related to that operation or otherwise

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required to perform obligations under this agreement. The use of YILA of the trolleys, tracks or related property or equipment for any other purpose shall constitute grounds for the immediate termination of this agreement by the City.

4. Maintenance

A. Maintenance of Equipment. YILA shall maintain in good repair the trolley cars and the properties and equipment constituting the system to be operated by YILA, all without cost to or liability on the part of the City.

B. Track Maintenance. Tracks which are located on the portion of any City street right-of-way shall be maintained so that the tops of the rails thereof shall be level with the surface of the streets on which such tracks are located; provided, YILA shall not be required to superelevate or depress one rail of any track or otherwise to change the crosslevel of any track or tracks contrary to standard railroad engineering practices. YILA shall maintain the surface of the streets between the rails of the tracks and for a distance of eighteen (18) inches on the outside of each rail in a manner satisfactory to the City's Director of Public Works.

5. Personnel

YILA shall provide all personnel for the operation and maintenance of the trolley cars, property and the trolley system business, all without cost, or liability on the part of, the City.

6. Newly Acquired Equipment

Any equipment acquired by YILA for use in the trolley operation contemplated by this agreement shall remain the property of YILA unless the equipment is attached to or incorporated in property owned by the City so that its removal would result in substantial or irreparable damage to City property, in which event that equipment acquired by YILA shall become City property without payment or other consideration by the City to YILA.

7. YILA as Independent Contractor

It is the intention of the parties that YILA shall manage and operate a trolley business, and maintain the equipment and properties, as an independent contractor and not as an agent of the City. YILA shall have the authority to set the amount of fares and to retain all earned income and donations derived from the trolley business. No officer, employee or agent of YILA shall be deemed to be an agent or representative of the City in connection with the trolley operation. In promoting or operating the trolleys, YILA shall not use the designation "City of Yakima" or "County of Yakima" in any way which might give the appearance or impression that YILA is and agent of or otherwise connected with the City or County of

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Yakima, except as an independent contractor; provided, that the two trolley cars to be operated pursuant to this agreement may retain their names of "City of Yakima" and "County of Yakima".

8. Tourist Promotion

To the extent to be determined by the City from time to time, the City may cooperate with YILA in the promotion of the trolley system as a tourist attraction in the greater Yakima area.

9. Compliance with Laws - Additional Regulations

A. Compliance With Laws. YILA shall obtain necessary permits or licenses from the City, State or federal government, or any other governmental agency having jurisdiction over the trolley business by YILA; and YILA otherwise shall operate the trolley cars, and the system and business, in accordance with all applicable laws, rules and regulations.

B. Additional Regulations. In addition to complying with all other applicable laws, rules and regulations, YILA agrees to comply with the following additional regulations in operating the trolley cars:

(1) The speed of the trolley cars and all other on-track equipment shall not exceed five miles per hour on 6th Avenue between Pine Street and Walnut Street, and shall not exceed twelve miles per hour elsewhere.

(2) The trolleys and other on-track equipment shall not be operated North of Pine Street and South of Fruitvale Boulevard during the following time periods on Mondays through Fridays:

Hours Prohibited:
1.00 a.m. to 9:00 a.m.
11:30 a.m. to 1:00 p.m.
4:30 p.m. to 6:00 p.m.

(3) All trolleys and all other on-track equipment shall obey signals at intersecting streets, and shall be preceded by a flag person at intersections which are protected by stop signs.

10. Indemnification

A. Debts and Liens. YILA shall allow no liens to attach to City property nor any tax or debt to be input to the City by YIL's possession, occupancy or use of City equipment or property; and in the event any such debt, tax, or lien is incurred or arises by operation of law, YILA shall immediately pay and satisfy the indebtedness, tax, or lien.

B. Indemnification. YILA shall defend, indemnify, and hold the

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City, its employees, officers and agents harmless from all claims, liability or damage based on or resulting from the execution of this agreement or its performance including, but not limited to, the operation and maintenance of the right-of-way, or the operation of the trolley cars and the trolley system and business, including but not limited to all of the promises made in this agreement by YILA.

11. Insurance Requirement

Prior to its commencement of the trolley operation contemplated by this agreement, YILA shall obtain a general public liability policy insuring against bodily injury and property damage with a combined single limit of not less than one million dollars ($1,000,000) for each incident. The City of Yakima, its officers, employees and agents shall be named as insured parties along with YILA. Further, the policy shall insure the contractual undertakings of YILA by its execution of this agreement, including the indemnification provisions of paragraph 10 B. immediately hereinabove.

12. Right-of-way Preservation

YILA may protect the track right-of-way by whatever legal means are necessary, in order to keep the complete right-of-way intact and usable. YILA may acquire such additional right-of-way and property as it deems necessary to provide for the trolley operation contemplated by this agreement. However, no power of eminent domain is purported to be delegated to YILA by this agreement; and this provision is not intended to require the City to exercise its power of eminent domain for the benefit of YILA or the trolley system or business.

13. Reservation Of Rights

A. The City reserves the right, as against any claim by or detriment to YILA, to control and regulate the public streets and other right-of-way over which any rail tracks traverse, and to improve its streets and right-of-way, and to install and maintain sewers, watermains and any other public works.

B. The City reserves the right to sell that portion of the railroad system described in Exhibit A, together with all appurtenances, from a point 1000 feet south of the center line of Southern Avenue in Selah, Washington to the northern terminus of said system in Selah, Washington. In the event of the conveyance of the aforementioned portion of the railroad system, the City shall notify YILA in writing prior to any transfer. From and after said transfer YILA shall not perform any activity covered by this agreement on said portion of the system without the written approval of the City.

14. Trolley Fund

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Funds received from the salvage of abandoned portions of the YVT system shall be used for capital improvements to the system at the City's sole discretion.

15. Assignability

The rights of this agreement shall not be assigned by YILA to any other person, corporation or association without the prior written consent of the City.

16. Default - Termination

A. Notice Of Default - Termination. In the event of the default by YILA in its performance of this agreement, the City may terminate this agreement by delivering to YILA a written notice of intent to terminate, which notice shall specify the act or lack of performance which constitutes the default. In the event YILA fails to cure the default within forty-five (45) days from the delivery of the notice, then this agreement shall automatically terminate.

B. Immediate Termination. The provisions of paragraph 16.A immediately hereinabove shall not apply to a breach of this agreement by YILA in expanding its operations beyond the transporting of passengers, only, as a tourist attraction and promoting activity; nor shall those provisions apply in the event YILA fails to obtain or maintain in full force and effect the insurance policy required by this agreement. In either such event, this agreement will terminate immediately on notice by the City to YILA.

17. Notification - YILA Office Location

A. Notification. Any notice by either party to the other pertaining to this agreement or the trolley operation shall be given in writing and delivered by certified mail or by personal service as follows:

City of Yakima
Office of City Manager
City Hall
129 North 2nd Street
Yakima, Washington
(509) 575-6040

Yakima Valley Interurban Trolley Lines
P.O. Box 649
Yakima, Washington 98907
(509) 575-1700

B. YILA Office Location. YILA shall maintain an office at the address stated above, or at some other place within the City of Yakima, with a telephone or telephone recording device. YILA shall immediately notify the City in writing of any change in the name of the responsible person to receive notification under Paragraph 18.A

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above, or of any change in office address where notice is to be given, or telephone number.

18. Term

This agreement shall be effective when signed by an authorized representative of each party, and shall terminate at 12:01 a.m. on January 1, 1992.

19. Disputed Right-Of-Way

Both parties recognize that third persons may claim ownership of certain stretches of right-of-way described on Exhibit A. the parties recognize that the City does not warrant or guarantee title to, or the right of use of any right-of-way described in Exhibit A.

EXECUTED AT YAKIMA, WASHINGTON, the day and year first above written.

CITY OF YAKIMA:

By _____
R. A. ZAIS, Yakima City Manager

ATTEST:

Karen S Roberts
KAREN S. ROBERTS, City Clerk

City Contract No. 91-20
Resolution D-5887

YAKIMA INTERURBAN LINES ASSOCIATION INC.

By John R Ainsworth Director

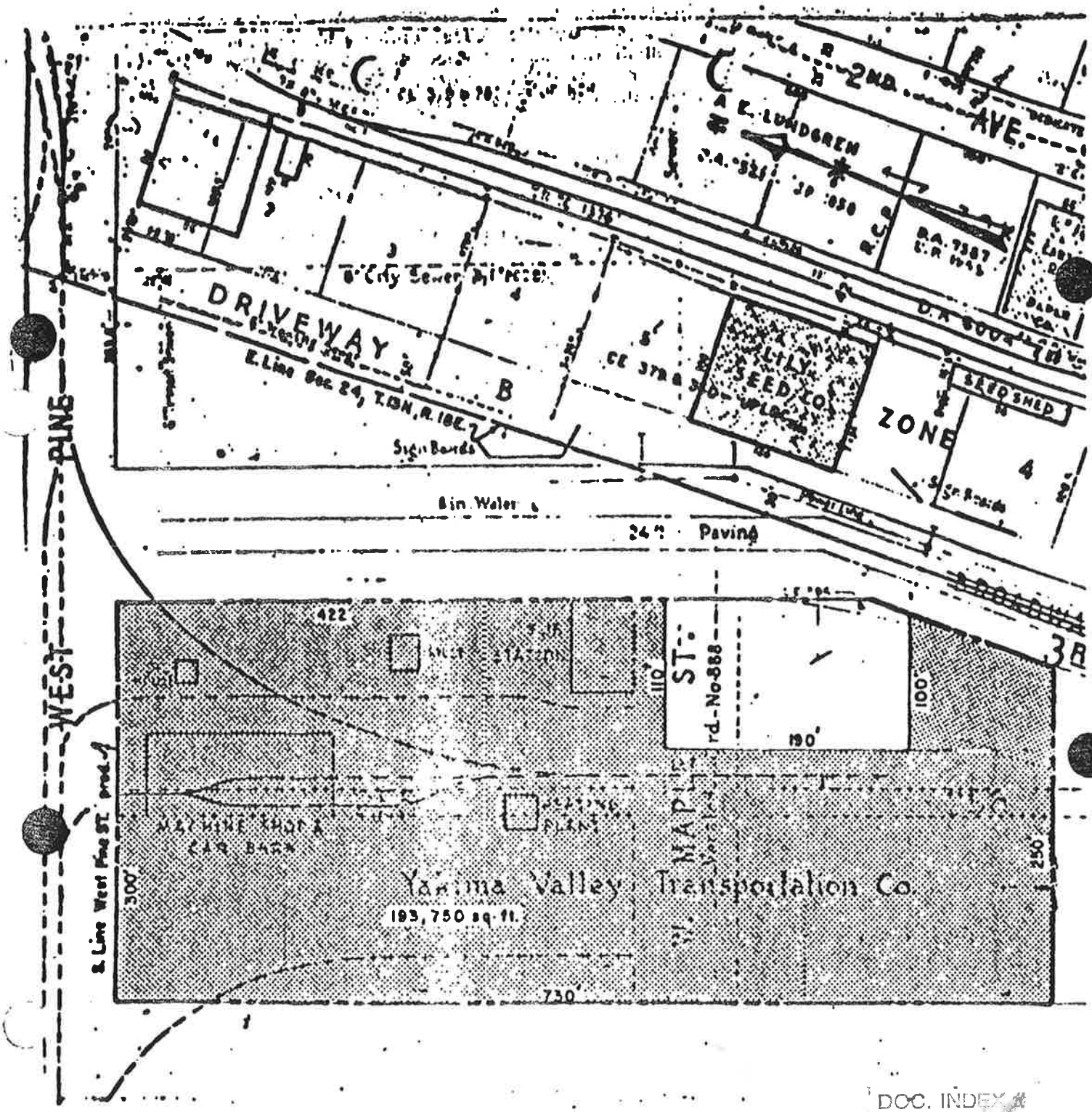
By _____

3/15/91 Per Grant
Rec - only one
signature required
by YILA.

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EXHIBIT B



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EXHIBIT B

(6)

PLD 120-12-20
(CON49/27)

RR PROPERTY DEPARTMENT
DEED NO. 14854

DONATION QUITCLAIM DEED

The Grantor, YAKIMA VALLEY TRANSPORTATION COMPANY, a Washington corporation, 1515 S. W. Fifth Avenue, Portland, Oregon, as a donation and without monetary or other consideration, conveys and quitclaims to the CITY OF YAKIMA, a Washington corporation, all right, title and interest in and to the real property situated in the County of Yakima, State of Washington, described in Exhibit "A" attached hereto and by this reference incorporated herein, together with all trackage, wires, poles, structures, and other fixtures and appurtenances located on said real property described in Exhibit A, and together with all trackage, wires, poles, and other appurtenances located in, on or across public streets or public rights of way.

EXCEPTING AND RESERVING from Exhibit A and from this conveyance and quitclaim all of those certain parcels of real property located in the County of Yakima, Washington, and all trackage, wires, poles, structures and fixtures thereon, heretofore acquired by Grantor by the following deeds:

Instrument Grantor	Instrument	Date of Deed	Record Date	Book	Page
H.B. and Julia R. Scudder	Bargain & Sale Deed	Dec. 20, 1909	Jan. 27, 1910	86	336
Lena F. and R.M. Beard	Warranty Deed	Dec. 16, 1909	Jan. 27, 1910	98	180
H.B. and Julia R. Scudder	Bargain & Sale Deed	Jan. 20, 1910	Jan. 27, 1910	86	337
T.R. Robinson	Warranty Deed	Apr. 12, 1911	Apr. 20, 1911	116	63
Coffin Brothers	Bargain & Sale Deed	Apr. 17, 1911	Apr. 20, 1911	116	64

Dated as of the 18 day of November, 1985.

Attest: (Seal)

Secretary

YAKIMA VALLEY TRANSPORTATION COMPANY

By

President

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Deeds at Page 663 of the Records of said County and State, being the south line of that certain strip of land heretofore acquired by the Yakima Valley Transportation Company from H. C. Treat and Mary A. Treat by deed dated November 8, 1911, and recorded December 26, 1911, in Volume 120 of Deeds at Page 524 of the Records of said County and State and subsequently disclaimed by said Transportation Company by Disclaimer dated October 22, 1981, and recorded April 21, 1985, in Volume 1098 of Deeds at Page 1287 of the Records of said County and State.

Also, all right-of-way underlying side trackage in the S½SW¼ and NW¼SW¼ of Section 36, T. 14 N., R. 18 E., and the NW¼NW¼ of Section 1, T. 13 N., R. 18 E., of the Willamette Meridian in the Town of Selah, Yakima County, Washington.

Containing a net property area of 18.59 acres, more or less.

Said Segment No. 4 lying in and across the legal subdivisions identified as follows:

Subdivision	Section	Township	Range	Meridian
SE¼, W½NE¼	24	13 N.	18 E.	Willamette
W½E½	13	" "	" "	" "
W½SE¼, NE¼SW¼, NW¼	12	" "	" "	" "
W½SW¼, NW¼NW¼	1	" "	" "	" "
NE¼SE¼, E½NE¼	2	" "	" "	" "
SE¼SE¼	35	14 N.	" "	" "
S½SW¼, NW¼SW¼	36	" "	" "	" "

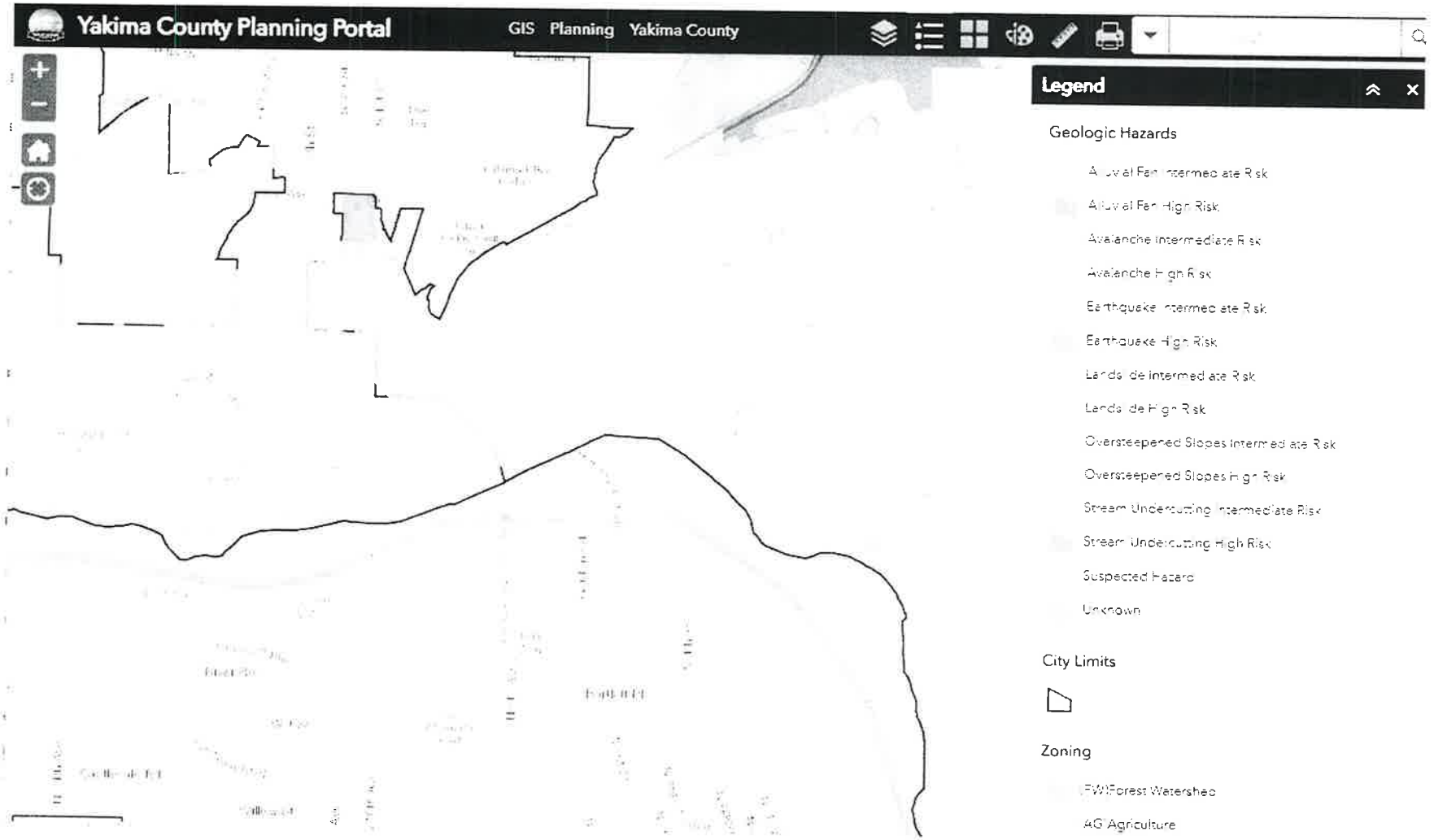
The description hereinabove is subject to the exception and reservation set forth in the main body of the deed to which this description is an exhibit.

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Landslide High Risk Info along Trolley Route



MEYER, FLUEGGE & TENNEY, P.S.

ROBERT C. TENNEY
MARK D. WATSON*
JEROME R. AIKEN*
PETER M. RITCHIE**
JAMES C. CARMODY

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(3)

January 20, 2026

Mayor Matt Brown
City of Yakima – City Hall
129 North Second Street
Yakima, WA 98901
matt.brown@yakimawa.gov

Deputy Mayor Reedy Berg
City of Yakima – City Hall
129 North Second Street
Yakima, WA 98901
reedy.berg@yakimawa.gov

RE: Transportation Benefit District Project List – Agenda Item 9B – Jan. 20, 2026 Meeting

Dear Mayor Brown and Deputy Mayor Berg:

We represent Yakima Taxpayers for Fiscal Responsibility (YTFR) and have previously corresponded with respect to use of Transportation Benefit District (TBD) funds for trolley tourist attractions. In the City Council packet for January 20, 2026 - Agenda Item 9B, City Staff present options to raise taxes on Yakima residents to pay for transportation system improvements through increased vehicle license fees or added sales tax. We are concerned about both a tax increase as well as the use of TBD funds. One option includes an expenditure of $7 million on trolleys.

The City may establish a transportation benefit district for the purpose of acquiring, constructing, improving, providing, and funding a transportation improvement within the district that is consistent with any existing state, regional or local transportation plan and necessitated by existing or reasonable foreseeable congestion levels. RCW 36.73.020(1). In selecting transportation improvements, the district should consider to the extent practicable the criteria set forth in RCW 36.73.020(1). Under state law, city ordinances, and case law, it is *not* legal to use Transportation Benefit District (TBD) funds to pay for trolley tourist attractions. The inclusion of funding for trolleys would violate state law. As we have previously requested, City Council should obtain a formal written legal opinion from the City Attorney on the legal restrictions for use of TBD funds.

In a lawsuit against the City of Yakima and the trolley association, the court ruled in 1987 that Yakima's trolleys are "*not a railroad*" but instead are a "*tourist attraction*," and a streetcar line is not a railroad.[1]

[1] Memorandum Opinion, *Congdon Orchards, Inc. v. City of Yakima, Yakima Valley Transportation Co., and Yakima Interurban Lines Association* (86-2-00503-9, April 8, 1987)

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State law also says streetcars like the trolleys are not a "railroad," and are not "Public Transportation."[2]

Under state law, the trolley is *not* eligible for TBD funds: (1) the trolley is not a railroad, (2) the trolley is a seasonal tourist attraction, (3) the trolley is not "Public Transportation," (4) the trolley is not a "Transportation Improvement," (5) building trolley tracks is not "necessitated by existing or reasonably foreseeable congestion levels," (6) the seasonal trolley will not "alleviate congestion," and (7) the trolley does not satisfy the criteria in RCW 36.73.020(1).[3]

Moreover, there is no evidence that new trolley tracks on 6th Avenue between Walnut and River Road will be "Regionally Significant" as required under state law. There is no evidence that 6th Avenue trolley tracks are part of a regional plan nor is there evidence of regional coordination with Selah, Yakima County, and the State of Washington.

In 2024, HLA Engineering estimated the cost to build trolley tracks & electric wires is about $5 million per mile; and the cost to build the 4-mile Selah Line could be $15 Million to $20 Million. The current proposal to build only 1.5 mile of the proposed 4-mile Selah tracks will result in unusable "tracks to nowhere." City Council should request an updated Engineer's Estimate in 2026 Dollars to build the full 4-mile line.

The City of Yakima has invested taxpayer dollars in the Trolley for many years. The City should not invest additional funds in Tourist Trolleys that do not qualify for transportation funding. The City should not assume responsibility for environmental, cultural resource, and other financial risks and liabilities rightly held by the trolleys. The Trolleys should be self-funded and self-insured and should fully address all legal concerns and financial responsibilities and contributions to their enterprise.

In times of financial stress, the use of available funds should be focused on maintenance and repair of existing streets and roads. The Council should also be cognizant of ever-increasing tax burdens and costs on taxpayers.

Thank you for consideration of our concerns.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

[2] *See, e.g.*, RCW 36.75.010(12) and RCW 81.104.015(4).
[3] RCW 81.104.015(4); RCW Chapter 36.73; City of Yakima Ordinance 2017-002

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YAKIMA CITY COUNCIL MINUTES
July 7, 2026
City Hall – Council Chambers – 129 N 2nd Street, Yakima, WA
5:30 PM City Council Regular Meeting – Conducted in person and virtually via Zoom.

Executive Session - 5:15 p.m.

Executive Session regarding pending litigation pursuant to RCW 42.30.110(1)(i)

MOTION: Berg moved and Byers seconded to adjourn to Executive Session to discuss pending litigation pursuant to RCW 42.30.110(1)(i), until 5:30 p.m. The motion carried by unanimous vote. Mayor Brown announced that Council is expected take further action following executive session.

Present for Executive Session: Mayor Matt Brown, Assistant Mayor Reedy Berg, and Councilmembers Patricia Byers, Rick Glenn, Felisa Gonzalez, Juliet Potrykus and Leo Roy

Executive session was held at 5:16 p.m. and adjourned at 5:23 p.m.

1) **Roll Call**
The meeting was called to order at 5:31 p.m.

Present: Mayor Matt Brown, Presiding; Assistant Mayor Reedy Berg and Councilmembers Patricia Byers, Rick Glenn, Felisa Gonzalez, Juliet Potrykus and Leo Roy

Staff: City Manager Vicki Baker, City Attorney Sara Watkins and City Clerk Rosalinda Ibarra

2) **Pledge of Allegiance**
Mayor Brown led the Pledge of Allegiance.

3) **Interpreter Services**
Mayor Brown introduced Nate Montgomery who announced interpreter services are available in Spanish.

4) **Public Comment**
The following individuals provided remarks about Council's recent action on the Flock cameras contract and encouraged funds to be reallocated to community programs: Noemi Sanchez (City resident), Andreina Rangel (County resident), Zachary Galland (City resident), Michael Morrison (City resident), Silvia Leija (City resident), Jessica Muoth (City resident), Amanda G (City resident), Alexia Wanochek (County resident), Stephen Eggleston (County resident), and Cole Brown (City resident).

Judy Sinclair (City Resident), Mike Kay (City resident) and Commissioner Kyle Curtis spoke about funding reductions to Camp Hope.

Debra Yergen (City Resident) and Jill Armstrong (County resident) expressed gratitude to the organizers and participants of America's 250th anniversary parade and festivities.

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Anne Knapp (City Resident) stated concerns related to a Trolley grant application.

Tony Courcy (City resident) spoke about handicap ramps and crosswalks at a couple of intersections.

5) Open Discussion for the Good of the Order

5.A Recognition of retiring Yakima Valley Tourism President and CEO John Cooper

City Manager Vicki Baker recognized Yakima Valley Tourism President and CEO John Cooper for his retirement and thanked him for his years of service in the tourism industry.

5.B Introduction and Administration of Oath of Office to Interim Fire Chief Thomas Huntington

City Manager Baker introduced Thomas Huntington as the newly appointed Interim Fire Chief, effective July 6, 2026.

City Clerk Ibarra administered a ceremonial oath of office to Interim Fire Chief Thomas Huntington.

6) Council Reports

None.

7) Consent Agenda

Mayor Brown referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. Item 7J was removed from the Consent Agenda. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion-see motion directly below.)

MOTION: Berg moved and Byers seconded to approve the consent agenda as read. The motion carried by a 7-0 roll call vote.

7.A Approval of minutes from the June 9, 2026 and June 16, 2026 City Council regular meetings

7.B Resolution authorizing an amendment to Equitable Sharing Agreement and Certification with the United States Department of Justice

RESOLUTION NO. R-2026-095, A RESOLUTION amending an Equitable Sharing Agreement and Certification with the United States Department of Justice.

7.C Resolution authorizing an agreement with MBI Construction Services Inc. for the Public Works Wash Bay Enclosure Project 2857

RESOLUTION NO. R-2026-096, A RESOLUTION authorizing an agreement with MBI Construction Services Inc. for the Public Works Wash Bay Enclosure Project 2857.

7.D Resolution accepting Change Order No. 1 with Ascent Foundation & More LLC for the Stormwater System Spot Improvements Project SW2832

RESOLUTION NO. R-2026-097, A RESOLUTION accepting Change Order No. 1 to City Contract 2025-163 with Ascent Foundation & More LLC for Project SW2832 Stormwater System Spot Improvements.

7.E Resolution authorizing a contract with Interwest Construction, Inc. for the Industrial Waste Force Main Replacement at the Wastewater Treatment Facility Project WF2715

RESOLUTION NO. R-2026-098, A RESOLUTION authorizing a contract with Interwest Construction, Inc. for Project WF2715 Industrial Waste Force Main Replacement at the Wastewater Treatment Facility.

7.F Resolution authorizing an agreement with Interwest Construction Inc. for the 88th Avenue Apple Valley Elementary Sidewalk Improvements Project 2800

RESOLUTION NO. R-2026-099, A RESOLUTION authorizing an agreement with Interwest Construction Inc. for the 88th Avenue Apple Valley Elementary Sidewalk Improvements, Project No. 2800.

7.G Resolution authorizing the conditional settlement agreement to settle the lawsuit brought by the Estate of Amber M. Rodriguez, deceased, E.E.H, a minor child; and L.E.H, a minor child

RESOLUTION NO. R-2026-100, A RESOLUTION authorizing the conditional settlement agreement to settle the lawsuit brought by the Estate of Amber M. Rodriguez, deceased, E.E.H, a minor child; and L.E.H, a minor child.

7.H Resolution ratifying and approving the City Manager's execution of a reimbursable grant agreement with the Washington State Office of Public Defense

RESOLUTION NO. R-2026-101, A RESOLUTION ratifying and approving the City Manager's execution of a grant agreement with the Washington State Office of Public Defense accepting the terms and conditions for a reimbursable grant for 2026-2027.

7.I Resolution authorizing a Professional Services Agreement with HLA Engineering and Land Surveying, Inc. for the Water System Plan Update

RESOLUTION NO. R-2026-102, A RESOLUTION authorizing the City Manager of the City of Yakima to execute a Professional Service Agreement between the City of Yakima and HLA Engineering and Land Surveying, Inc. for preparation of the City's Water System Plan Update.

7.J Resolution authorizing an amendment to the City's current contract with CWA. Inc. for Yakima-Ellensburg Commuter Services

This item was removed from the Consent Agenda.

7.K Resolution authorizing a contract with J.U.B. Engineers, to perform contract management services for Runway Rehabilitation of Crosswind Runway 4-22, Yakima Air Terminal - McAllister Field (FAA/PFCs)

RESOLUTION NO. R-2026-104, A RESOLUTION authorizing the City Manager to execute an agreement between J-U-B Engineers, Inc. and the City of Yakima for Runway 4/22 Construction Management Services for the Yakima Air Terminal - McAllister Field.

7.L Resolution authorizing a contract with Interstate Concrete to perform construction services for Runway Rehabilitation of Crosswind Runway 4-22, Yakima Air Terminal-McAllister Field. (FAA/PFCs)

RESOLUTION NO. R-2026-105, A RESOLUTION authorizing the award and contract with Interstate Concrete & Asphalt for the Rehabilitation Legacy Crosswind Runway 4/22 Construction at the Yakima Air Terminal - McAllister Field.

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7.M Ordinance amending the City of Yakima Municipal Code Section 2.20.060 Salaries

ORDINANCE NO. 2026-026, AN ORDINANCE amending the City of Yakima Municipal Code Section 2.20.060.

7.N Ordinance amending the City of Yakima Municipal Code Section 2.20.085 Salaries

ORDINANCE NO. 2026-027, AN ORDINANCE amending the City of Yakima Municipal Code Section 2.20.085.

Items Removed from the Consent Agenda

7.J Resolution authorizing an amendment to the City's current contract with CWA. Inc. for Yakima-Ellensburg Commuter Services

Transit Manager Jim Hogenson briefed Council on the resolution noting that proposed increases are covered with grant funding and partnerships with the cities of Ellensburg, Selah, and Central Washington University.

The City Clerk read the resolution by title only.

MOTION: Potrykus moved and Byers seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-103, A RESOLUTION authorizing the City Manager to amend the City's current contract with CWA, Inc. for Yakima-Ellensburg Commuter Services.

8) Public Hearings

8.A Public hearing to consider: A) Resolution adopting the Six-Year Transportation Improvement Program for the period of 2027 through 2032, and to amend the 2040 Transportation System Plan; and B) Resolution amending the Yakima Comprehensive Plan Capital Facilities Element

City Engineer Robert Washabaugh presented the City of Yakima's proposed 2027-2032 Six-Year Transportation Improvement Program (TIP) and the Transportation Systems Plan 2040. He identified and described the various transportation projects listed for which state gas tax or federal revenue can be used or applied for.

Council members discussed at length the Naches River Bridge Repair and the 6th Avenue Roadway Improvements projects as they relate to funding for the trolley infrastructure improvements, Trolley operations, and bridge ownership. It was noted that Council previously allowed the Trolley organization time to raise funds.

Mayor Brown opened the public hearing. The following individuals provided comments: Tony Courcy and Anne Knapp. With no one else coming forward or calling in to speak, Mayor Brown closed the public hearing.

After extensive Council discussion,
MOTION: Glenn moved and Potrykus moved to remove the Naches River Bridge from the Transportation Improvement Program [*remove page 14*]**.** The motion passed by a 4-3 roll call vote; with Byers, Gonzalez, and Roy voting no.

MOTION: Glenn moved and Berg seconded to direct the City Manager to verify ownership of the Naches River Bridge. The motion passed by a 6-1 vote; with Gonzalez voting no.

MOTION: Potrykus moved and Berg seconded to amend the TIP to specify that no City funds shall be used for trolley track infrastructure consistent with Council's previous direction regarding TBD funds, this does not apply to donated specific funds or Council approved funds. The motion passed by a 4-3 roll call vote; with Byers, Gonzalez, and Roy voting no.

MOTION: Berg moved and Glenn seconded to adopt both resolutions as amended. The motion passed by a 5-2 roll call vote; with Byers and Gonzalez voting no.

The City Clerk read both resolutions by title only.

RESOLUTION NO. R-2026-106, A RESOLUTION adopting the Six-Year Transportation Improvement Program (TIP) for the period of 2027 through 2032 for transportation improvements to arterial streets in the City of Yakima and amending the 2040 Transportation System Plan.

RESOLUTION NO. R-2026-107, A RESOLUTION to amend the Yakima Comprehensive Plan Capital Facilities Element to incorporate the Six-year Transportation Improvement Program (TIP) for the period of 2027 through 2032.

9) Department Items

9.A Resolution authorizing Right of Way Use Permit Application RL260006 for Minado Buffet Inc at 501 N Front St

City Engineer Robert Washabaugh briefed the Council on the proposed resolution requesting approval to place used cooking oil containers in the right of way at 501 N Front Street.

The City Clerk read the resolution by title only.

MOTION: Byers moved and Berg seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-108, A RESOLUTION authorizing the issuance of a right-of-way use permit to allow a grease trap for Minado Buffet Inc.

10) City Manager Update

10.A Preview of upcoming topics

City Manager Baker talked about the County Commissioner's decision regarding their funding reduction to Camp Hope and the potential public safety impacts that it will have on homelessness issues in the city. Council members commended Camp Hope for the services they provide and voiced concerns about the County's transparency in the decision-making process and the lack of a proper transition plan for the individuals that will be displaced. City Manager Baker stated Commissioner Curtis will be invited to an upcoming meeting to discuss the matter further.

After Council discussion,
MOTION: Glenn moved and Byers seconded that the city allocate up to $50,000 from whatever sources deemed available or appropriate to contribute to Camp Hope to keep them going while they search for a longer term solution. The motion carried by unanimous vote.

MOTION: Brown moved and Berg seconded that the Yakima City Council adopt a motion of no confidence in the Yakima County Board of Commissioners

Homeless Housing and Assistance Program funding allocation for the 2027-2028 biennium, specifically the reduction imposed on Camp Hope from the $600,000 to the $130,000 and direct the City Manager to transmit this motion to the Board of County Commissioners. The motion carried by unanimous vote.

11) **Other Business**

MOTION: Brown moved and Roy seconded to direct staff to prepare, within 90 days, an ordinance codifying Washington's ALPR protections, Laws of 2026 Chapter 239, into the Municipal Code for all Flock camera systems operating in the City, plus a companion resolution asking the County Commissioner's to adopt matching rules. The motion carried by a 5-2 roll call vote; with Glenn and Potrykus voting no.

MOTION: Glenn moved and Byers seconded to add a discussion of legislative priorities in early August and invite legislators. The motion carried by unanimous vote.

12) **Adjournment**

MOTION: Byers moved and Glenn seconded to adjourn to the next City Council regular meeting on July 14, 2026, at 5:30 p.m. in the City Hall Council Chambers. The motion carried by unanimous vote.

The meeting adjourned at 8:20 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

/s/ Signature on File
COUNCIL MEMBER DATE

/s/ Signature on File
COUNCIL MEMBER DATE

ATTEST:

/s/ Signature on File
CITY CLERK

/s/ Signature on File
MAYOR

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10

Naches River Bridge Repair Project for Seasonal Tourist and Sightseeing

Trolleys is Not Eligible for STIP Inclusion (STIP ID WA-15913)

Summary Statement:
A seasonal, non-ADA-accessible tourist trolley that operates on summer weekends and holidays does not provide continuous or functional mobility and therefore does not qualify as "*transportation*" or "*public transportation*" for purposes of inclusion in the State Transportation Improvement Program (STIP). Federal and state planning statutes emphasize mobility, continuity, accessibility, and performance outcomes. Because the service is seasonal, non-accessible, and oriented toward tourism and sightseeing rather than mobility, it fails the statutory and regulatory definitions of transportation, is excluded under RCW 81.104.015(4), and would divert limited transportation funds from projects that advance essential, year-round mobility goals.

Background Information:
The Yakima Valley Transportation Company operated an electric railroad between 1907 and 1983 when it ceased operations and abandoned its tracks. The City of Yakima plans to renovate historic railroad tracks/bridge and then operate tourist and sightseeing trolley excursions on summer weekends using the abandoned railroad tracks on the Selah Line and across the Naches River Bridge.

The City of Yakima proposes to license Yakima Valley Trolleys to operate these seasonal tourist trolley excursions that are "*scenic*" but restricting the use to trolley rides "*as a tourist attraction and a tourist promotion activity*." Yakima Valley Trolleys' website says: "*Enjoy a charming ride through the picturesque Selah Gap and into downtown Selah. This route offers stunning river and valley views!*" The summer weekend tourist trolleys will not use the

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bridge on more than 90% of the days in a year. Yakima Valley Trolleys are not part of the Yakima City Transit system.

The Naches River Bridge Repair project is intended to enable scenic tourist trolley excursions across the currently closed bridge. These tourist trolley excursions were not part of historic railroad operations. Contrary to Yakima's application federal funding, the more modern Yakima Valley Trolleys are not listed on the National Historic Register. Yakima County Superior Court ruled that tourist trolleys are not a "*railroad*" but instead are a "*tourist attraction*." State law says seasonal tourist service is not "*public transportation*." Federal law says sightseeing tourist trolleys and charters are not "*public transportation,*" which requires "*regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income.*"

The Naches River Bridge Repair project currently excludes ADA access and excludes pedestrian access, notwithstanding prior federal and state grant commitments by Yakima to allow ADA and pedestrian bridge access. Using previous federal and state "*multimodal*" funds, Yakima contracted with a licensed professional structural engineer to design safe ADA and pedestrian access, but the current proposal excludes all public bridge access except for summer weekend tourist trolleys.

Moreover, the current proposal conflicts with a WA Utilities and Transportation Commission (UTC) Order and grant commitments providing for safety fencing to block pedestrians from crossing the nearby BNSF high-speed railroad bridge and instead to divert pedestrians to the safe City shared-use bridge walkway. These public safety measures were approved by BNSF Railway, as a party to the UTC Order. The current proposal also conflicts with Transportation Alternatives mobility policies to enhance (and not reduce) equitable, non-motorized pedestrian and ADA access to historic transportation facilities.

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Therefore, the current Naches River Bridge Project is not eligible for inclusion on the STIP or local TIPs. But the project would be eligible for STIP inclusion if it is revised to comply with the UTC Order and fulfill prior grant commitments by including ADA and pedestrian bridge accessibility.

Notes:

1. Lack of Mobility Purpose

- Seasonal tourist trolleys primarily provide sightseeing, not functional mobility.
- Federal and state planning rules require projects to advance mobility for people and goods (23 C.F.R. § 450.104; 49 U.S.C. § 5302).
- NTD/FTA explicitly excludes sightseeing services from public transportation reporting.
- Washington RCW 47.01.330 and the Washington Transportation Plan emphasize mobility as a core planning goal.

2. Lack of Regularity and Continuity

- Operates on summer weekends/holidays → no year-round service other than isolated private charters.
- STIP and MPO/RTPO planning prioritize regular, continuing services.
- Seasonal-only operation fails continuity/mobility requirements (23 U.S.C. § 134(c); 23 C.F.R. § 450.200).

3. State Law Exclusion

- RCW 81.104.015: "Rail fixed guideway public transportation system … does not include a system that is not public transportation, such as seasonal, tourist, or intraterminal service."
- Seasonal tourist trolleys are therefore excluded under Washington statute.

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4. ADA Accessibility Concerns

- Federal STIP projects must meet ADA requirements (42 U.S.C. § 12141; 49 C.F.R. Part 37).
- Non-ADA-accessible trolleys (e.g., trolley with steep, narrow stairs only) cannot serve all potential riders, failing accessibility standards.

5. Inequitable Use of Transportation Funds

- STIP funds prioritize projects that provide inclusive, year-round mobility.
- Seasonal sightseeing trolleys do not meet this public purpose.

6. Precedent / Administrative Consistency

- WSDOT and FHWA STIP typically include trolleys/streetcars only when year-round, mobility-oriented, ADA-compliant, and integrated with the transit network.
- Seasonal tourist trolleys do not meet these criteria.

7. Failure to Advance STIP Performance Targets

- STIP projects must support federal performance targets (safety, congestion, accessibility, environmental).
- Seasonal tourist trolleys provide negligible mobility impact and do not advance measurable performance objectives.

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(11)

BEFORE THE DEPARTMENT OF PUBLIC WORKS OF WASHINGTON
Division of Transportation

. . . . . .

In re Electric Railway Service of	)	Cause No. 6832
YAKIMA VALLEY TRANSPORTATION COMPANY	)	FINDINGS OF FACT AND ORDER GRANTING DISCONTINUANCE OF SERVICE
in Yakima County, State of Washington	)	

. . . . . .

This matter came on regularly for hearing at Olympia, Washington, on the 8th day of March, 1935, before W. D. Lane, Supervisor of Transportation, and W. W. Chamberlain, Examiner, and at Yakima, Washington, on the 1st day of April, 1935, before W. D. Lane, Supervisor of Transportation, pursuant to notice duly given.

The parties were represented as follows:

APPLICANT — By F. T. Merritt, Att'y, Hayden, Merritt, Summers & Bucey, 540 Central Bldg., Seattle, Wash.; Arthur A. Murphy, Pres., W. S. Howard, Vice Pres. and Sup't, and Geo. W. Beeman, Sec'y.

PROTESTANTS:

At hearing held March 8 - none
At hearing held April 1:

LEE C. DELLE and L. D. LUCE — By Lee C. Delle, Att'y, 405-6 Miller Building, Yakima, Washington.

JOHN D. MORRISSEY — By Self, Route 2, Selah, Washington.

Witnesses were sworn and examined, documentary evidence was introduced, and the Department, being duly advised in the premises, makes and enters the following

FINDINGS OF FACT

The above entitled matter was heard upon the application of the Yakima Valley Transportation Company to discontinue interurban passenger service on the Ahtanum-Harwood and Selah-Speyers lines. Petitioner is the holder of a franchise for this service from Yakima County, dated October 7, 1907, and is now operating on its said Ahtanum-Harwood line on a regular schedule for the carrying of passengers, mail and express two round trips per day between Wiley City and Henrybro on the one hand and the intersection of Sixth Street and Yakima Avenue in the City of Yakima on the other, and upon its Selah-Speyers line

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stantial increase of revenue in the future, and that substantial losses from passenger operation will continue; that the revenues derived from said passenger, mail and express service do not justify or require continuance of the operation, and that the continuance of such service is not required by public convenience and necessity.

We further find that the County Commissioners of Yakima County after a hearing on December 20, 1934, upon due public notice, entered an order on December 21, 1934, authorizing discontinuance of passenger, mail and express service, and amending applicant's franchise accordingly.

At the hearing in Yakima only three witnesses appeared to protest against the granting of the application, and of these only two use the transportation, L. D. Luce and Agnes Stever. They need the service, and are victims of changed conditions in transportation. The revenues derived from the carrying of passengers on the lines mentioned do not justify the Department in requiring the service to be continued.

O R D E R

WHEREFORE, IT IS ORDERED That Yakima Valley Transportation Company, a corporation, be, and hereby is, authorized to discontinue interurban passenger, mail and express service on its Ahtanum-Harwood and Selah-Speyers lines as prayed for in its application.

Dated at Olympia, Washington, April 6, 1935.

DEPARTMENT OF PUBLIC WORKS OF WASHINGTON

By E. K. Newman

Director

L. D. Luce

Supervisor of Transportation

Mark Sare

Supervisor of Public Utilities

WDL/Mc

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(12)

From: Walker, Seth
To: Preston, Bill; Adolf, Alan
Cc: Kallevig, Dana; Washabaugh, Robert
Subject: Re: [EXTERNAL] Re: Trolley Bridge Rehab TAP funding
Date: Tuesday, January 20, 2026 3:08:45 PM

All, this is what I received from HQ regarding this project.

Based on my understanding of the project and questions, I have the following comments.

- Historic Preservation/Rehabilitation – The key on this depends on what's considered historic. Without trolley use, what's historic about the bridge itself? I would say the trolleys are what make the overall YVT system historic. If the bridge will no longer be used for trolleys, I'd say repair/rehab of the bridge is NOT eligible for TA as historic preservation/rehabilitation.
- Non-Motorized Facilities. If the bridge won't allow pedestrians (and I assume other non-motorized forms of transportation), then it would NOT be TA eligible as a non-motorized transportation facility.

Unless there's something I'm missing or misinterpreting, this project is NOT eligible for TA.

Seth Walker, P.E.
SCR Local Programs Engineer
509-480-2505

From: Preston, Bill <Bill.Preston@yakimawa.gov>
Sent: Thursday, January 8, 2026 7:44:03 AM
To: Adolf, Alan <alan.adolf@yvcog.us>; Walker, Seth <seth.walker@wsdot.wa.gov>
Cc: Kallevig, Dana <Dana.Kallevig@yakimawa.gov>; Washabaugh, Robert <Robert.Washabaugh@yakimawa.gov>
Subject: [EXTERNAL] Re: Trolley Bridge Rehab TAP funding

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Thank you both for working on this so quickly. Much appreciated.

Bill

From: Alan Adolf <alan.adolf@yvcog.us>
Sent: Wednesday, January 7, 2026 4:11 PM
To: Walker, Seth <seth.walker@wsdot.wa.gov>

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(13)

YAKIMA COUNTY-WIDE PLANNING POLICY

A Policy Framework to Guide the Development of Comprehensive Plans Under the Washington State Growth Management Act

Originally adopted June 1993

Revised and adopted October 2003

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INTRODUCTION

Countywide Planning Policies - A Policy Framework For Comprehensive Planning

The passage of the Growth Management Act (GMA) (ESHB 2929) by the Washington State Legislature in 1990 fundamentally changed the way comprehensive land use planning is carried out in the state. The GMA requires that cities and counties update their comprehensive land use plans consistent with statewide goals and minimum requirements as established by the statute, and coordinate their planning efforts with each other.

To assure that this principle is carried out, the 1991 Legislature passed companion legislation (ReESHB 1025) requiring counties and cities to coordinate the independent development of local comprehensive plans through a set of mutually developed county-wide planning policies. These written policy statements are to address eight subject areas:

- The designation of urban growth areas;
- Promotion of contiguous and orderly development and provision of urban services to such development;
- The siting of public capital facilities of a countywide or statewide nature;
- Countywide transportation facilities and strategies;
- The need for affordable housing for all segments of the population;
- Joint city and county planning within urban growth areas;
- County-wide economic development and employment; and
- Analysis of fiscal impact.

Optional subject areas may also be addressed. The ***Yakima County-wide Planning Policy*** also contains a section on:

- Coordination with special purpose districts, adjacent counties and state, tribal and federal governments.

Policy Development

1993 Plan

In 1991, hundreds of local citizens took part in ***Vision Yakima 2010/Focus 2010***, two separate but similar visioning projects to develop a *preferred* future for the Yakima Valley based on the community's beliefs and values. In the Upper Valley, issue committees were formed in the areas of: Economic Development, Education & Employment Training, Environment, Growth Planning, Health Care, Housing, Humanity & Family, Quality of Life and Rural & Agriculture. In the Lower Valley, six issue topics were addressed: Urban Growth & Land Use, Government Services & Facilities, Housing, Transportation, Economic Development & Employment, and Environment & Resource Protection. Committees met separately over several months and submitted reports

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that were edited only for style and format. Though each committee had a different assignment, there were dramatic similarities in the beliefs and values that drove their recommendations. Public forums were held to present the citizen reports. In recognition of this citizen-based effort, the Board of Yakima County Commissioners and city councils of the six upper valley communities approved the Upper Valley *Vision Yakima 2010* report as a foundation for more detailed comprehensive plans and implementation programs.

Much of the visioning effort bears direct relationship to the policy areas covered in this ***County-wide Planning Policy***. Accordingly, each policy section is headed by selected quotations from the visioning reports that relate to the particular policy area. In addition, a summary of applicable statewide planning goals and a discussion of the general philosophy underlying the development of each Countywide planning policy is provided.

A County-wide Planning Policy Committee of elected officials and staff from Yakima County, each of the cities and towns and the Yakama Nation was formed to oversee development of the planning policies. An initial draft was reviewed by the Committee in the fall of 1992. A second draft with Committee changes was circulated to agencies and organizations charged with implementing the community vision. A third draft was reviewed by city council and planning commission members. Additional changes were made, resulting in a public hearing draft. Hearings were held and further minor changes were recommended by the County-wide Planning Policy Committee. After approval by a majority of cities and towns, the Board of Yakima County Commissioners adopted the ***County-wide Planning Policy*** as required by the GMA.

The 2002-03 Update to the County-wide Planning Policy

The 1993 County-wide Planning Policy was updated during 2002-03. The entire policy document was reviewed. This review responded to state mandates that jurisdictions update their comprehensive plans every five years. That review cycle was later amended by the state to every seven years. The Vision For a Better Tomorrow, an upper Valley visioning effort, building from the previous vision effort, also provided a contest for CWPP review.

Following review and discussion, amendments were made to Section A to address urban growth area issues and Section C, to accommodate the siting of secure community transition facilities. In addition, language throughout the document was updated to change Yakima Indian Nation to Yakama Nation.

The ***County-wide Planning Policy*** represents a composite framework, not a series of individual stand-alone concepts. Ideas represented here are intended to balance each other to create an overall direction for development of individual comprehensive plans. These policies establish the foundation for determining consistency of individual plans with each other and with the tenets of the Growth Management Act and will, like the planning documents they are intended to guide, evolve over time.

Guiding Principles - Coordination and Cooperation

The GMA is founded on the principle that it is in the best interest of the citizens of the State to foster coordination and cooperation among units of local and state governments. Cities and counties must engage in a collaborative planning process under the requirements of the Act. Specifically, the Act states that *"The Legislature finds that uncoordinated and unplanned growth ... pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of the State. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning".*

The Legislature established "growth planning hearing boards" to which the state, a county, a city or a person with standing may request a review of whether a city or county has failed to timely adopt a county-wide planning policy, comprehensive plan, or development regulation or whether the county-wide planning policy, comprehensive plan, or development regulation is in compliance with the Act. Therefore, state government involvement in the local planning process will result if cities and the county do not achieve consensus. In order to avoid state involvement in the development of local land use plans, the following principle is declared:

A. Local governments within Yakima County do hereby agree to strive toward the principle that all local planning differences should be discussed and settled locally. Appeals or requests for review shall be referred to the Eastern Washington Growth Planning Hearings Board only when the local resolution process has been exhausted.

The planning process should flow smoothly and logically beginning with the manner in which data is collected to the way in which land use plans and development regulations are crafted. The County and cities are utilizing a planning technical committee to develop consistent methods of data collection, land use plan formatting, and development regulations. Common format and consistent definitions will reduce complexity and better enable communication and understanding between citizens and elected and appointed officials. To this end, the following principle is declared:

B. In order to enhance coordinated planning, Yakima County and the cities agree to develop a common system for data collection and analysis and consistent terms for comprehensive land use categories. *[Note: It is recognized that the planning process required by the GMA is presently underway in all Yakima County jurisdictions and that full implementation of this policy may not occur until after initial comprehensive plans are adopted.]*

It should be recognized that the countywide planning policy is a new process in Yakima County. At no other time has a similar document been prepared, adopted and implemented. Without a history to evaluate the impact and utility of this document, the policy should be dynamic and periodically monitored for applicability and effectiveness.

The Growth Planning Roles and Responsibilities of Yakima County, the Cities and the Yakima Valley Conference of Governments

Yakima County, the cities and the Yakima Valley Conference of Governments are all involved in planning activities related to their statutory authority and responsibility. The following further clarifies the role and land use planning authority of each type of governmental unit.

Yakima County is the regional government within the county boundaries providing various services within unincorporated and incorporated areas. Yakima County will:

- Be responsible for the development, adoption and implementation of comprehensive plans and development regulations and the processing of land use permits within the unincorporated portions of the County.
- Develop and maintain informational databases to support the regional geographic information system.
- Perform responsibilities as identified in the most recent GMA regional strategy.
- Enter into separate urban growth management agreements with each city to address joint issues identified in the countywide planning policy and other matters agreed to be of mutual interest.
- Define and implement procedures that assure opportunities for early and continuous public involvement throughout short and long range planning projects.
- Coordinate with other agencies as appropriate in multi-jurisdictional planning activities.

Cities within Yakima County provide a variety of services primarily to residents within their respective municipal boundaries. Cities will:

- Provide urban governmental services as identified in the GMA (Chapter 36.70A RCW) and adopted urban growth management agreements.
- Be responsible for the development, adoption and implementation of comprehensive plans and development regulations and the processing of land use permits within the incorporated city and within unincorporated portions of urban growth areas as may be agreed upon through interlocal agreements.
- Within their capabilities, develop and maintain informational databases to support the regional geographic information system.
- Perform responsibilities identified in the most recent GMA regional strategy.
- Enter into separate interlocal agreements with Yakima County to address joint issues identified in the countywide planning policy and other matters agreed to be of mutual interest.
- Define and implement procedures that assure opportunities for early and continuous public involvement throughout short and long range planning projects.
- Coordinate with other agencies as appropriate in multi-jurisdictional planning activities.

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The Yakima Valley Conference of Governments was established by interlocal agreement to assure coordination, consensus, consistency and compliance over issues of common concern to its membership. The Yakima Valley Conference of Governments will:

- Serve as the Regional Transportation Planning Organization (RTPO) for the region.
- Perform responsibilities as identified in the most recent GMA regional strategy.
- Develop and maintain informational databases to support the regional geographic information system.
- Define and implement procedures that assure opportunities for early and continuous public involvement through short and long range planning projects.
- Coordinate with other agencies as appropriate in multi-jurisdictional planning activities.

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YAKIMA COUNTYWIDE PLANNING POLICY

A. URBAN GROWTH AREAS

"We need to [e]ncourage the increased centralization and density of growth to mitigate the effects of unplanned, undefined growth in the regional area." (U.V. Vision, p.37).

"Designated urban growth areas (UGAs) will clearly define where urban level development ought to occur as distinguished from rural level development or no development at all." (L.V. Vision, p. 7).

A.1. STATEWIDE URBAN GROWTH AREA GOAL

The basic premise for designating urban growth areas is to encourage the location of urban density residential, commercial and industrial developments in areas where services can be most economically provided. The benefits of directing growth to designated urban areas include:

* *Higher density residential development within walking distance of jobs, transit, schools, and parks.*
* *Limiting urban expansion into rural, agricultural and forested areas.*
* *Promotion of in-fill or redevelopment of existing urban areas.*
* *Preservation of open space, critical areas and lands designated for resource protection.*
* *Accommodation of employment growth in a concentrated pattern.*
* *More economical provision and maintenance of streets, sewers and water lines and other public facilities.*
* *Promotion of attractive residential neighborhoods and commercial districts which provide a sense of community.*

The GMA states that *"Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacity to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources. Further, it is appropriate that urban government services be provided by cities, and urban government services should not be provided in rural areas."* [RCW 36.70A.110(3)]

A.2. COUNTYWIDE URBAN GROWTH AREA POLICY DEVELOPMENT

Designating urban growth areas alone will not assure that development follows a desired growth pattern. The potential remains for leapfrogging and scattered development patterns within a designated UGA unless policies are developed to guide decisions regarding the location and timing of development.

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The policies in this section are concerned with encouraging growth in UGAs and discouraging urban growth outside of these areas. Also, development within UGAs should occur in a logical fashion outward from the edge of developed land in conjunction with service and infrastructure provision.

A.3. URBAN GROWTH AREA POLICY STATEMENTS

The following countywide policies are related to the process and criteria for establishing and amending urban growth areas in Yakima County:

A.3.1. Areas designated for urban growth should be determined by preferred development patterns and the capacity and willingness of the community to provide urban governmental services.

A.3.2. All cities and towns will be within a designated urban growth area. Urban growth areas may include areas not contained within an incorporated city. [RCW 36.70A.110]

A.3.3. All urban growth areas will be reflected in County and respective city comprehensive plans.

A.3.4. Urban growth will occur within urban growth areas only and not be permitted outside of an adopted urban growth area except for new fully contained communities. [RCW 36.70A.350]

A.3.5. The baseline for twenty-year Countywide population forecasts shall be the official decennial Growth Management Act Population Projections from the State of Washington's Office of Financial Management plus unrecorded annexations. The process for allocating forecasted population will be cooperatively reviewed.

A.3.6. Sufficient area must be included in the urban growth areas to accommodate a minimum 20-year population forecast and to allow for market choice and location preferences. [RCW 36.70A.110 (2)]

A.3.7. When determining land requirements for urban growth areas, allowance will be made for greenbelt and open space areas and for protection of wildlife habitat and other environmentally sensitive areas. [RCW 36.70A.110(2)]

A.3.8. The County and cities will cooperatively determine the amount of undeveloped buildable urban land needed. The inventory of the undeveloped buildable urban land supply shall be maintained in a Regional GIS database.

A.3.9. The County and cities will establish a common method to monitor urban development to evaluate the rate of growth and maintain an inventory of the amount of buildable land remaining.

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A.3.10. The local jurisdiction may initiate an amendment to an existing urban growth area through the normal comprehensive plan amendment process, however in no case will amendments be processed more than once a year. [RCW 36.70A.130 (2)]

A.3.11. Prior to amending an urban growth area the County and respective local jurisdiction will determine the capital improvement requirements of the amendment to ascertain that urban governmental services will be available within the forecast period.

A.3.12. Annexations will not occur outside established urban growth areas. [RCW 35.13.005]. Annexations will occur within urban growth areas according to the provisions of adopted interlocal agreements, if any.

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B. CONTIGUOUS AND ORDERLY DEVELOPMENT AND THE PROVISION OF SERVICES IN URBAN GROWTH AREAS

"As a means of achieving well planned, orderly growth and development, we believe that future growth in the Lower Valley should be managed by limiting and encouraging urban and industrial development to designated urban and rural settlement areas while promoting the continued development of agriculture, agricultural processing and related service industries. Designated urban growth areas (UGAs) will clearly define where urban level development ought to occur as distinguished from rural level development or no development at all." (L.V. Vision, p. 7).

"As the economic base of the region expands and diversifies the orderly flow of materials and labor must be accommodated. Additional access to developable properties will be needed to make such properties competitive. Certain streets and roads will require upgrading in order to handle the anticipated increase in truck, automobile, bicycle, and pedestrian traffic. Enhanced public transit availability will be required to effect the movement of the workforce and consumers in an efficient and orderly manner." (U.V. Vision, p. 39).

B.1. STATEWIDE GOAL(S) RELATING TO CONTIGUOUS AND ORDERLY DEVELOPMENT AND THE PROVISION OF SERVICES IN UGA'S

A basic goal of the GMA is to reduce sprawling, low-density development, and to avoid the inappropriate conversion of undeveloped land. While only a percentage of the land is available for urban development at any one time, it is important that land supply and densities within an UGA be sufficient to ensure a climate appropriate to a competitive development market. To help ensure this the GMA requires that *". . . those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.* [RCW 36.70A.020(12)]

B.2. COUNTYWIDE POLICY DEVELOPMENT RELATING TO CONTIGUOUS AND ORDERLY DEVELOPMENT AND THE PROVISION OF SERVICES WITHIN UGA'S

Upon designation of urban growth areas the County and cities will need to develop consistent implementation measures to ensure that development occurs in an orderly and contiguous manner. The intent of the following policies is to minimize differences in urban development regulations and standards between the County and the cities and to facilitate the economical provision of urban services to development.

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B.3. POLICIES TO PROMOTE CONTIGUOUS AND ORDERLY DEVELOPMENT AND PROVIDING URBAN SERVICES TO SUCH DEVELOPMENT

The following policies relate to phasing growth and development with service and infrastructure provision:

B.3.1. Urban growth should be located first in areas already characterized by urban growth that have existing public facilities and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources. Further, it is appropriate that urban government services be provided by cities, and urban government services should not be provided in rural areas. [RCW 36.70A.110 (3)]

B.3.2. Urban growth management interlocal agreements will identify services to be provided in an urban growth area, the responsible service purveyors and the terms under which the services are to be provided.

B.3.3. Infill development, higher density zoning and small lot sizes should be encouraged where services have already been provided and sufficient capacity exists and in areas planned for urban services within the next 20 years.

B.3.4. The capital facilities, utilities and transportation elements of each local government's comprehensive plan will specify the general location and phasing of major infrastructure improvements and anticipated revenue sources. [RCW 36.70A.070(3)(c)(d)]. These plan elements will be developed in consultation with special purpose districts and other utility providers.

B.3.5. New urban development should utilize available/planned urban services. [RCW 36.70A.110(3)]

B.3.6. Formation of new water or sewer districts should be discouraged within designated urban growth areas.

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C. SITING PUBLIC FACILITIES OF A COUNTY-WIDE OR STATEWIDE NATURE

"New technologies will advance the areas of energy production and solid waste reduction. For example, in the year 2010 there will be integrated recycling, solid waste and solar facilities in areas of the Valley not in conflict with agricultural, residential or commercial uses." (L.V. Vision, p.39).

C.1. STATEWIDE GOALS RELATING TO THE SITING OF PUBLIC FACILITIES OF A REGIONAL OR STATEWIDE NATURE

The GMA requires local governments to inventory existing capital public facilities to identify location and to determine capacities to meet future demand for growth without decreasing levels of service and to include within their comprehensive plans a process for identifying and siting essential public facilities. The Washington State Office of Financial Management is responsible for identifying and maintaining a list of essential state public facilities that are required or likely to be built within the next six years as required by the GMA. Counties and cities are also required to coordinate the siting of countywide and statewide capital facilities to mitigate potential adverse impacts from the location and development of these facilities.

C.2. COUNTY-WIDE POLICIES RELATING TO THE SITING OF FACILITIES OF A COUNTY-WIDE OR STATE-WIDE NATURE

The siting of essential public capital facilities such as landfills and jails is a difficult task at best. Although these facilities are necessary for the common good, they are seldom welcome into a community or neighborhood. Recognizing that public facilities of a statewide or countywide nature are an essential part of our society, policies for their siting and construction are necessary to ensure a reasonable approval process. Each jurisdiction will utilize an appropriate public process for siting essential public facilities, as outlined in their respective comprehensive plans, policies or regulations.

C.3 POLICIES FOR SITING PUBLIC CAPITAL FACILITIES OF A COUNTYWIDE OR STATEWIDE NATURE

The following policies relate to the identification of needed facilities:

C.3.1. The County and the cities will inventory existing capital facilities and identify needed facility expansion and construction. [RCW 36.70A.070(3)(a)(b)]

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C.3.2. From local inventory, analysis and collaboration with state agencies and utility providers, a list of Countywide and statewide public capital facilities needed to serve the Yakima County region will be developed. These include, but are not limited to, solid and hazardous waste handling facilities and disposal sites; major utility generation and transmission facilities; regional education institutions; airports; correctional facilities; in-patient facilities including hospitals and those for substance abuse, mental health, group homes and secure community transition facilities; and regional park and recreation facilities.

The following policies relate to establishing a process and review criteria for the siting of facilities that are of a countywide or statewide nature:

C.3.3. When a public facility of a countywide or statewide nature is proposed in the Yakima County region a Facility Analysis and Site Evaluation Advisory Committee including citizen members will be formed to evaluate the proposed public facility siting. At a minimum this evaluation shall consider:

a. The potential impacts (positive or negative) of the proposed project on the economy, the environment and community character;
b. The development of specific siting criteria for the proposed project;
c. The identification, analysis and ranking of potential project sites;
d. Measures to first minimize and second mitigate potential physical impacts including, but not limited to, those relating to land use, transportation, utilities, noise, odor and public safety;
e. Measures to first minimize and second mitigate potential fiscal impacts.

C.3.4. Major public capital facilities that generate substantial travel demand should be located along or near major transportation corridors and public transportation routes.

C.3.5. Some public facilities may be more appropriately located outside of urban growth areas due to exceptional bulk or potentially dangerous or objectionable characteristics. Public facilities located beyond urban growth areas should be self-contained or be served by urban governmental services in a manner that will not promote sprawl. Utility and service considerations must be incorporated into site planning and development.

C.3.6. The multiple use of corridors for major utilities, trails and transportation right-of-way is encouraged.

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D. COUNTY-WIDE TRANSPORTATION FACILITIES & STRATEGIES

"A key factor in the Lower Valley's future growth and development will be an upgraded transportation system to accommodate the safe, efficient movement of people and goods." (L.V. Vision, p. 25).

"We envision a comprehensive, multi-modal transportation system that is well planned, safe, efficient, cost effective and capable of supporting increased levels of traffic over time." (Ibid).

"As the economic base of the region expands and diversifies the orderly flow of materials and labor must be accommodated. Additional access to developable properties will be needed to make such properties competitive. Certain streets and roads will require upgrading in order to handle the anticipated increase in truck, automobile, bicycle, and pedestrian traffic. Enhanced Public Transit availability will be required to effect the movement of the workforce and consumers in an efficient and orderly manner." (U.V. Vision, p. 39).

D.1. STATEWIDE TRANSPORTATION GOALS

The goal of the GMA is to encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans. To accomplish this goal the GMA establishes Regional Transportation Planning Organization (RTPO's) and directs that they develop a regional transportation plan. The RTPO is empowered to certify that local government transportation elements are consistent with the regional transportation plan.

Local government transportation elements must be consistent with and support the land use element of the plan. The transportation element must include an analysis and determination of the level of service standards for all arterials and transit routes to judge the performance of the system. A multi-year financing plan is required and if funds fall short of meeting identified needs, a local government must either find a source of funds or reassess its land use assumptions to ensure that an adequate level of service will be met.

Once the transportation element and the comprehensive plan is adopted, local government must adopt ordinances which prohibit development approval if the development would cause the level of service on the transportation facility to decline below the adopted level of service. Such development may be approved, however, if transportation improvements or strategies to accommodate the impacts are made "concurrent" with the development. Concurrent means the system improvements or strategies are in place at the time of development, or a financial commitment is made to complete the improvement or strategies within six years.

D.2. COUNTYWIDE TRANSPORTATION POLICY DEVELOPMENT

The Yakima Valley Conference of Governments serves as the lead agency for the RTPO for the Yakima County area and is responsible for development of a regional transportation plan. Cities and the County will each develop a transportation element to their comprehensive plans that emphasizes local transportation needs. In developing these transportation elements, specific linkages will be undertaken in order to integrate the local and regional plans.

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D.3. TRANSPORTATION POLICY STATEMENTS

The following policies relate to the development of an integrated multi-modal transportation system within Yakima County:

D.3.1. The transportation plan element for each jurisdiction will be consistent with and support the land use element of its comprehensive plan. [RCW 36.70A.070(6)]

D.3.2. Each transportation plan element will include the following sub-elements:

a. Land use assumptions used in estimating travel;

b. A statement of facilities and service needs, including:

i. An inventory of air, land and water transportation facilities and services to define existing capital facilities and travel levels as a basis for future planning;

ii. Level of service standards for arterials, collectors and transit routes, which will be regionally coordinated;

iii. Specific actions and requirements for bringing into compliance any facilities or services that are below an established level of service standard;

iv. Forecasts of traffic for at least ten years based on the adopted land use plans to provide information on the location, timing and capacity needs of future growth; and

v. Identification of system expansion needs and transportation system management needs to meet current and future demands. [RCW 36.70A.070(6)(a)(b)]

D.3.3. Comprehensive plans for each jurisdiction will contain a multi-year financing plan which includes an analysis of the jurisdiction's ability to fund existing or future transportation improvements and identifies existing and new revenue sources, which may include impact fees. If identified funding falls short, the jurisdiction will reassess land use assumptions to assure that level of service standards will be met. [RCW 36.70A(6)(c)]

D.3.4. Transportation improvements or strategies to accommodate the impacts resulting from new development will be implemented concurrent with new development. "Concurrent with new development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. [RCW 36.70A.070(6)(e)]

D.3.5. Local jurisdictions will coordinate transportation planning efforts through the Yakima Valley Conference of Governments, which is designated as the Regional Transportation Planning Organization (RTPO). This regional coordination will assure that an assessment of the impacts of each transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions is conducted and conflicts prevented.

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E. AFFORDABLE HOUSING

"We value communities that offer affordable housing choices to their residents; where there exists a partnership between the public and private sectors, and results in a diverse choice of housing affordable to all income ranges from the very low to the upper income; a community that offers affordable housing to special needs people, e.g., persons with mobility limitations, elderly, and developmentally disabled. We [envision a future in which] communities have addressed the need for housing of [their] permanent and transient agricultural labor force." (U.V. Visioning Report, p. 59).

"Shelter is one of man's most basic needs. The comfort and security of one's shelter contribute to a sense of personal well being and the well being of the community as a whole. To a large degree, the vitality of a community is reflected in its housing stock." (L.V. Visioning Report, p. 19).

E.1. STATEWIDE HOUSING GOAL

A goal of the GMA is to encourage the availability of affordable housing to all economic sectors, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. The GMA requires the comprehensive plans of local governments to include a housing element which, among other things, inventories and analyzes housing needs, identifies sufficient land for all types of housing stock and provides for the needs of all economic segments of the community.

E.2. COUNTYWIDE HOUSING POLICY DEVELOPMENT

"Affordable housing" is a term which applies to the adequacy of the housing stock to fulfill the housing needs of all economic segments of the population. The underlying assumption is that the marketplace will guarantee adequate housing for those in the upper economic brackets, but that some combination of appropriately zoned land, regulatory incentives, financial subsidies, and innovative planning techniques will be necessary to make adequate provisions for the needs of middle and lower income persons.

Local residents have discussed housing problems through the countywide visioning effort. The results of this effort have been used as the basis for the following policy statement. The purpose of this policy directive is to provide a common ground and some universally acceptable parameters to help guide decision-makers through the complex topic of affordable housing.

E.3. AFFORDABLE HOUSING POLICY STATEMENTS

The following policies relate to the provision of affordable housing:

E.3.1. The County and the cities will inventory the existing housing stock and correlate with the current population and economic condition, past trends, and twenty-year population and employment forecasts to determine short and long range affordable housing needs. [RCW 36.70A.070(2)]

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E.3.2. Local housing inventories will be undertaken using common procedures so as to accurately portray countywide conditions and needs.

E.3.3. Each jurisdiction will identify specific policies and measurable implementation strategies to provide a mix of housing types and costs to achieve identified affordable housing goals. Affordable housing strategies should:

a. Encourage preservation, rehabilitation and redevelopment of existing neighborhoods, as appropriate;
b. Provide for a range of housing types such as multi-family and manufactured housing on individual lots and in manufactured housing parks;
c. Promote housing design and siting compatible with surrounding neighborhoods;
d. Facilitate the development of affordable housing (particularly for low-income families and persons) in a dispersed pattern so as not to concentrate or geographically isolate these housing types; and
e. Consider public and private transportation requirements for new and redeveloped housing.

E.3.4. Housing policies and programs will address the provision of diverse housing opportunities to accommodate the elderly, physically challenged, mentally impaired, migrant and settled-out agricultural workers, and other segments of the population that have special needs.

E.3.5. Local governments, representatives of private sector interests and neighborhood groups will work cooperatively to identify and evaluate potential sites for affordable housing development and redevelopment.

E.3.6. Public and private agencies with housing expertise should implement early and continuous cooperative education programs to provide general information on affordable housing issues and opportunities to the public including information intended to counteract discriminatory attitudes and behavior.

E.3.7. Mechanisms to help people purchase their own housing will be encouraged. Such mechanisms may include low interest loan programs and "self-help" housing.

E.3.8. Local comprehensive plan policies and development regulations will encourage and not exclude affordable housing. [RCW 36.70A.070(2)(c)(d)]

E.3.9. Innovative strategies that provide incentives for the development of affordable housing should be explored.

E.3.10. The County and the cities will locally monitor the performance of their respective housing plans and make adjustments and revisions as needed to achieve the goal of affordable housing, particularly for middle and lower income persons.

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F. JOINT PLANNING WITHIN UGA'S

"Cluster communities comprising the regional area should look to combine and assist in service areas such as criminal justice, fire protection, public transit, water/sewer, administration, and other services where such combinations implement efficient, cost effective delivery of services. Cooperation among and between the separate governmental entities of each cluster will be encouraged, and the citizens should hold elected and appointed officials accountable for carrying out such a vision." (U.V. Vision, p. 49).

"Individual communities will continue to provide the public services now available to citizens but a new spirit of coordination and cooperation among all levels of government, including federal, state, county, municipal, and tribal governments, will result in a more equitable, better balanced delivery of services. Residents of the Lower Valley will benefit from this improved level of coordination by less duplication of services, streamlined delivery, and cost efficiencies." (L.V. Vision, p. 13).

F.1. STATEWIDE JOINT PLANNING GOALS

Consistent with a goal of the GMA to ensure coordination between communities and jurisdictions to reconcile conflicts, the countywide planning policy must address coordination of planning efforts within urban growth areas. It is recognized that in many instances, land use activities may be affected by the plans and regulations of several jurisdictions including Yakima County, a city and special purpose districts. Coordinated planning is not only a requirement of local government; it will facilitate implementation of plans, lead to more efficient delivery of urban governmental services and will promote a sense of community through common, agreed upon development standards.

F.2. COUNTYWIDE JOINT PLANNING POLICY DEVELOPMENT

The UGA is not only a line which distinguishes urban level growth from rural growth, it also carries implications about coordination of planning within the UGA. Because the UGA defines where the city is financially capable of providing urban services and may ultimately annex, land use decisions need to respect the desires of the community. Agreement on land use planning within the UGA is as important as designating the boundary itself.

F.3. JOINT PLANNING POLICY STATEMENTS

The following policies relate to coordinated planning for land use, capital facilities and infrastructure within urban growth areas:

F.3.1. The County and cities will work with special purpose districts and other agencies to establish a process for mutual consultation on proposed comprehensive land use plan policies for lands within urban growth areas. Actions of special purpose districts and other public service providers shall be consistent with comprehensive plans of the County and the cities. [RCW 56.08.020, RCW 57.16.010]

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F.3.2. The use of interlocal agreements is encouraged as a means to formalize cooperative efforts to plan for and provide urban governmental services.

F.3.3. Joint financing ventures should be identified to provide services and facilities that will serve the population within the urban growth area.

The following policy relates to the process for comprehensive plan amendments, zone changes and development review and approval within urban growth areas:

F.3.4. While it is recognized that nothing in the county-wide planning policy will be construed as altering the land use planning authority of the County or the cities, adopted interlocal agreements shall specify the process by which affected local governments may review and comment on comprehensive plan amendments, zone changes and development applications processed by another jurisdiction within urban growth areas.

The following policy relates to the establishment of common and consistent development and construction standards:

F.3.5. Each interlocal agreement will require that common and consistent development and construction standards be applied throughout that urban growth area. These may include, but are not limited to standards for streets and roads, utilities and other infrastructure components.

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G. COUNTY-WIDE ECONOMIC DEVELOPMENT & EMPLOYMENT

"Indeed, we support future growth in the Lower Valley that is well planned and supportable by infrastructure and which minimizes conflicting or incompatible uses in proximity to one another." (L.V. Vision, p. 7).

"With economic diversification and expansion, we will see the development of desirable jobs and full employment. We envision an economic and educational climate that enables our citizens to find gainful employment within the Valley". (Ibid).

"The next 20 years will see a broadening of the Upper Yakima Valley's economy. High-tech industries and new businesses will complement and enhance the agricultural base." (U.V. Vision, p. 92).

"Adequate developable property will be made available through land use planning and appropriate zoning implementation. A diverse mixture of industrial, commercial, residential, recreational and agricultural land uses will be planned for to concentrate development within set community boundaries to encourage community revitalization and increased land use density where it is specifically planned." (U.V. Vision, p. 43).

G.1. STATEWIDE ECONOMIC DEVELOPMENT GOALS

The goals of the GMA encourage economic development throughout the state that is consistent with adopted comprehensive plans; promote economic opportunity for all citizens of the state, especially for unemployed and disadvantaged persons; and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services and public facilities.

G.2. COUNTYWIDE ECONOMIC DEVELOPMENT POLICY DEVELOPMENT

Countywide economic development policies should promote a regional economic development program consistent with local community preferences. The rural and urban economies within the county are inextricably connected, and economic development opportunities should strengthen linkages between population centers and outlying areas. A Countywide economic development plan will be built in partnership with local jurisdictions to ensure that economic development goals and objectives are community based.

G.3. COUNTYWIDE ECONOMIC DEVELOPMENT POLICY STATEMENTS

The following policies relate to a general strategy to help ensure future economic vitality, broaden employment opportunities to meet the needs of projected future growth while maintaining a high-quality environment:

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G.3.1. Encourage economic growth within the capacities of the region's natural resources, public services and public facilities.

a. Identify current and potential physical and fiscal capacities for municipal and private water systems, wastewater treatment plants, roadways and other infrastructure systems.

b. Identify economic opportunities that strengthen and diversify the county's economy while maintaining the integrity of our natural environment.

G.3.2. Local economic development plans should be consistent with the comprehensive land use and capital facilities plans, and should:

a. Evaluate existing and potential industrial and commercial land sites to determine short and long term potential for accommodating new and existing businesses;

b. Identify and target prime sites, determine costs and benefits of specific land development options and develop specific capital improvement strategies for the desired option;

c. Implement zoning and land use policies based upon infrastructure and financial capacities of each jurisdiction;

d. Identify changes in urban growth areas as necessary to accommodate the land and infrastructure needs of business and industry;

e. Support housing strategies and choices required for economic development.

G.3.3. Coordination of efforts between the many diverse economic development organizations and other related agencies within Yakima County should be encouraged by:

a. Identifying linkages between economic development issues and strategies and other growth planning elements (i.e. housing, transportation, utilities and land use);

b. Defining roles and responsibilities for carrying out economic development goals, objectives and strategies.

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H. FISCAL IMPACT ANALYSIS

"Cluster communities comprising the regional area should look to combine and assist in service areas such as criminal justice, fire protection, public transit, water/sewer, administration, and other services where such combinations implement efficient, cost effective delivery of services" (U.V. Vision, p. 49).

"Cooperation among and between separate service/government entities of each cluster should be encouraged,..." (Ibid).

H.1. STATEWIDE FISCAL IMPACT ANALYSIS GOALS

The GMA requires that local governments, as part of the countywide planning policies, address the issue of fiscal impact analysis. The legislature did not define or give specific guidance on matters to be considered in analyzing fiscal impacts. Since the GMA devotes much of its text to the provision of cost-effective urban infrastructure, the ability to pay for needed capital facilities and the development of affordable housing, it is presumed that these areas should be the focus of the fiscal impact analysis.

H.2. COUNTYWIDE POLICY DEVELOPMENT

Local plan development should provide for cooperation between the public and private sectors to insure coordination of capital improvements with emphasis on the efficient provision of service at adopted levels concurrent with the demand for such service.

Local government should consider the use of innovative financing strategies for capital improvements which minimize the financial cost to taxpayers and provide for the equitable assignment of costs between existing and new development.

Annexation is another area which may impact the fiscal resources of local government. Cost and revenue sharing are techniques that should be examined to help alleviate the fiscal impacts associated with annexation.

H.3. FISCAL IMPACT POLICY STATEMENTS

The following policies are related to the provision of cost-effective urban infrastructure:

H.3.1. Each local government will prepare a capital facilities plan consisting of:

a. An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
b. A forecast of the future needs for such capital facilities;
c. The proposed locations, capacities and costs of expanded or new capital facilities;
d. At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
e. A requirement to reassess the land use element if probable funding falls short of

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meeting existing needs and to ensure that the land use element, the capital facilities plan element and financing plan within the capital facilities plan element are coordinated and consistent.

H.3.2. As part of the planning process, the County and the cities should coordinate with capital facilities providers and other interested parties to ensure that consideration is given to all capital service requirements and the means of financing capital improvements.

H.3.3. The County and the cities should consider an impact fee process, as provided for in RCW 82.02.050-090, to insure that new development pays its fair share of the cost of improvements necessitated by growth and contributes to the overall financing of capital improvements.

H.3.4. To minimize the potential economic impacts of annexation activities on the County and cities, consideration will be given to negotiating agreements for appropriate allocation of financial burdens resulting from the transition of land from county to city jurisdiction.

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I. POLICIES PERTAINING TO COORDINATION WITH SPECIAL PURPOSE DISTRICTS, ADJACENT COUNTIES AND STATE, TRIBAL AND FEDERAL GOVERNMENTS

Special purpose districts, adjacent counties, state agencies, Yakama Nation and the federal government are distinct entities that have unique authorities, responsibilities, interests and/or treaty rights affecting land use and other activities. Since the impacts of future growth and development in Yakima County will affect all governmental units, all agencies must be well informed and continuously involved in regional and local planning.

The following policies relate to coordination among jurisdictions:

I.1. The County and the cities will work with special purpose districts, adjacent counties, state, tribal and federal governments to formalize coordination and involvement in activities of mutual interest.

I.2. Jurisdictions will be encouraged to coordinate plans among and between governments and agencies to make plans consistent and compatible for lands over which they have authority.

I.3. Special districts, adjacent counties, state agencies, the tribal government and federal agencies will be invited to participate in comprehensive planning and development activities that may affect them, including the establishment and revision of urban growth areas; allocation of forecasted population; regional transportation, capital facility, housing and utility plans; and policies that may affect natural resources.

I.4. Each of the governmental entities will be included in the normal public notice and comment procedures of other agencies and kept informed of matters of interest to them.

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APPENDIX

PLANNING GOALS OF THE GROWTH MANAGEMENT ACT (from RCW 36.70A.040)

The Washington State Legislature adopted the following goals to guide the development of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under the Growth Management Act (Yakima County was one of the original counties required to plan under the Act). The following goals are not listed in order of priority:

1. **Urban Growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

2. **Reduce Sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

3. **Transportation.** Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

4. **Housing.** Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

5. **Economic Development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

6. **Property Rights.** Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

7. **Permits.** Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

8. **Natural Resource Industries.** Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

9. **Open Space and Recreation.** Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.
10. **Environment.** Protect the environment and enhance the state's high quality of life, including

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air and water quality, and the availability of water.

11. **Citizen Participation and Coordination.** Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

12. **Public Facilities and Services.** Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

13. **Historic Preservation.** Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

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GLOSSARY OF TERMS

Unless otherwise noted, the following terms used in the ***County-wide Planning Policy*** are defined by the Growth Management Act (RCW 36.70.030) or Washington Administrative Code (WAC 365-195-210). Definitions are restated here for convenience of the reader.

1. "**Adequate public facilities**" means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

2. "**Affordable housing**" is a term which applies to the adequacy of housing stocks to fulfill the housing needs of all economic segments of the population. Affordable housing for middle and lower income persons is targeted to those whose incomes are 120% of median income or less.

3. "**Available public facilities**" means that facilities or services are in place or that a financial commitment is in place to provide the facilities or services within a specified time.

4. "**Concurrency**" means that adequate public facilities are available when the impacts of development occur. This definition includes the two concepts of "adequate public facilities" and of "available public facilities" as defined above.

5. "**Financial commitment**" means that sources of public or private funds or combinations thereof have been identified which will be sufficient to finance public facilities necessary to support development and that there is reasonable assurance that such funds will be timely put to that end.

6. "**Interlocal agreements**" are authorized by state law and allow local governments (through written agreements) to cooperate with each other on a basis of mutual advantage to provide services and facilities in a manner that best meets the needs and development of local communities. [Paraphrase of RCW 39.34.010]

7. "**Level of Service**" means an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need.

8. "**New fully contained community**" is a development proposed for location outside of the existing designated urban growth areas which is characterized by urban densities, uses and services and meets the criteria of RCW 36.70A.350.

9. "**Public facilities**" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

10. "**Public services**" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

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11. "**Rural lands**" means all lands which are not within an urban growth area and are not designated as natural resource lands having long term commercial significance for production of agricultural products, timber, or the extraction of minerals.

12. "**Transportation level of service standards**" mean a measure which describes the operational condition of the travel stream and acceptable adequacy requirements. Such standards may be expressed in terms such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, convenience, geographic accessibility and safety.

13. "**Urban growth**" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

14. "**Urban growth area**" means those areas designated by a county pursuant to RCW 36.70A.110.

15. "**Urban governmental services**" include those governmental services historically and typically delivered by cities, and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with nonurban areas.

16. "**Visioning**" means a process of citizen involvement to determine values and ideals for the future of a community and to transform those values and ideals into manageable and feasible community goals.

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COUNTY-WIDE PLANNING POLICY COMMITTEE

(Representation as of January 2, 2002)

Jurisdiction	Elected Designee	Alternate(s):
GRANDVIEW	Mike Bren	Jim Sewell
GRANGER	David Leach	Alice Koerner
HARRAH	Barbara Harrer	Pat Krueger
MABTON	David Conradt	Ildia Jackson
MOXEE	Greg LaBree	Bill Hordan
NACHES	Charles Ross	
SELAH	Bob Jones	Dennis Davison
SUNNYSIDE	Ed Prilucik	Pete Squires
TIETON	Jenny Korens	
TOPPENISH	Bill Rogers	Edna Brooks-Pittman, Clara Jimenez
UNION GAP	Lea Driskill	Bill Rathbone
WAPATO	Don Stellwagen	Dean DeMaintenon
YAKAMA NATION	(Did not participate in 2003 Update)	
YAKIMA	Mary Place	Dan Valoff
YAKIMA COUNTY	Ron Gamache	Jim Lewis, Jesse Palacios, Dick Anderwald
ZILLAH	Gary Fox	Gary Clark

Others receiving Agenda materials:

YVCOG	Michael Buchanan, Don Skone,
Other County	Doug Cochran, Lisa Freund, Ken Irwin, Ron Zirkle
County Planning	Anne Knapp
Chamber of Commerce	Gary Webster
New Vision YCDA	Dave McFadden

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BOARD OF YAKIMA COUNTY COMMISSIONERS

IN THE MATTER OF ADOPTING THE YAKIMA COUNTY-WIDE PLANNING POLICY AS REQUIRED BY THE WASHINGTON STATE GROWTH MANAGEMENT ACT	)))))	RESOLUTION NO. 553-2003

WHEREAS, the Washington State Growth Management Act requires Yakima County to adopt and update a county-wide planning policy in cooperation with the cities and towns located within the county; and,

WHEREAS, the process and framework for adoption of the county-wide planning policy is contained within an interlocal agreement entitled *"Framework Agreement for the Adoption of the County-wide Planning Policy"* which was previously adopted by the Board of Yakima County Commissioners under Resolution No. 83-1992; and,

WHEREAS, the original 1993 *Yakima County-wide Planning Policy* was approved and adopted by the Board of Yakima County Commissioners under Resolution No. 322-1993 on June 29, 1993; and,

WHEREAS, under terms of the interlocal agreement, a County-wide Planning Policy Committee of local elected officials and staff was reconvened and has worked with Yakima County to review and update the *Yakima County-wide Planning Policy*, attached hereto as 'Exhibit A'; and,

WHEREAS the County-wide Planning Policy Committee recommends to individual jurisdictions that the policy document should now be approved and recommended for adoption by the Board of Yakima County Commissioners; and,

WHEREAS, the Board has received resolutions recommending adoption of the *Yakima County-wide Planning Policy* from fourteen of fourteen city and town councils; and

WHEREAS, the Board of Yakima County Commissioners held a public hearing on October 7, 2003 to receive public testimony concerning the proposed planning policy and is satisfied that the matter has been fully considered; now, therefore,

BE IT HEREBY RESOLVED by the Board of Yakima County Commissioners that the *Yakima County-wide Planning Policy* is approved and hereby adopted as the policy framework to guide revisions to comprehensive plans under the Washington State Growth Management Act.

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Done this 7th day of October 2003.

Excused
Jesse S. Palacios, Chairman

James M. Lewis, Commissioner

Attest:

Carla M. Ward
Clerk of the Board

Ronald F. Gamache, Commissioner
Constituting the Board of County Commissioners for Yakima County, Washington

SEAL OF THE BOARD OF YAKIMA COUNTY COMMISSIONERS STATE OF WASHINGTON

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(14)

Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

December 3, 2025

Sent via electronic mail

Trevor Martin AICP
City of Yakima Community Development Department
Planning Division
129 N. 2nd Street
Yakima, WA 98901

Re: SEPA Application #014-25 - Yakima Valley Trolleys Operation Agreement

Dear Mr. Martin:

The Yakama Nation Cultural Resources Program has reviewed the referenced State Environmental Policy Act (SEPA) checklist for Application #014-25. We find this application fundamentally deficient and unable to support informed environmental and cultural resources review. The application's widespread use of "N/A" responses without explanation, contradictory project descriptions, and absence of basic geographic, environmental, and cultural information render it incomplete under SEPA requirements and inconsistent with the associated responsibilities.

Contradictory Project Description

The application contains conflicting statements about the project scope that prevent meaningful review:

- Question 11 (Brief Description) states this application is *"only analyzing the Yakama Valley Trolleys responsibility for operating and maintaining the existing Trolley System"* and that *"there is no specific project action associated with this SEPA proposal."*
- Question 6 (Timing/Schedule) indicates a 5-year operational period from January 1, 2026 through December 31, 2030.
- Question 8 references a *"Safety Plan (per WAC 468-550-040(4))"* and *"Inventory of assets (Exhibit C)"* that are not included with the application.
- Question 7 acknowledges *"routine operations and maintenance"* of trolley facilities but provides no detail about what these activities entail.

These statements indicate ongoing operational activities with environmental implications, not a purely administrative agreement transfer without a project action. Even non-project

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SEPA reviews under WAC 197-11-442 require analysis of a program's cumulative environmental effects. The application cannot simultaneously claim *"no specific project action"* while describing multi-year operational activities requiring safety plans, asset inventories, and routine maintenance.

Systematic Misuse of 'N/A' Without Justification

The applicant has marked numerous environmental checklist questions as *"N/A"* without providing any explanation for why they do not apply to trolley operations and maintenance. SEPA instructions explicitly state that *"N/A"* should only be used *"when you can explain why it does not apply and not when the answer is unknown."*

The following sections demonstrate either lack of due diligence or deliberate avoidance of required environmental analysis:

Surface Water (Questions 1-5, Pages 4-5)
All surface water questions are marked N/A despite the trolley route crossing multiple waterways and drainage features in the Yakima Valley. Maintenance activities, vegetation management along the right-of-way, and stormwater runoff from rail infrastructure all have potential surface water impacts. Question 2 specifically asks about work *"within 200 feet"* of waters, yet receives an N/A response with the note *"operations and maintenance only, project specific actions will require additional SEPA review."* This circular logic suggests the applicant acknowledges potential impacts but declines to analyze them in this review.

Ground Water (Questions 1-2, Page 6)
Groundwater questions are marked N/A without explaining why infrastructure maintenance, potential chemical use (herbicides for vegetation management), or waste material disposal would not affect groundwater. Historic rail corridors commonly have legacy contamination issues that should be addressed.

Plants and Animals (Questions 3-5, Pages 6-7)
Question 3 (threatened/endangered species) is marked N/A without documentation of Endangered Species Act consultation or biological survey. Question 4 (landscaping/vegetation preservation) is marked N/A despite obvious vegetation management needs along a linear transportation corridor. Question 5 (noxious weeds) is marked N/A without any invasive species assessment or vegetation management plan.

Environmental Health (Questions 2-5, Page 8)
Questions 2 through 5, addressing site contamination, hazardous chemicals, toxic materials, and emergency services, are all marked N/A without acknowledging that historic rail corridors commonly contain contaminated soils from legacy pollutants. No Phase I Environmental Site Assessment or contamination screening appears to have been conducted.

Land and Shoreline Use (Questions 2, 13-14, Pages 8-10)
Question 2 asks about conversion of agricultural or forest lands and receives an N/A response without analyzing whether the trolley route traverses these land use

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categories. Questions 13-14 regarding compatibility with existing land uses and nearby agricultural/forest operations are marked N/A without assessment of potential conflicts.

Complete Avoidance of Supplemental Nonproject Section

Section D (Supplemental Section for Nonproject Actions Only) represents deficiency in this application. WAC 197-11-960 and SEPA guidelines specifically require nonproject proposals to address questions about:

- How the proposal would increase discharges to water, emissions to air, or noise production
- Effects on plants, animals, fish, or marine life
- Depletion of energy or natural resources
- Use or effects on environmentally sensitive areas
- Effects on land and shoreline use
- Increased demands on transportation or public services
- Potential conflicts with environmental laws or requirements

The applicant marked ALL SEVEN questions (Questions 1-7, Pages 13-15) as *"N/A"* without any explanation. This defeats the purpose of completing the supplemental section and fails to satisfy SEPA's requirement for informed decision-making.

Insufficient Location and Geographic Information

Question 12 (Location of Proposal) identifies "306 W Pine Street/404 S. 3rd Ave, Yakima, WA; trolley lines within Yakima and Selah" but provides no:

- Linear footage or mileage of track to be maintained
- Total acreage of right-of-way affected by operations
- Map or geographic coordinates showing the route
- Identification of watercourse crossings
- Proximity analysis to archaeological sites or culturally sensitive areas
- Slope conditions and mass wasting potential along the corridor

The application notes that legal description is *"provided in Exhibit B of the agreement"* but this exhibit is not included. Without basic geographic data defining the project area, it is impossible to assess potential impacts to any environmental or cultural resource. The trolley route is a significant linear feature traversing landscapes occupied by Yakama ancestors for

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thousands of years. We cannot complete meaningful review without knowing where maintenance activities will occur further this SEPA is not a functional.

Inadequate Cultural Resources Analysis

The Historic and Cultural Preservation section (Page 11) presents several concerning deficiencies:

- Question 1 acknowledges the trolley system is listed on national and local registers of historic places, demonstrating the corridor's significance. However, this historic designation applies to the rail infrastructure itself and does not address archaeological resources along the route or traditional cultural properties that may be affected by operations and maintenance activities.

- Question 2 asks about "landmarks, features, or other evidence of Indian or historic use or occupation" and receives the response "None known along trolley route." This statement is inconsistent with the known archaeological sensitivity of the Yakima Valley and the thousands of years of continuous Yakama occupation in this region. The response "none known" suggests no professional cultural resources survey or tribal consultation has been conducted. The Yakima Valley contains numerous recorded archaeological sites, traditional use areas, and culturally significant landscapes.

- Question 3 asks for proposed measures to "avoid, minimize, or compensate for loss, changes to, and disturbance to resources" and receives the response "Continued operations of the Yakima Trolleys for educational and cultural purposes." This response does not address archaeological site protection, inadvertent discovery protocols, or cultural resource management measures that could be helpful.

The linear nature of the trolley corridor presents unique cultural resource concerns. Archaeological sites adjacent to or within the rail right-of-way are susceptible to slope movement and mass wasting, which can have significant upslope and downslope impacts. Vegetation management, track maintenance, drainage work, and visitor access ground-disturbing activities with potential to affect buried archaeological deposits.

Once the scope of the project is defined the applicant could then demonstrate some understanding in order to inform the checklist and the necessary inventory and permitting requirements.

Missing Required Documentation

The checklist references but does not include several pieces of information necessary to understanding project scope and environmental implications:

- Inventory of assets (Exhibit C, referenced in Question 8)

- Yakima Valley Trolleys Operation Agreement
- Legal description (Exhibit B of the agreement, referenced in Question 12)

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These documents are essential for reviewers to understand what activities are authorized, where they will occur, what infrastructure exists, and what safety and operational protocols govern the proposal.

Conclusion and Path Forward

This SEPA checklist does not provide sufficient information to complete environmental and cultural resources review pursuant to the State Environmental Policy Act (RCW 43.21C). The wholesale use of *"N/A"* without explanation, contradictions between claiming "*no project action*" while describing 5-year operational activities, and absence of basic geographic and archaeological data render this application incomplete.

The Yakama Nation is not opposed to trolley operations that preserve this significant historic transportation resource and provide educational and cultural benefits to the community. However, we cannot complete our review or provide informed comment without understanding what this proposal actually entails.

We respectfully request the City of Yakima withdraw this incomplete application and resubmit with the following information:

Clarification of Project Scope
Completion of Section D
Geographic and Location Data
Cultural Resources Assessment
Operational Details and Measures to Avoid or Mitigate
Attachment of Referenced Documents

Provide these documents in complete form via email to the Yakama Nation Tribal Council Chairman, Gerald Lewis via Gerald_Lewis@yakama.com as well as Cultural Resource Program Manager, Casey Barney @ Casey_Barney@Yakama.com.

The Yakama Nation looks forward to meaningful consultation on this project once adequate information is provided. We are committed to working cooperatively with the City of Yakima to ensure trolley operations can proceed in a manner that protects cultural resources, preserves this important historic asset, and honors our shared stewardship responsibilities for the Yakima Valley landscape.

Please contact our office if you have questions about these comments or need clarification on information requirements. Thank you for the opportunity to comment on this project.

Respectfully,

Noah Oliver

Noah Oliver
YNCRP Geographer and Archaeologist
Yakama Nation Cultural Resource Division

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(15)

MEYER, FLUEGGE & TENNEY, P.S.

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NICHOLAS FRONTIN
MARIO BATKI

December 3, 2025

Trevor Martin, AICP
City of Yakima Planning Division
129 N. 2nd St.
Yakima, WA 98901
Email: trevor.martin@yakimawa.gov

RE: Environmental Review for Trolley Operation and Maintenance Agreement -- SEPA#014-25

Dear Planning Manager Martin:

We represent Yakima Taxpayers for Fiscal Responsibility (YTFR), an unincorporated association and provide these comments on the Notice of Environmental Review, Land Use Application, and SEPA Environmental Checklist for Operation License Agreement between City of Yakima and Yakima Valley Trolleys -- SEPA#014-25. While we have specifically provided comment on the proposed Operation License and associated environmental review, we were not provided notice or copies of the request for comments on the project application. I have been in hearings which concluded late last night and have just learned of the request for comments. We request that you consider these comments because of the failure to provide specific notification to a party with known interest in the application.

Overview of Proposed Project and Operations Agreement.

Yakima Valley Trolleys has proposed to enter into an *Operation License Agreement* for a three (3) year license to operate and use the City's electric railway system over a rail line that spans across jurisdictional boundaries of the City of Yakima, City of Selah, and unincorporated Yakima County. The electric railway system is depicted on *Exhibit A* to the *Operation License Agreement*. Also included is use of the electric railway barn and museum of 306 West Pine, Yakima, WA. Assets included are set forth on *Exhibit C*.

By way of background, public records disclose that passenger rail service on these tracks was abandoned in 1935 pursuant to an Order of the State Supervisor of Transportation. Freight rail service on these tracks was abandoned in 1985 pursuant to an Order of U.S. Interstate Commerce Commission. There is nothing in the record documenting established railway use rights or authority for operation of the line.

Land Use Application is Incomplete and Deficient.

To begin, the Notice of Environmental Review and Land Use Application Form are inaccurate and incomplete. These documents identify the "Applicant" as the City of Yakima and Planning Manager Trevor Martin. The Applicant should be Yakima Valley Trolleys because the trolley association is requesting the operation and maintenance license agreement from the City -- the City is not granting a license agreement to itself. The application needs to accurately identify the party requesting the license.

We are concerned that City officials view themselves as both the applicant and the responsible official for administering SEPA procedures. This would be a conflict of interest. Under WAC 197-11-926(2), the people

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be conducted by an independent reviewing body.

Neither the Land Use Application nor SEPA Notice disclose the *Location*, *Tax Parcel Numbers*, *Legal Description* (for the line), *Zoning*, or *Property Owners*. We have seen no certification regarding service on adjacent properties, agencies, or departments.

The Location is listed as "Citywide" but major portions of trolley operations and maintenance would occur outside of Yakima, in the City of Selah and unincorporated Yakima County. The trolley system is over a defined pathway that extends beyond municipal boundaries. The Parcel Numbers are incomplete and incorrectly listed as "Citywide". The parcel numbers are readily available from the County Assessor for properties subject to the four miles under or bordering the line as it crosses miles of property in Yakima, Selah, and unincorporated Yakima County. The Legal Descriptions across Yakima, Selah, and unincorporated Yakima County are missing and are not attached to the application as required. Only a tiny fraction of property legal descriptions was included (trolley barn and museum).

The required "Current Zoning Designations" are not provided. This is required for the entire line.
North of the intersection of River Road and 6th Avenue, the abandoned railroad tracks cross at least 15 privately owned parcels in Yakima, Selah, and Yakima County. There are many more private landowners underlying the tracks in city street right-of-way easements along 6th Avenue and Pine Street. These private landowners apparently were not given notice of the SEPA process, nor was notice given to all property owners within 300 feet of the abandoned railroad tracks as required by YMC Chapter 6.88.

As an additional point, it is our understanding that the railroad easements that the trolley wishes to rely on in 2026 were extinguished when Yakima Valley Transportation Company (YVTC) abandoned passenger service in 1935 and abandoned freight service in 1985. In *Congdon Orchards v. City of Yakima et. al* (1987), Yakima County Superior Court ruled that the Yakima Trolleys are not a "Railway" or "Railroad" but instead are a "Tourist Attraction." The court also ruled that abandoned railroad tracks reverted to the original landowners because tourist trolleys were never part of YVTC's railroad operation. Private property rights need to be established in the SEPA documents.

The Naches River Bridge is a structure and fixture attached to real estate owned by BNSF Railway and as such appears to be owned by BNSF, not by the City of Yakima. The 1985 "Bill of Donation" from Yakima Valley Transportation Company YVTC to the City of Yakima specifically excluded structures and fixtures like the bridge. The 1985 Quit Claim Deed from YVTC to Yakima was for *YVTC right-of-way* and did not include the *BNSF right-of-way* in Selah Gap. There was no after-acquired title clause in the Quit Claim Deed. Due to the abandonment of passenger rail service in 1935 and the abandonment of freight service in 1985, it appears that Yakima owns no property and holds no easements north of the Naches River.

SEPA Checklist Comments and Concerns.

The electric rail system spans Yakima, Yakima County, and Selah. SEPA Checklist #10 states that there are "no pending applications" for the operational use authorization. We disagree. The available environmental documents do not disclose any land use, operating, or environmental permits for the electric railway system and its associated operations. Government approvals and permits are required from the City of Yakima, Yakima County, City of Selah, State of Washington, and perhaps others. Each of the required permits needs to be identified and submitted before final operational approval can be granted to Yakima Valley Trolleys.

Second, SEPA Checklist #11 states that "...[t]his SEPA review is only analyzing the Yakima Valley Trolley's

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responsibility for operating and maintain [sic] the existing Trolley system, which is a City of Yakima asset. *There is no specific project action associated with this SEPA proposal.*" (Italics added). "Actions" include "...[n]ew and continuing activities (including projects and programs) entirely or partly...licensed, or approved by agencies." WAC 197-11-704(1). A project action involves a decision on a specific project, such as a...*management activity located in a defined geographic area.*" WAC 197-11-704(2)(a). Projects include decisions to "...[l]icense, fund or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract." WAC 197-11-704(2)(a)(i). The Operating License includes not only the licensing but also partial funding and oversight of the activity. The SEPA Checklist does not identify or consider any of these activities.

On a more specific environmental point, about a mile of the electric fail system tracks pass through a designated Geologically Hazardous Critical Area with "High Risk" Over steepened Slopes. The SEPA Checklist incorrectly claims the site is "flat" with a grade "less that 5%." There is a history of rockslides and unstable soils in the immediate vicinity. Yakima Valley Trolleys notified the City that this area is "*dangerous to rail traffic*" from large two-man boulders falling onto the tracks where tourist trolleys would operate along the toe of the high risk over steepened slopes. Yakima Valley Trolley operations and maintenance activities include ground disturbance, excavations, and/or rockslide removals in the geologically hazardous Critical Area. A critical area report and geotechnical analysis is required for these identifiable areas.

The use area contains cultural resource considerations, critical areas, shorelines and other environmentally sensitive areas. Prior to authorizing trolley operations north of the Naches River, the City is required to: (1) hire a geotechnical engineer to assess the risk to public safety and the environment in this Geologically Hazardous Critical Area, (2) hire an archaeologist to survey and prepare cultural resource assessments, and (3) prepare critical area report, and (4) apply for Critical Area and Shoreline permits. See e.g. *Confederated Tribes and Bands of the Yakima Nation v. Yakima County,* 195 Wn.2d 831, 466 P.3d 762 (2020). SEPA checklist fails to include sufficient detail and information.

Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document. WAC 197-11-060. Since this proposal spans numerous jurisdictions, the environmental review for all permits should be consolidated and coordinated in a single environmental review process. A lead agency shall be designated following procedures set forth in WAC 197-11-922. The piecemeal review by multiple jurisdictions is contrary to SEPA requirements and procedures.

Public safety will be compromised because proposed trolley operations preclude pedestrian recreational and ADA access, contrary to the State Utilities and Transportation Commission Order to divert pedestrians to the multimodal Naches River Bridge, to prevent pedestrians from accessing the dangerous BNSF bridge. BNSF agreed in writing to this public safety measure.

Yakima Valley Trolley operations include re-building high-voltage electric catenary wires that they may not be qualified to engineer and install under National Electrical Safety Code. Similarly, the car repair barn has exposed conductors of 600 volts DC hazards.

Operations Over Floodplains and Within Shorelines.

Trolley operations/maintenance will occur across floodplains, within shoreline areas designated as "Urban Conservancy," and within 200 feet of the Yakima and Naches Rivers. The SEPA Checklist (p. 4 Surface Water) fails to disclose that trolley operations/maintenance will occur over water, in water, and on land within 200 feet of major rivers. There is a water pollution risk to the Naches and Yakima Rivers from diesel fuel spills, bridge deck

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and abutment maintenance, painting or rust abatement, work on creosote timbers, and scour pier maintenance.

SEPA Checklist fails to identify surface waters (Naches River and Yakima River) or disclose activities within or near shorelines.

The SEPA Checklist (p. 10) incorrectly states that the "trolley system" is listed on the National Register of Historic Places. The trolleys are not listed on the National Historic Register. The tracks, car barn, and bridge are listed on the National Register and have federal funds invested— the City must conduct the Section 106 process under National Historic Preservation Act and analyze how trolley operations and maintenance could affect the national register listing, proposed National Historic Landmark designation, and the William O. Douglas Historic Trail.

The museum and car repair barn at South 3rd Avenue and Pine Street are on a designated hazardous waste site and there are site use restrictions, environmental covenants, and institutional controls in effect. Past railroad operations released hazardous substances. SEPA Checklist fails to disclose these facts.

The SEPA Checklist (p. 11 Transportation) fails to disclose that the abandoned YVTC tracks are in the immediate vicinity of the BNSF Railway. As a seasonal tourist attraction, the trolley is not a "transportation improvement," will not "alleviate congestion," and does not qualify for TBD funding under RCW 36.73.020(1).

Yakima Valley Trolleys has proposed a series of project and nonproject actions, physically or functionally related to each other, including volunteer work to re-engineer and re-build demolished overhead electric catenary lines, replace and/or maintain tracks and electric power poles that are more than 100 years old, purchase new equipment (unknown if diesel or electric), conduct ground disturbance activities at the base of high risk over steepened slopes, and operate tourist trolleys at the toe of the potential landslide area. The City must analyze cumulative environmental impacts of connected and reasonably foreseeable actions related to trolley operations and maintenance such as 6th Avenue, Naches River Bridge, and BNSF diamond projects. Segmentation or piecemeal environmental review is barred under case law.

Comments and Concerns Regarding the Operating Agreement.

We have a number of concerns with respect to the *Operation License Agreement*. We will try to highlight a number of the more significant concerns.

To begin, the *Operation License Agreement* contemplates a joint management and financial relationship in which the City bears both legal and financial responsibility for operation of the electric railway system. Financial responsibilities include City funding of work on structures and property exceeding $1,000; appropriation and funding of reimbursable items set forth on *Exhibit D*; provision of liability insurance subject to reimbursement; and ultimate liability for operations. Agreements to reimburse or indemnify the City by an undercapitalized nonprofit corporation is a recipe for disaster.

Community Development Director has oversight responsibility for annual operation schedules; oversight of museum operation schedules; maintenance funding in excess of $1,000; budgeting for administrative costs associated with maintenance and operation of the electric railway system and electric railway museum; approval of required maintenance and operation expenditures; and compliance with purchasing policies. *Operation License Agreement* ¶ 8 contains boilerplate language reflecting the City's understanding and agreement that YVT is an independent contractor with regard to the use, operation, promotion and maintenance of the City's electric railway system and electric railway museum. This is contrary to the express terms of the agreement, and it is our opinion

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that the City is entering into a joint venture with a marginally solvent organization that places significant financial risk on the citizens of this community. A similar risk exists with respect to environmental liability, debts and liens, and operational liabilities.

The draft Operation License Agreement authorizes Yakima Valley Trolleys to use, operate, maintain and promote the City's electric railway system and electric railway museum. However, County Superior Court ruled that the trolleys are not a railway or a railroad and instead our tourist attraction. The seasonal tourist excursion trolleys are not railroad transportation under state law definitions. The draft agreement has restrictions for use as a tourist attraction and a tourism promotional activity. Since the system is not a railway, all references to "railway" or "electric railway" should be stricken from the agreement.

We are concerned about the manner in which liability insurance is implemented. *Operations License Agreement ¶16.* City should not provide YVT with liability, officers, and directors insurance. YVT should acquire insurance for system operations with City named as additional insured. Indemnification provisions are meaningless without adequate and appropriate insurance.

The previous 2020 trolley license agreement expired on December 31, 2024, before City Council took any action to authorize a contract extension or renewal. Thus, during 2025 the trolley group operated without a contract. The prior contract specified that all operation revenues must be used for the system, and for no other purpose; but the latest draft license has a new provision allowing city-owned property to be rented out and the trolley group can use those revenues however they deem appropriate - this may be an unconstitutional lending of property or gift of public funds. Another possible gift of public funds involves the City procuring liability and directors and officers insurance for private persons and entities if the trolley group reimburses the City at less than market value for insurance benefits conferred on private individuals (draft License ¶ 16). This would be incompatible with the trolley association's indemnities in License ¶ 15.

Conclusion.

We appreciate your consideration of our comments on both the environmental review and the substance of the licensing agreement. The environmental deficiencies are patent and the financial and operational structure weak and lacking normal protections for the interest of the City and its citizens. YVT has literally no financial strength or ability to protect the City in the event of even insignificant liability events. We believe that the City Attorney should provide both the City Manager and City Council with written opinion that the process has followed applicable environmental laws and that the proposed *Operating License Agreement* provides substantive and legally supportable protections for the municipality.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

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(16)

YAKIMA VALLEY TRANSPORTATION COMPANY

OFFICE OF THE PRESIDENT

1515 S.W. FIFTH AVENUE, SUITE 400
PORTLAND, OREGON 97201

November 14, 1983

RECEIVED
NOV 16 1983
ARCHAEOLOGY AND HISTORIC PRESERVATION

Mr. Jacob E. Thomas
State Historic Preservation Officer
Office of Archeology and Historic
Preservation
111 West 21st Avenue, KL-11
Olympia, WA 98504

File: (C 350-0-5)

Objection to Nomination to National
Register of Historic Places

Property Name: Yakima Valley Transportation
Company
Location: 3rd Avenue and Pine Street,
Yakima, Washington

Dear Mr. Thomas:

Yakima Valley Transportation Company, a Washington corporation, objects to nomination and listing of any or all of its real and personal property in the National Register of Historic Places. I am the president of the Yakima Valley Transportation Company (YVT) and I hereby certify that YVT is the sole owner of the real and personal property nominated for inclusion on the National Register as more fully described in the nomination form prepared by your office. I further certify that the City of Yakima does not own any property or equipment described on the nomination form. The City owns the public streets in which some YVT trackage is located and franchises use of those streets to YVT. I further certify that the name of the property has been the Yakima Valley Transportation Company since at least 1907 and that YVT has never been known as the Yakima Valley Eletric Interurban Railroad.

In addition to objecting to listing, it is YVT's position at this time that the property is not eligible for nomination to the National Register of Historic Places. YVT is no longer an electric railroad and does not provide electric freight or passenger service. It is a small railroad

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switching operation in and adjacent to the Cities of Yakima and Selah and, as such, is indistinguishable from any number of similar operations across the country. YVT is in the business of providing rail service to shippers located on its lines and is not a museum or excursion operation. YVT uses a diesel locomotive in its operation.

YVT has licensed the City of Yakima to operate two tourist trolley cars purchased in Portugal over its lines. This is not part of YVT's operation and, in any event, the license to operate said cars has been cancelled.

Accordingly, YVT objects to the listing and requests that the nomination of its property not be forwarded to the keeper of the National Register of Historic places.

Very truly yours,

A. L. SHOENER
President
Yakima Valley Transportation Company

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STATE OF OREGON)
) ss.
County of Multnomah)

On this 14 day of November, 1983, before me personally appeared A. L. SHOENER, known to me to be the President of YAKIMA VALLEY TRANSPORTATION COMPANY, a Washington corporation, the corporation that acknowledged the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

R. Armitage
Notary Public for Oregon
Residing at: Beaverton

My Commission Expires: 5/28/85

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Form 3464 11-18-11 1M RP

Northern Pacific Railway Co.

RIGHT OF WAY DEPARTMENT

Hope to Ellensburg

Agreement DEED.

Dated Jan 15th 1912.

From N. P. Ry. Co.

To Yakima Valley Transportation Co

Description Covering right to occupy a portion of N.P. Rly in Sec's 1 & 12 T 13 N. R 18 E.

Noted on Right of Way Plat No. 104 105 3/30/12 M. J.

Noted on Track Profile M.P. 92 & 93

Noted on Station Plat

Noted on Record Book No. 21 Page 94 4/11/12

R. of W. Change Memo. No. 191

Corres. File No.

Abstract of Title

Opinion on Title

Voucher

Contract

Report of Negotiations

Deed No. 422

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Hope to Ellensburg #422.

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THIS AGREEMENT made this 15th day of January A. D. 1912, between the NORTHERN PACIFIC RAILWAY COMPANY, hereinafter called the "Pacific Company", and the YAKIMA VALLEY TRANSPORTATION COMPANY, hereinafter called the "Valley Company", WITNESSETH:

WHEREAS, the Pacific Company owns a right of way four hundred (400) feet in width, being two hundred (200) feet on each side of the center line of its railway as now constructed through and over sections one (1) and twelve (12) in township thirteen (13) North, Range eighteen (18) E. W. M., in Yakima County, Washington; the said right of way and railway being, as shown on the map hereto attached, marked "Exhibit A" and made a part hereof, and;

WHEREAS, the Valley Company desires to construct a single or double track railway on the right of way aforesiad, and, for such purpose the pacific Company is willing to grant to the Valley Company an easement to occupy perpetually, for a main line railway, a strip of land upon said right of way fifty (50) feet in width; provided the right so granted shall not in any manner interfere with the occupation of any other portion of the aforesaid right of way by the Pacific Company, and shall not cause any additional burden or expense to the Pacific Company in occupying or using the same:

THEREFORE, in consideration of the sum of One Dollar ($1.00) to it paid and the covenants to be performed by the Valley Company the Pacific Company does hereby grant to the Valley Company, to the full extent of its legal right to make such grant the right perpetually to occupy and use for its main line, single or double track railway, the strip of land fifty (50) feet in width over and upon the Pacific Company's right of way aforesaid, which is colored in red as shown upon Exhibit A; Provided, however, that the location of said strip may be changed as hereinafter provided.

Said grant being subject to the following conditions and covenants:

Section I The center line of the Valley Company's nearest or northerly track shall be initially constructed at least fifty-four (54) feet from the present center line of the main track of the Pacific Company as shown on Exhibit A.

The Valley Company's road-bed shall be so constructed as to enable the Pacific Company to excavate, use and occupy a strip of ground Forty (40) feet in width parallel to and southerly from the present center line of its main track, and at such time as the Pacific Company shall elect to revise its alignment by reducing its present 6 degree curve to a maximum of 3 degrees, the Valley Company will either remove its tracks to such distance from the revised center line as will enable the Pacific Company to similarly occupy a strip of ground Forty (40) feet in width upon the southerly side of said revised center line, or pay the extra cost of reconstructing the Pacific Company's railroad upon a center line reestablished satisfactorily to the Pacific Company, which shall not increase the present total curvature, or exceed a maximum rate of 3 degrees; and in the event that the tracks of the Valley Company are moved as in this sentence provided, then the location of the 50 foot strip, the right to use which is by this instrument granted to the Valley Company, shall be changed to correspond.

A true copy

RAL

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(18)

Such slopes of cuts and fills of the the Valley Company's road-bed as shall encroach upon said forty foot strip shall be removed by the Valley Company whenever said strip is desired for occupation by the Pacific Company, and the Valley Company, at all times at its sole expense, will build and maintain such retaining walls as the Pacific Company may deem necessary properly to protect said strip for unobstructed use by the Pacific Company,

The Valley Company, at all times and at its sole expense will build and maintain such snow sheds, rock sheds or other protective structures, made necessary as a result of the construction of the Valley Company's line, when and as the same are required by the Pacific Company to protect its operation from snow, rock, gravel or other material.

The slopes of the Valley Company's road-bed, either permanent or temporary, shall be retained at least ten (10) feet from the center line of the Pacific Company's nearest track or the siding as shown upon said Exhibit A.

Section2. The Valley Company shall have the right to extend the slopes of its main line road-bed beyond the limits of the right of way hereby granted, subject to the conditions contained in Section 1 hereof. Both of the said companies shall have the right to joint occupation of such portion of the slopes between their respective road-beds as lies upon the fifty (50) foot right of way granted the Valley Company for telegraph, telephone and signal wires or apparatus.

Section 3. In case it shall at any time in the future become necessary for the Pacific Company to occupy a greater width than the forty (40) foot strip before defined, the Valley Company at its sole expense will remove its tracks to such increased distance from the Pacific Company's line as shall be necessary therefor; but in that event the Pacific Company will pay the Valley Company the value of any work done by it, which it would have been necessary for the Pacific Company to do had the Valley Company not occupied the right of way hereby granted.

Section 4. The grant herein contained is subject to all the terms and conditions of the contract existing between the Pacific Company and the State of Washington, providing for the occupancy of the right of way of the Pacific Company by the State and the right of the State of Washington to take rock therefrom; the Pacific Company hereby consenting to the change in the location of the Stockade and Buildings belonging to the State as indicated upon Exhibit A. The Valley Company will secure the consent of the State of washington to such proposed change.

The Valley Company agrees that it will construct its line of railroad in a manner that will not interfere with the operation of the rock crusher belonging to the State of Washington, situated adjacent to and served by the Pacific Company's line, provided it shall be permitted to occupy the temporary alignment at the said crusher, shown upon the said Exhibit A, and marked thereon"Temporary Alignment", so long as such occupation does not interfere with the requirements of the Pacific Company or the State of Washington in connection with the operation of the rock crusher, and upon notice of such interference from either the Pacific Company or the State, the Valley Company will move its track or tracks to the extent necessary to avoid such interference.

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Section 5. This grant is made subject to the rights of the public in and to any county road now existing upon the right of way of the Pacific Company, and the Valley Company assumes all liability and expense arising from interference with or relocation of any such road caused by its occupation of said right of way.

Section 6. It is further agreed that rock excavations in cuts adjacent to the Pacific Company's operated track will be handled by the Valley Company, with extreme care, and in such manner as to avoid in every possible way interference with the operation of the trains, telegraph or telephone lines of the Pacific Company, and any injury to its property of every nature.

Section 7. The Valley Company assumes, indemnifies and insures the Pacific Company against all loss and damage whatsoever suffered by the Pacific Company or by any other persons or corporation caused or in any way growing out of the construction, reconstruction or repair of any work which the Valley Company may do hereunder, or out of the operation of the Valley Company's line, except when occurring from the negligence of the employes of the Pacific Company. The Valley Company further agrees to reimburse the Pacific Company for any increased cost of constructing additional tracks, over what would have been the cost of the same construction had this grant not been made; such payment will be made as and when such increased expenditures are incurred.

By reason of the fact that the rights granted to the Valley Company are granted without any substantial consideration to the Pacific Company, the Valley Company hereby releases and agrees to hold harmless the Pacific Company from any loss, cost damage or injury which the Valley Company, its passengers, employes or property in its possession may suffer by reason of the construction of additional tracks by the Pacific Company whether caused by the Negligence of its contractors, agents, servants or employes, or otherwise, but the Valley Company may recover from contractors of the Pacific Company for the negligent acts of such contractors.

Section 8. In case any claim for damage is made against the Pacific Company, which damage the Valley Company has assumed under the provisions of this contract, the Pacific Company may give written notice to the Valley Company of the claim or the pendency of suit thereon, and thereafter the Valley Company may handle the compromise of the claim or the defense of any action brought thereon in the name of the Pacific Company, but at the sole cost and expense of the Valley Company.

Section 9. The right herein granted is for the purpose of main line operation only by the Valley Company and it will not receive or deliver passengers or freight at any point upon the right of way herein granted. Nothing herein contained shall in any way restrict the right of the Pacific Company to make such use as it may deem proper of the remainder of its right of way not covered by this agreement and the right is reserved to make crossings for any purpose of the right of way strip granted to the Valley Company, provided such crossings are made in a safe and substantial manner so as not to interfere with or endanger the operation of the Valley Company's railway or its telegraph, telephone or power transmission lines.

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Section 10. Each covenant in this agreement shall be construed to extend to and bind the successors and assigns of the parties obligated thereby and the benefit of each covenant hereof, shall inure to the successors and assigns of the parties benefited.

IN TESTIMONY WHEREOF, the respective parties hereto have caused these presents to be executed by their respective officers, thereto duly authorized, the day and year above written.

(SEAL)

Attest:

R.H. Relf,

Ass't Secretary

NORTHERN PACIFIC RAILWAY COMPANY

By Howard Elliott, T.C.

President.

YAKIMA VALLEY TRANSPORTATION COMPANY

(SEAL)

Attest:

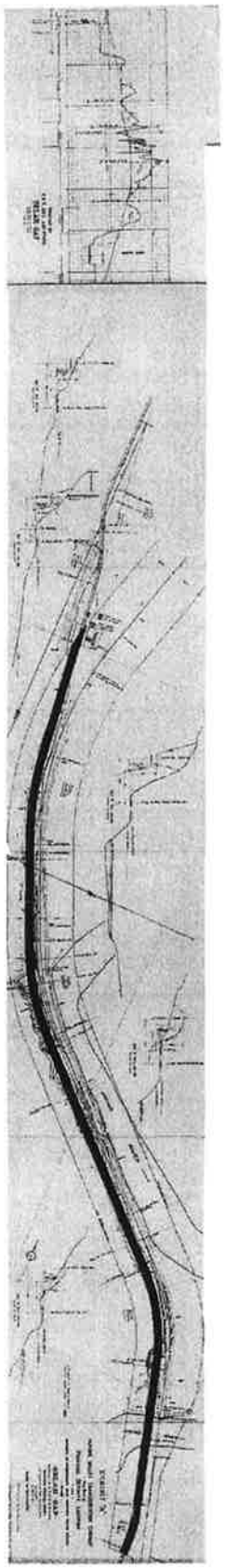
R. E. Allingham

Secretary.

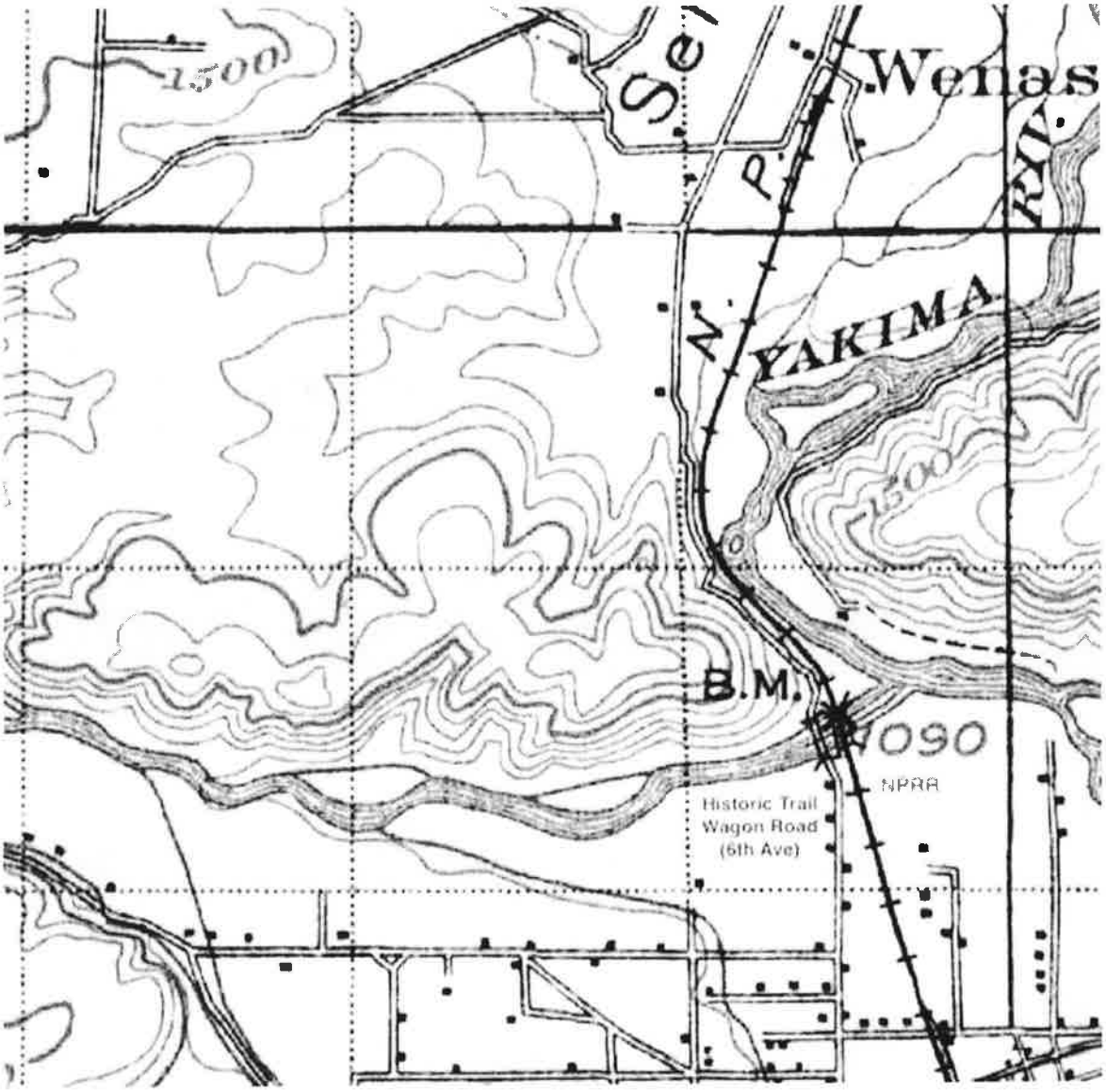
By N. C. Richards,

President.

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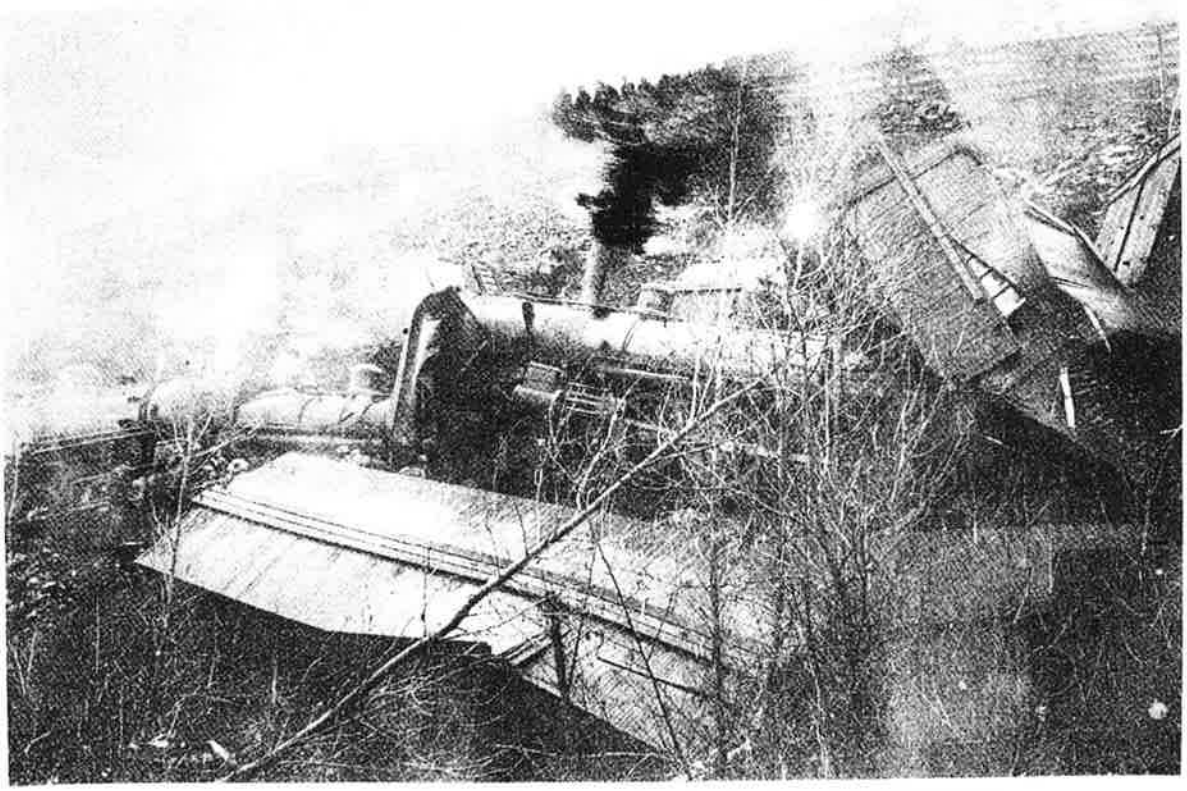


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USGS Topographic Map ca. 1905

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Selah

Wreck located in Selah Gap, near Naches River. Sightseers on old Pioneer Road in background. On December 8, 1901, a two-locomotive freight train from the Selah met head-on with a single locomotive freight train from Yakima. Many were to lose their lives and photo shows one locomotive telescoping another.

The Selah Story: History of the Selah, East Selah and Wenas Valley in Yakima County, Washington
By Robert S. Lince (1984, Selah Valley Optimist Printing)

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PAUL D. EDMONDSON
Attorney-at-Law
313 NORTH THIRD STREET
YAKIMA, WA 98901
(509) 452-7963

June 23, 2022

Ken Johnsen, President
Yakima Valley Trolleys
PO Box 161
Renton, WA 98057

Re: Pedestrians on City Railway

Dear President Johnsen:

You have inquired about a proposal to permit pedestrians to use the City-owned railroad tracks now used by Yakima Valley Trolleys over the Naches River between Yakima and Selah, WA. I understand that the group asking for City permission is a hiking group interested in traversing the Naches River bridge into Selah Gap where the tracks are located along a narrow shelf adjacent to the BNSF mainline tracks which are used for mile-long 100 car freight trains returning to North Dakota from Western Washington oil refineries. I further understand that the Naches bridge has no special accommodation for pedestrians or hikers although an adjacent freeway bridge a short distance downriver does have pedestrian facilities to allow foot access into Selah from the Yakima Greenway.

From a legal perspective the most serious issue obviously confronting the City is the enormous expansion of City liability in endorsing pedestrian use of a railroad bridge and narrow right-of-way expressly built for railway use only. I know of no other city in America which has done so. I also do not know of the position of BNSF, the owner of the right-of-way, as opposed to the City–owned easement upon which the tracks lie. Since the easement is

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for railway purposes only the addition of pedestrian use would obviously be beyond the scope of the easement and unlawful, thereby exposing the City to possible litigation and damages from BNSF who I am quite sure do not want people hiking on their right-of-way adjacent to long oil trains.

At the present time the right-of-way is posted to warn trespassers to keep out. If the City decides to invite pedestrian use of the bridge and tracks the legal doctrine of an "attractive nuisance" would appear to become relevant. A common example is a homeowner's liability for a swimming pool in his backyard which is used by kids in the neighborhood. This creates substantial risk for the owner who has "invited" the users explicitly or impliedly. This is the reason for the warning signs presently posted in Selah Gap and by the bridge.

In addition from the aforementioned dangers it should be noted that the Selah Gap hillside next to the trolley tracks is very steep. In places it is a vertical rock wall right next to the trolley tracks and the oil trains on the downhill side. Every Spring large two-man boulders fall down the hillside onto the tracks below creating a dangerous situation for rail traffic, not to mention pedestrians. Every Spring and Summer weekends trolley members clear out these boulders to keep the tracks clear and safe. Encouraging people to walk in this narrow corridor anytime during the boulder season is obviously not in the City's interest.

In summary, permitting pedestrians on city railroad tracks is just asking for litigation by invitees, no longer trespassers. It is unthinkable as a matter of prudent public policy.

Very truly yours,

Paul D Edmondson
WSBA 3634, IISBA 6687
EOIR XN287101

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TR-072009

WASHINGTON UTC UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250
(360)664-1257 or (360)664-1100
Fax: (360)586-1150
Web: www.wutc.wa.gov
E-mail: records@utc.wa.gov

GRADE CROSSING PROTECTIVE FUND
APPLICATION FOR FUNDING

The Washington Utilities and Transportation Commission (commission), through its Grade Crossing Protective Fund (GCPF), funds projects that eliminate or mitigate public safety hazards at railroad crossings and along railroad rights-of-way in Washington State. Any public, private, or non-profit entity may submit an application to the commission for GCPF monies.

Please complete and submit the following information as part of the application process:

Applicant Information

Applicant Name:	Dick Zais, City Manager
Organization:	City of Yakima
Address:	129 North Second Street, Yakima, WA 98901
Phone:	(509) 575-6040
E-mail:	
Fax:	(509) 576-6335

Please list all other companies, organizations or state or local agencies that may be involved in implementing this proposal and the contact name, address and phone number for each.

Yakima Valley Trolleys
Kenneth G. Johnson
P.O. Box 796
Yakima, WA 98907-0796
yakimavalleytrolleys@hotmail.com

Burlington Northern Santa Fe Railroad Company
Daniel MacDonald, P.E.
Managing Engineer – Seattle
2454 Occidental Avenue South, Suite 1_A
Seattle, WA 98134
(206) 625-6150, Fax (206) 625-6115
daniel.macdonald@bnsf.com

2008 OCT -7 PM 1:48
STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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Project Information

1. *Provide a detailed summary of the hazard being addressed. Include:*
   - *Any information about accidents or incidents at the site.*
   - *Photographs, drawings or other materials that supports the application.*

Currently, there are only two pedestrian crossing facilities for crossing the Naches River at the northern city limits of the City of Yakima. One is located at the eastern city limits (I-82) and the other is at the western city limits (Powerhouse Road). Due to this lack of pedestrian facilities, and despite "No Trespassing" signs, pedestrians occasionally use the BNSF railroad bridge to cross the Naches River. On July 12, 2007, a man and woman who were crossing the Naches River on the railroad bridge were struck by a passing train and seriously injured.

On several occasions recently, railroad police hired by BNSF have had to remove trespassers from the railroad property in this vicinity.

2. *Provide a detailed description of the proposed project and explain how it will eliminate or mitigate the hazard. Include any drawings or construction plans for the proposed project.*

This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

3. *Provide cost estimates. Include:*
   - *Total costs of the project.*
   - *Names of parties contributing to the project and the amount each is contributing.*

Total project costs are estimated to be $37,000. The City is requesting a grant of $20,000 toward this total from WUTC.

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4. *Provide the name of the party responsible for long-term maintenance.*
The City of Yakima and/or the Yakima Greenway Foundation will provide longterm maintenance of the fence.

5. *Provide an estimated timeline of project, if approved.*
Weather permitting; the project will be completed this fall. If not, the project will be completed next spring

6. *Provide a description of how the project's success would be measured.*
Success of this project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF Bridge.

7. *Provide any other information the applicant believes would be useful to the commission in considering the project.*
At several recent meetings, BNSF personnel have expressed their encouragement and approval of our plans to channel pedestrians away from railroad property and to reduce trespass by means of fencing.

8. *If the project involves any construction, modification or demolition on a railroad right-of-way, complete the attached Railroad Commitment form. This includes fencing, gates or other structures located near enough to the tracks to be on the railroad right-of-way, modification to a grade crossing or any other project that involves railroad property or rights-of-way.*
See accompanying email from BNSF engineer Daniel MacDonald expressing the railroad's concurrence with this project.

Submitting the Application

After completing the GCPF application, please send the original to:

Washington Utilities and Transportation Commission
Attention: Grade Crossing Protective Fund
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250

A signed application may be filed electronically at records@utc.wa.gov. When filing electronically, please specify "Grade Crossing Protective Fund" in the subject line.

Assistance

For questions or assistance, please contact:

- Kathy Hunter at (360)664-1257 or by e-mail at khunter@utc.wa.gov.
- David Pratt at (360)664-1100 or by e-mail at dpratt@utc.wa.gov.

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Railroad Commitment
TR-072009

2008 APR 22 AM 10:06
RECEIVED
UTIL. & TRANSP. COMMISSION

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

The City of Yakima has applied for GCPF funds to erect fencing for trespass abatement purposes. The City's trolley bridge and the adjacent BNSF Railway bridge cross the Naches River at the northern end of Yakima City limits. See attached photos for location of fencing. It is believed the BNSF has a 200 ft. right-of-way at this location and much of the fencing would be on that right-of-way. The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

See Notes below.

John Li
Printed name of Railroad Representative

Signature of Railroad Representative

Manager, Public Projects
Title

206 625 6146
Phone

john.li@bnsf.com
E-mail

Date: 4/21/08

Notes: BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. The City will also need to obtain a permit from BNSF with current indemnity language and insurance limits and with a 30-day cancellation clause, if the fencing would be on BNSF's Right-of-Way.

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From: MacDonald, Danniel
To: Wayenberg, Karen
Cc: Polnicky, Bruce K; Agee, David W
Subject: RE: Yakima, WA - UTC Grant Application
Date: Friday, October 05, 2007 3:24:51 PM

Ms. Wayenberg,

Thank you for the opportunity to review the City of Yakima's UTC GCPF application. BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. We look forward to working with the City of Yakima address this safety concern.

Please contact me if you need additional information regarding BNSF's participation. Again, we look forward to working with the City on this issue.

Respectfully,

Dan

Danniel MacDonald, P.E.
Manager Engineering - Seattle
BNSF Railway Company
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134
Office: (206) 625-6150
Fax: (206) 625-6115
danniel.macdonald@bnsf.com

From: Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]
Sent: Friday, October 05, 2007 12:53 PM
To: MacDonald, Danniel
Subject: RE: Yakima, WA - UTC Grant Application

Thanks for reviewing our application and the page requiring BNSF signature. Feel free to call me or reply to this email.

From: MacDonald, Danniel [mailto:Danniel.MacDonald@BNSF.com]
Sent: Friday, October 05, 2007 12:47 PM
To: Wayenberg, Karen
Subject: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

With reference to our conversation this afternoon, my contact information is following. I look forward to reviewing this application.

Respectfully,

Dan

Danniel MacDonald, P.E.

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HOME FRONT
Yakima Herald-Republic
Friday, July 13, 2007



GORDON KING/Yakima Herald-Republic

A woman is placed in an ambulance after nearly being struck by a train near Berglund Lake in Yakima on Thursday. She was injured when she was thrown off the tracks by a companion as the train approached.

Man hit by train after saving companion

He tosses woman from the tracks

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

A man was struck by a train Thursday morning after Yakima police said he saved a woman moments earlier by throwing her from a trestle as the train bore down on them.

The man, who has not been identified, suffered serious injuries and was taken to Seattle's Harborview Medical Center.

The two were among four people attempting to walk across a railroad bridge over the Naches River shortly after 8 a.m.

Although two of the men reached safety, the woman fell on the tracks, police said. She was helped to her feet by the third man, who attempted to get them both to safety. But he ended up throwing her down a 10 to 15 foot embankment moments before being struck, police said.

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two refrigerated boxcars of corn, tried to warn the group by sounding the horn and then applying emergency brakes, said Burlington Northern Santa Fe spokesman Gus Melonas.

The train had slowed from 35 mph to between 10 and 15 mph when it struck the man, he said.

"This is an unfortunate situation," he said. "But this time of year we see an increase in trespassing situations.

"People take shortcuts and risks often by crossing railroad property and we encourage the public to use designated areas."

Yakima police initially said the man may have suffered back injuries. Authorities initially said it appeared the woman, who was also not identified, broke a leg when she landed on rocks below the trestle.

Melonas later said she suffered only cuts and bruises. There was no immediate word on their conditions. Although Yakima police handled the initial investigation, it has been handed off to BNSF investigators.

Melonas said nine people have been killed on railroads this year in Washington state.



TJ MULLINAX/Yakima Herald-Republic

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Gra

'No doubt he saved my life'

Train encounter broke victim's leg, pelvis

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

As they crossed the bridge over the Naches River, Lisa Boitano was telling her three friends how cool it would be to see a passing train from up close.

That's when they saw the locomotive bearing down.

From her hospital bed Friday, Boitano recalled her friend Mark Brown's reaction.

"He said, 'You might get your chance — run.'"

But as they ran, Boitano fell, and her right leg slipped and became stuck between the wooden ties.

"I was freaking out and tried to pull myself up," she said. "But Mark came up behind me, grabbed both arms and pulled me out.

"No doubt he saved my life."

As the two prepared to leap off the tracks to an embankment about 10 to 15 feet below the tracks, they were struck.

"I felt the train hit my lower back, but he got the full force of it," said 21-year-old Boitano.

The impact threw them about 20 feet into the rocks below. Boitano said she broke her nose and fractured her right leg and pelvis. But then she looked up she saw that Brown, or Green as he is known to his friends, was hurt much worse.

"It was the scariest thing I've ever seen. Blood was everywhere," she said. "I kept saying, 'Green, don't die, Green, don't die. Wake up, wake up.'"

She is now at Yakima Memorial Hospital. Brown, 26, was taken to Seattle's Harborview Medical Center, where he was listed in serious condition after undergoing surgery Friday.

Boitano said doctors there told her he suffered multiple injuries, including two broken legs, a shattered pelvis, a broken jaw and a broken arm.

"He would have been okay if he had just jumped, if he hadn't stopped to help me," she said.

Earlier that morning, the four had watched the sunrise from the ridge between Yakima and Selah. They were walking the tracks back to Yakima, and were crossing the bridge shortly after 8 a.m.

Boitano said two of her friends had nearly reached the end of the bridge; she and Brown were only about halfway across.

SEE **TRAIN** PAGE 8A



SARA GETTYS/Yakima Herald-Republic

Lisa Boitano recovers in Yakima Valley Memorial Hospital on Friday, after being hit by a train while she and three others were crossing the trestle over the Naches River.

TRAIN

Continued from Page 1A

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two boxcars, spotted the group and began sounding the horn and applying emergency brakes, which slowed the train from 35 to about 10 to 15 mph, Burlington Northern Santa Fe spokesman Gus Melonas said Thursday.

Boitano said that the horn came too late — the train was almost on them when it sounded. And while braking probably saved their lives, she had no idea at the time that the train had slowed at all.

"It sure as hell didn't feel like it was going 15 mph when it hit us," she said.

Although Melonas said that technically the four were trespassing on railroad property, he did not say whether BNSF would pursue charges.

Boitano said she and her friends did not know they were trespassing.

All she does know is that Brown, a man whom she described as being like a brother to her for the past four to five years, was willing to sacrifice himself to save her. The two met while she was a teenager living on the streets and have been close friends ever since.

"I would have been stuck in the tracks if he hadn't helped me out," she said. "He's just a wonderful person."

• *Rod Antone can be reached at 577-7626 or rantone@yakimaherald.com.*

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TR-072009

Boston, Bob (UTC)

From: Sheffield, Brett [bsheffie@ci.yakima.wa.us]
Sent: Tuesday, November 04, 2008 11:59 AM
To: Boston, Bob (UTC)
Subject: Grade Crossing Protective Fund Grant
Attachments: YVT Fence.pdf

Bob,

As we have discussed, part of the William O. Douglas Trail will include a pathway across the Trolley Bridge to allow pedestrians access across the Naches River. I believe that the description in the original application should have been modified to read like the following:

> This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

I have also attached a drawing showing the proposed fencing project. If you have any questions or require additional information, please don't hesitate to contact me. Thanks for your help.

Brett H. Sheffield, P.E.
Chief Engineer
City of Yakima
PH. (509) 576-6797
Fax (509) 576-6305

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YAKIMA CITY COUNCIL MINUTES
February 17, 2026
City Hall - Council Chambers - 129 N 2nd Street, Yakima WA
5:30 PM City Council Regular Meeting - Conducted in person and virtually via Zoom

1) Roll Call

The meeting was called to order at 5:32 p.m.

Present: Mayor Matt Brown, presiding; Assistant Mayor Reedy Berg and Councilmembers Patricia Byers, Rick Glenn, Felisa Gonzalez, Juliet Potrykus and Leo Roy

Staff: City Manager Vicki Baker, City Attorney Sara Watkins and City Clerk Rosalinda Ibarra

2) Pledge of Allegiance

Mayor Brown led the Pledge of Allegiance.

3) Interpreter Services

Mayor Brown introduced Jorge Villaseñor who announced interpreter services are available in Spanish.

4) Public Comment

Joan Walsh, City resident; and Lulu Dufault, non-City resident; spoke in support of the Yakima Valley Trolleys.

Michelle Hotchko, City resident, spoke in favor of Lions Pool.

Joseph Kopsick (via Zoom), City resident, spoke about tax revenue collection.

5) Open Discussion for the Good of the Order

None.

6) Council Reports

None.

7) Consent Agenda

Mayor Brown referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. Item J was removed from the Consent Agenda. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion-see motion directly below.)

MOTION: Berg moved and Byers seconded to approve the consent agenda (as amended). The motion carried by a 7-0 roll call vote.

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7.A Approval of minutes from the February 3, 2026 Council regular meeting and February 10, 2026 Council study session

7.B Approve payment of disbursements for the period January 1-31, 2026

7.C January 2026 Investment Transaction Report

7.D Project Completion and Contract Acceptance with Washington Roofing Solutions LLC for Fire Station 94 Re-Roofing Project 2851

7.E Project Completion and Contract Acceptance with Central Washington Asphalt for 2024 Northside Alley Paving Project 2759

7.F Project Completion and Contract Acceptance with Iron Horse LLC for Project SC2819 2025 Wastewater Collection System Rehabilitation

7.G Project Completion and Contract Acceptance with Interwest Construction Inc for Project SC2783 Maclaren Vicinity Wastewater Improvements

7.H Resolution accepting and approving 4th Quarter 2025 Claim Report

RESOLUTION NO. R-2026-024, A RESOLUTION accepting and approving the 4th Quarter 2025 Claim Report for the City of Yakima.

7.I Resolution approving an agreement with the Yakima Herald-Republic for legal advertising services

RESOLUTION NO. R-2026-025, A RESOLUTION approving an annual agreement with the Yakima Herald-Republic for legal advertising services.

7.J *This item was removed from the Consent Agenda*

7.K Resolution authorizing an Interlocal Agreement between SunComm and Yakima County Technology Services for network equipment maintenance and repair

RESOLUTION NO. R-2026-027, A RESOLUTION authorizing an interlocal agreement with Yakima County Technology Services for network equipment maintenance and repair on the Spillman Computer Aided Dispatch workstations.

7.L Resolution authorizing an Equitable Sharing Agreement and Certification with the United States Department of Justice

RESOLUTION NO. R-2026-028, A RESOLUTION authorizing an Equitable Sharing Agreement and Certification with the United States Department of Justice.

7.M Ordinance amending the Yakima Municipal Code Section 1.06.010 Meetings of the City Council

ORDINANCE NO. 2026 004, AN ORDINANCE amending the City of Yakima Municipal Code Section 1.06.010 Meetings of the city council.

Item Removed from the Consent Agenda

7.J Resolution authorizing an Interlocal Agreement with Washington Traffic Safety Commission to provide funding for a law enforcement liaison program

Lt. Ira Cavin briefed Council on the proposed resolution. The City Clerk read the resolution by title only.

MOTION: Byers moved and Berg seconded to approve the resolution for Item J. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-026, A RESOLUTION authorizing an Interlocal Agreement with the Washington Traffic Safety Commission for funding a Law Enforcement Liaison.

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8) Public Hearings

8.A Public Hearing and Ordinance relating to Material Changes for the Transportation Benefit District (TBD) project list

Community Development Director Bill Preston briefed Council on the proposed ordinance related to material changes affecting the Transportation Benefit District project list. He described funding options and proposed schedule for consideration.

Mayor Brown opened the public hearing.

The following individuals provided comments and testimony: Josh Zeigler, Aileen Kane, Barry Bernfeld, Pattie Graffe (Selah Downtown Association), Nancy Davis, Greg Johnsen, Joan Walsh, Dave Cox (Northern Pacific Railway Museum), Maria Ramos, Stephen Rechtlen, David Foster, Badger Wentworth, and Brian Korst.

With no one else coming forward or calling in to speak, Mayor Brown closed the public hearing.

After extensive Council discussion,
MOTION: Potrykus moved and Glenn seconded that no Transportation Benefit District (TBD) funds shall be used for the repair, replacement, relocation, installation, or re-installation of trolley rail infrastructure as part of the 6th Avenue project. The motion carried by a 5-2 roll call vote; with Byers and Gonzalez voting no.

After further Council discussion, the City Clerk read the ordinance by title only and Council took the following action related to passage of the ordinance:
MOTION: Byers moved and Berg seconded to choose the option that removes the trolley tracks from the TBD list and move forward with the .01% sales tax. The motion carried by a 6-1 roll call vote; with Gonzalez voting no.

ORDINANCE NO. 2026-005, AN ORDINANCE of the City of Yakima, Washington, relating to a Transportation Benefit District; updating project costs for the transportation improvements to be funded by the district.

MOTION: Brown moved and Berg seconded to place on a April Council meeting agenda a discussion regarding a proposed charter amendment to permanently prohibit City Council members from imposing a car tab fee, in any form, and direct the City Attorney to prepare proposed Charter language for that meeting. The motion carried by unanimous vote.

9) Department Items

9.A Ordinance establishing a 0.1% sales tax for the Transportation Benefit District

Community Development Director Bill Preston briefed the Council on the proposed ordinance to establish a 0.1% sales tax for the Transportation Benefit District.

The City Clerk read the ordinance by title only.

MOTION: Byers moved and Berg seconded to approve the ordinance. The motion carried by a 7-0 roll call vote.

ORDINANCE NO. 2026-006, AN ORDINANCE of the City of Yakima, Washington, adding a new Section, 3.78.062 to the Yakima Municipal Code imposing an additional sales and use tax of one-tenth of one percent within the boundaries of the City of Yakima Transportation Benefit District for the purpose

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of financing the costs associated with transportation improvements in the district as authorized by the Revised Code of Washington.

9.B Ordinance repealing the $20 car tab fee

Community Development Director Bill Preston briefed the Council on the proposed ordinance to repeal the $20 car tab fee.

The City Clerk read the ordinance by title only.

MOTION: Byers moved and Berg seconded to pass the ordinance. The motion carried by a 7-0 roll call vote.

ORDINANCE NO. 2026-007, AN ORDINANCE of the City of Yakima, Washington repealing Ordinance No. 2017-033 which established an annual vehicle license fee.

9.C Resolution authorizing an Interlocal Agreement with Yakima County Fire District #4, East Valley Fire Dept. for temporary access and use of City Knox Box Master Keys

Yakima Fire Chief Aaron Markham briefed Council on the proposed resolution that will allow Yakima County Fire District #4 to utilize the city's master key during emergencies to gain access to Knox boxes located within the City of Union Gap.

The City Clerk read the resolution by title only.

MOTION: Berg moved and Byers seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-029, A RESOLUTION authorizing an Interlocal Agreement with Yakima County Fire District #4 for temporary use of City Knox Box master keys.

9.D Resolution authorizing application for grants from the Washington State Department of Transportation (WSDOT) and the Federal Aviation Administration (FAA)

Director of Yakima Air Terminal Christopher Hopkins briefed Council on the proposed resolution authorizing the City to apply for grant funding for improvements to the crosswind runway at the Yakima Air Terminal.

The City Clerk read the resolution by title only.

MOTION: Berg moved and Byers seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-030, A RESOLUTION authorizing application for grants from the Washington State Department of Transportation (WSDOT) and the Federal Aviation Administration (FAA) for construction of the crosswind runway, a capital improvement project at the Yakima Air Terminal-McAllister Field.

9.E Discussion regarding the Request For Interest (RFI) letters for the operation of Washington Fruit Community Center and Harman Senior Center

Parks & Recreation Manager Ken Wilkinson briefed Council on the proposed draft Letters of Interest to solicit interest from organizations to manage and operate the Washington Fruit Community Center and Harman Senior Center. The Washington Fruit Community Center is budgeted until June 30, 2026, and

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the Harman Senior Center is budgeted until December 31, 2026. The letters of interest would be used to initiate the Request for Proposal (RFP) bid process. No action from the Council was required to move forward at this time.

10) City Manager Update

10.A Preview of upcoming topics

City Manager Vicki Baker provided updates to Council regarding fundraising efforts for Lions Pool and noted that currently no sales tax funds are available to fund park maintenance and Lions Pool. State Representative Chris Corry submitted a budget proviso for Lions Pool. The city has been in ongoing discussions with the YMCA to help fill the community needs. Further updates will be provided in March when the pool has closed and maintenance costs are better determined.

Mrs. Baker mentioned that the three-business meeting format change approved by Council will be implemented in April and will include an open discussion section.

She also provided a brief preview of upcoming topics related to Council's Principles of Conduct and Code of Ethics, engineering and licensing fees, capital improvements projects, and infrastructure updates.

11) Other Business

MOTION: Byers moved and Berg seconded to bring to some future Council meetings, over the next two or three months, a discussion about the Charter and suggested changes for Council. The motion carried by unanimous vote.

MOTION: Berg moved and Brown seconded to add to a business meeting in March or April a discussion regarding enforcement of YMC Chapter 6.91 (Unlawful Camping Ordinance) on all public property. The motion carried by unanimous vote.

12) Adjournment

MOTION: Byers moved and Berg seconded to adjourn to the next City Council regular meeting on March 3, 2026, at 5:30 p.m. in the City Hall Council Chambers. The motion carried by unanimous vote.

The meeting adjourned at 7:46 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

/s/ Signature on File

COUNCIL MEMBER DATE

/s/ Signature on File

COUNCIL MEMBER DATE

ATTEST:

/s/ Signature on File

CITY CLERK

/s/ Signature on File

MAYOR

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d. An inventory of the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials is attached hereto as Exhibit "C" and incorporated herein by this reference. YVT should update this inventory as necessary and provide an updated Exhibit to the City to attach to this Agreement.

2. Electric Railway System and Museum Use Restricted.

a. Electric Railway System Use Restriction. The operation, use and promotion license granted herein for the City's electric railway system shall be restricted to the use and operation of the electric railway system on a non-profit basis for the transport, benefit, and enjoyment of the public, as an educational resource, as a tourist attraction and a tourism promotional activity, and to activities necessary for the maintenance of the electric railway system.

b. Electric Railway Museum. The operation, use and promotion license granted herein for the City's electric railway museum shall be restricted to the use and operation of the electric railway museum on a non-profit basis for the benefit, education and enjoyment of the public, as a tourist attraction and a tourism promotional activity, and to activities necessary for the care and maintenance of the electric railway museum.

3. Maintenance.

a. General Maintenance. In consideration of the license granted herein, YVT assumes responsibility for and agrees to maintain the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials, and electric railway museum in good repair and in as clean, neat and orderly manner as reasonably possible. YVT must coordinate all significant general maintenance work with the Public Works Director and the City Engineer, or their respective designees.

b. Track Maintenance. YVT shall maintain all electric railway system railway track located on a City street in a manner that provides that the top of the rails shall be level with the surface of the street; provided, however, that YVT shall not be required to elevate or depress a rail in a City street in a manner that is contrary to standard railroad engineering practices. YVT must coordinate all significant track maintenance work with the Public Works Director and the City Engineer or their respective designees.

4. Budget and Expenditures.

a. Annual Operation and Maintenance Budget. With assistance from the City Manager and/or their staff, YVT shall submit a proposed annual budget to the City for the operation and maintenance of the electrical railway system and the electrical railway museum. This proposed budget shall be submitted during the City Council's normal budget preparation cycle. YVT will coordinate with the City Finance Director to provide a budget consistent with City format for timely internal review by the City.

b. City Approval Required for Maintenance and Operation Expenditures. To the extent that YVT requires and seeks funding from the City (including the "trolley fund") for any expense and/or costs related to the maintenance and/or operation of the City's electrical railway system and electrical railway museum, YVT shall seek and obtain approval of the City before incurring the respective expense and/or costs in accordance with the following:

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Rivera, Eva

From:	Yakima Taxpayer <yaktaxfiscalresp@yahoo.com>
Sent:	Wednesday, October 14, 2026 2:18 PM
To:	Martin, Trevor; Ask Planning
Subject:	Comments on Proposed Yakima Comprehensive Plan 2050 an SEPA Checklist
Attachments:	12.18.25 letter to City.pdf; Dangerous Selah Gap Hillside.pdf; July 7, 2026 Public Hearing on TIP.pdf
Follow Up Flag:	Follow up
Flag Status:	Completed

TO: YAKIMA CITY PLANNING COMMISSION and PLANNING DIVISION
FR: YAKIMA TAXPAYERS FOR FISCAL RESPONSIBILITY
DA: October 13, 2026
RE: Comments on Proposed Yakima Comprehensive Plan 2050

Yakima Taxpayers for Fiscal Responsibility (YTFR) submit the following comments on the proposed Comprehensive Plan 2050 Update, SEPA Environmental Checklist, and proposed SEPA Determination of Nonsignificance (DNS).

The Comprehensive Plan (CP) Historic Preservation Element is being amended. On page 4-8 of the proposed Historic Preservation Element, there is a section on City-owned Facilities that says "the Yakima Valley Trolley, which includes associated buildings and track" is a "significant" property and is important as an anchor to downtown and the growing tourism market.

Although the City owns former railroad buildings and land at South 3rd Avenue and Pine Street, the City does **not** own the abandoned railroad tracks north of Gordon Road in the City of Yakima. The City of Yakima does not own any land with railroad tracks in the City of Selah. The City of Yakima does not own any land with railroad tracks in unincorporated Yakima County.

After abandoning the freight-only electric railroad in 1985, Yakima Valley Transportation Company (YVTC) gave City of Yakima a Bill of Donation for *personal property* and delivered to the City of Yakima a Donation Quitclaim Deed for *real property* owned by YVTC, if any.

The 1985 Bill of Donation to Yakima included an itemized list of equipment transferred to the City but *excluded*"structures and other fixtures." Thus, YVTC's bridge, trackage, wires, and poles attached to land were structures or fixtures that were *excluded* from the Bill of Donation.

The 1985 Donation Quitclaim Deed to Yakima *included* "all trackage, wires, poles, structures, and other fixtures and appurtenances located on said real property." Thc Donation Quitclaim Deed legal description was limited to "the rights-of-way of the Yakima Valley Transportation Company." But the Yakima Valley Transportation Company did not own the *right-of-way* in Selah Gap – in 1985, the abandoned rail line in Selah Gap was on the right-of-way land owned exclusively by Burlington Northern Railroad (now BNSF). So, the Donation Quitclaim Deed did not pass any real property to the City in Selah Gap.

There is no recorded easement in Selah Gap from Northern Pacific/BNSF to the City of Yakima. An unrecorded 1912 "Agreement" between Northern Pacific Railway and Yakima Valley Transportation Company allowed YVTC to operate a main line railroad on Northern Pacific land but that License Agreement was not assigned to

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the City of Yakima. In 1934, Yakima County ended its franchise for passenger rail service to Selah. Passenger rail use through Selah Gap was permanently abandoned in 1935 under the case *In re Electric Railway Service of Yakima Valley Transportation Company* (Order of Washington Department of Public Works; Cause No. 6832; Apr. 11, 1935). When the YVTC railroad went out of business and was abandoned in 1985, any remaining license agreements lapsed.

As to YVTC's Selah Line outside of Yakima street right-of-way and outside of outside of BNSF right-of-way, YVTC obtained right-of-way deeds from private landowners and received a Yakima County Franchise to build tracks in County right-of-way. Yakima County revoked the franchise for passenger service in 1934. As to private right-of-way deeds, the State Supreme Court has ruled in a line of cases that absent contemporaneous extrinsic evidence to the contrary, railroad right-of-way deeds are treated as easements that are automatically extinguished once railroad operations permanently cease. Since Selah Line passenger rail operations permanently ceased in 1935, passenger rail easements were extinguished in 1935 and automatically reverted back to the underlying private landowners.

In *Congdon Orchards v. City of Yakima, et. al*, the court held that the Yakima trolley streetcar operation is not a railroad but instead is a "*tourist attraction.*" The court cited Supreme Court case law distinguishing between railroads and trolley streetcars. The *Congdon* court ruled that under *both* case law and the explicit language of the Congdon easement itself, seasonal tourist trolley use "is not in conformity with the purposes" of the railroad easement and therefore, "the right of way reverts to the original landowner."

The Draft Comprehensive Plan 2050, Volume II Technical Analysis, Page 4-46 (Draft June 2026) discusses "repairs to the Yakima Valley Trolley Bridge over the Naches River" under Project WA-15913 but this project should be entirely removed from the Technical Analysis document because on July 7, 2026, the Yakima City Council passed a motion "to remove the Naches River Bridge from the Transportation Improvement Program" and specified that "no City funds shall be used for trolley track infrastructure consistent with Council's previous direction regarding TBD funds."

The Draft Comprehensive Plan 2050, Volume II Technical Analysis, Page 4-52 (Draft June 2026) discusses project R-3 "6th Avenue Rehabilitation (Walnut to River Road). The total listed cost for project R-3 is $7,720,000 but that amount is very inaccurate and should be $18,254,800, according to HLA Engineer's Opinion of Construction Cost (11/6/2025). The trolley portion of that total is $8,402,500 in 2025 dollars.

The abandoned Selah Rail Line is 4 miles long between Yakima and Selah. Re-engineering and rebuilding this heavily degraded rail line is a very complex project. To construct just 7,800 linear feet of track/overhead catenary system on 6thAve. costs about **$5.7 Million per mile**. The cost to re-engineer and rebuild the entire 4-mile Selah Line is about **$22.8 million** based on the $5.7 million per mile engineering estimate for 6th Avenue tracks.

The final cost may be higher if the City and trolleys face challenges obtaining permits to traverse a mile-long strip of oversteepened slopes within the County-designated "High Risk" Geologically Hazardous area. Ten years ago, it cost **$135 Million** to build the 2.5-mile First Hill Streetcar tracks & OCS and **$56 Million** to build the 1.3-mile South Lake Union trolley line. The annual streetcar operating costs are $4.5 Million to $5 Million for each streetcar. By contrast, Yakima's annual trolley expenditure budget for 4.5 miles of track is $13,637, with budgeted annual revenues of $11,869.

The trolley should be completely removed from all City Transportation documents because Yakima's seasonal tourist trolley is a "tourist attraction," and is **Not Transportation** under state and federal laws, case law, and city ordinances. In any case, Yakima lacks authority to operate trolleys north of the Naches River. The SEPA Environmental Checklist should be redone to consider the "high-risk" landslide potential in Selah Gap where a mile of tracks pass through the County-designated geologic hazard area. An environmental/cultural impact

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study may be necessary to evaluate the impacts of trolley operation and maintenance activities in this hazard area.

Yakima Taxpayers for Fiscal Responsibility (YTFR) submit the following hard copies of documents relevant to their comments on the proposed Comprehensive Plan 2050 Update, SEPA Environmental Checklist, and proposed SEPA Determination of Nonsignificance (DNS).

1. 6th Avenue Project – $18.3 MILLION
2. 9.15.25 Trolley Letter – Attorney Carmody
3. Bill of Donation – Personal Property
4. Congdon Orchards v. Yakima 1987 Court Decision
5. Disputed ROW R-1991-D5887 Interurban Lines copy
6. Donation Quit Claim Deed – Real Property
7. Landslide High Risk Info Along Trolley Route
8. Letter Brown & Berg 1-20-26
9. City Council Minutes -07-07-2026
10. Seasonal Tourist and Sightseeing Trolleys
11. State Order Permanent Abandonment Passenger Rail Service to Selah
12. Trolley Not Eligible for Transportation Funds
13. Yakima County-wide Planning Policy (2003)
14. YNCRP Letter to City of Yakima 12.3.2025
15. YVT 12/3/25 Attorney Carmody Letter
16. YVTC Letter to DAHP 11/14/1983
17. Northern Pacific RR co ROW Dept. Hope to Ellensburg
18. 1912 Railroad License Agreement Cover Sheet
19. 1912 Approval of Trail in NPRR ROW
20. City Council Minutes 02-17-2026

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21. 12.18.2025 Attorney Carmody letter to City
22. UTC and BNSF Approval of Trail in RR ROW
23. Dangerous Selah Gap Hillside
24. Trolley Operating Agreement p. 2
25. July 7, 2026 Public Hearing on TIP

Additional attachments:

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d. An inventory of the City's electric railway system, including trolley way cars, associated railway rolling stock, and electric railway system parts, o track, supplies, tools, machines, and other associated equipment and materi hereto as Exhibit "C" and incorporated herein by this reference. YVT shoı inventory as necessary and provide an updated Exhibit to the City to attach to th

2. Electric Railway System and Museum Use Restricted.

a. Electric Railway System Use Restriction. The operation, use license granted herein for the City's electric railway system shall be restricted operation of the electric railway system on a non-profit basis for the transpc enjoyment of the public, as an educational resource, as a tourist attraction promotional activity, and to activities necessary for the maintenance of the system.

b. Electric Railway Museum. The operation, use and promotion herein for the City's electric railway museum shall be restricted to the use and electric railway museum on a non-profit basis for the benefit, education and e public, as a tourist attraction and a tourism promotional activity, and to activitie the care and maintenance of the electric railway museum.

3. Maintenance.

a. General Maintenance. In consideration of the license grant assumes responsibility for and agrees to maintain the City's electric railway s trolley cars, engines, way cars, associated railway rolling stock, and electric parts, overhead wiring, track, supplies, tools, machines, and other associated materials, and electric railway museum in good repair and in as clean, neat and as reasonably possible. YVT must coordinate all significant general maintenan Public Works Director and the City Engineer, or their respective designees.

b. Track Maintenance. YVT shall maintain all electric railway syst located on a City street in a manner that provides that the top of the rails shall surface of the street; provided, however, that YVT shall not be required to elev rail in a City street in a manner that is contrary to standard railroad engineering must coordinate all significant track maintenance work with the Public Works City Engineer or their respective designees.

4. Budget and Expenditures.

a. Annual Operation and Maintenance Budget. With assistanc Manager and/or their staff, YVT shall submit a proposed annual budget to operation and maintenance of the electrical railway system and the electrical This proposed budget shall be submitted during the City Council's normal bu cycle. YVT will coordinate with the City Finance Director to provide a budge City format for timely internal review by the City

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Yakima Taxpayers for Fiscal Responsibility

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MEYER, FLUEGGE & TENNEY, P.S.

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*Also admitted in Oregon
**Also admitted in Oregon & Virginia

December 18, 2025

Bill Preston, P.E.
Director of Community Development
SEPA Responsible Official
City of Yakima
129 N. 2nd Street
Yakima, WA 98901

Re: SEPA Determination of Nonsignificance
SEPA #104-25

Dear Mr. Preston:

We represent Yakima Taxpayers for Fiscal Responsibility (YTFR) and are writing with respect to your issuance a *Determination of Nonsignificance* related to Operation License Agreement between City of Yakima and Yakima Valley Trolleys – SEPA #104-25. The *Determination of Nonsignificance (DNS)* concluded that the City of Yakima, as lead agency [and also applicant], has determined that the proposal "…does not have a probable significant adverse impact on the environment."[1] It honestly looks like little consideration was given to comments.

In your decision, you state that parties "…may appeal this determination" to you no later than December 18, 2025. The DNS does not provide or identify the ordinance or statutory basis for administrative appeal. In fact, it does not appear that there is an administrative appeal process for the DNS under the Yakima Municipal Code.

Appellate procedures for review of SEPA determinations are set forth in YMC 6.88.170. The rules recognize as a beginning proposition that "…any appeal brought under this chapter shall be linked to a specific governmental action." YMC 6.88.170(A). The governmental action involved in this matter is the granting of an Operating License to Yakima Valley Trolleys. The specific governmental action was taken by the City Council prior to the expiration of the appeal period. That made it impossible to combine the matters in a single hearing process.

While the SEPA ordinance provides limited administrative appeals under SEPA, there is no appeal for the DNS issued in this case. PMC 6.88.170(D) specifically provides:

[1] The DNS indicates that the "…decision was made after review of a completed environmental checklist and other information on file with the lead agency." It is not credible that a DNS would be issued based upon the very significant environmental issues raised by parties providing comment on the proposal. In particular, Yakama Nation articulated significant concerns with respect to cultural resource impacts and need for appropriate and timely environmental review. It is not necessary for purposes of this letter to go through all of the serious issues that should have been considered in the process.

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> Except as provided in subsection E of this section, an appeal under this section shall consolidate any available SEPA appeal with a hearing or appeal on the underlying governmental action in a single simultaneous hearing before one hearing officer or body. The hearing or appeal shall be one at which the hearing officer or body will consider either the agency's decision or recommendation on the proposed underlying governmental action. *If no hearing or appeal on the underlying governmental action is otherwise provided, then no SEPA appeal is allowed under this section, except as allowed under subsection E of this section.*

An appeal of an environmental threshold determination "…shall consolidate available SEPA appeal with a hearing or appeal on the underlying governmental action in a simultaneous hearing before one hearing officer or body." YMC 6.88.170(D). The appropriate process would have been to consolidate an environmental appeal with the underlying governmental action which was the review and determination on the Operating License for Yakima Valley Trolleys. The City did not allow appropriate time or opportunity for appeal as required under the ordinance.

Second, and more importantly, if there is no hearing or appeal on the underlying governmental action which is provided, "…then no SEPA appeal is allowed under this section, except as allowed under subsection E of this section." There is no administrative appeal allowed with respect to the process implemented by the City with respect to the DNS. That creates a problem – what is the proper appeal process?

In its DNS, the City failed to provide accurate and clear appeal instructions. Where there has been a failure to give appropriate notice of appeal rights, the filing of an appeal is tolled until proper notice is provided to the parties. See e.g. *Gardner v. Pierce County,* 27 Wn.App. 241, 243, 617 P.2d 743 (1980) (holding that "…[t]o require a petitioner to file an appeal ten days before the hearing under these circumstances would be unreasonable and violative of due process."; *Prekeges v. King County,* 98 Wn.App. 275, 281, 990 P.2d 405 (1999). The City should withdraw the DNS and reissue the determination with proper and accurate appeal instructions.

As a final point, the City should withdraw the SEPA DNS for Trolley Operating Agreement based on the significant information and identification of probable significant adverse environmental impacts set forth in the record. WAC 197-11-340(3)(a). Among the considerations are the following:

- Yakama Nation Letter (12/3/2025): SEPA Checklist was "*fundamentally deficient*" and requires a "*proximity analysis to archaeological sites or culturally sensitive areas*" affected by trolley operations
- Trolley attorney said County-designated "High Risk" rockslide hazard area in Selah Gap is "*dangerous*" for trolley operations
- Legal authority from Yakima County and State to operate passenger rail service to Selah ended 90 years ago (see State Order April 11, 1935)
- No evidence of land use approvals to operate in Selah or Yakima County

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- 1985 Quit Claim Deed did not include land in Selah Gap owned by BNSF
- 1985 Bill of Donation excluded railroad structures and fixtures
- Congdon Orchards Decision: Trolley is "*not a railroad*" but instead is a "*Tourist Attraction,*" and 1985 ICC abandonment triggered reversion of private railroad easements to underlying private landowners
- No evidence of underlying private landowner consent to trolley operations
- Yakima lacks statutory authority to operate tourist trolley outside of Yakima
- City-owned trolley cars are not on the National Historic Register

We request that the SEPA DNS be withdrawn and reissued with proper appeal instructions. More importantly, we request that the City reevaluate the DNS and impose mitigation requiring survey and preparation of cultural resource assessments, critical area evaluations and reports, and compliance with multi-jurisdictional permit processes.

I would be happy to discuss these issues with you or legal counsel at your convenience.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

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PAUL D. EDMONDSON
Attorney-at-Law
313 NORTH THIRD STREET
YAKIMA, WA 98901
(509) 452-7963

June 23, 2022

Ken Johnsen, President
Yakima Valley Trolleys
PO Box 161
Renton, WA 98057

Re: Pedestrians on City Railway

Dear President Johnsen:

You have inquired about a proposal to permit pedestrians to use the City-owned railroad tracks now used by Yakima Valley Trolleys over the Naches River between Yakima and Selah, WA. I understand that the group asking for City permission is a hiking group interested in traversing the Naches River bridge into Selah Gap where the tracks are located along a narrow shelf adjacent to the BNSF mainline tracks which are used for mile-long 100 car freight trains returning to North Dakota from Western Washington oil refineries. I further understand that the Naches bridge has no special accommodation for pedestrians or hikers although an adjacent freeway bridge a short distance downriver does have pedestrian facilities to allow foot access into Selah from the Yakima Greenway.

From a legal perspective the most serious issue obviously confronting the City is the enormous expansion of City liability in endorsing pedestrian use of a railroad bridge and narrow right-of-way expressly built for railway use only. I know of no other city in America which has done so. I also do not know of the position of BNSF, the owner of the right-of-way, as opposed to the City–owned easement upon which the tracks lie. Since the easement is

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for railway purposes only the addition of pedestrian use would obviously be beyond the scope of the easement and unlawful, thereby exposing the City to possible litigation and damages from BNSF who I am quite sure do not want people hiking on their right-of-way adjacent to long oil trains.

At the present time the right-of-way is posted to warn trespassers to keep out. If the City decides to invite pedestrian use of the bridge and tracks the legal doctrine of an "attractive nuisance" would appear to become relevant. A common example is a homeowner's liability for a swimming pool in his backyard which is used by kids in the neighborhood. This creates substantial risk for the owner who has "invited" the users explicitly or impliedly. This is the reason for the warning signs presently posted in Selah Gap and by the bridge.

In addition from the aforementioned dangers it should be noted that the Selah Gap hillside next to the trolley tracks is very steep. In places it is a vertical rock wall right next to the trolley tracks and the oil trains on the downhill side. Every Spring large two-man boulders fall down the hillside onto the tracks below creating a dangerous situation for rail traffic, not to mention pedestrians. Every Spring and Summer weekends trolley members clear out these boulders to keep the tracks clear and safe. Encouraging people to walk in this narrow corridor anytime during the boulder season is obviously not in the City's interest.

In summary, permitting pedestrians on city railroad tracks is just asking for litigation by invitees, no longer trespassers. It is unthinkable as a matter of prudent public policy.

Very truly yours,

Paul D Edmondson
WSBA 3634, HSBA 6687
EOIR XN287101

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TO: YAKIMA CITY COUNCIL
FR: YAKIMA TAXPAYERS FOR FISCAL RESPONSIBILITY
DA: July 7, 2026
RE: Comments on Six-Year TIP, Transportation System Plan, and Capital Facilities Element

On July 7, 2026, the Yakima City Council will hold a Public Hearing regarding: A) Resolution adopting the Six-Year Transportation Improvement Program (TIP) for the period of 2027 through 2032, and to amend the 2040 Transportation System Plan; and B) Resolution amending the Yakima Comprehensive Plan Capital Facilities Element. Yakima Taxpayers for Fiscal Responsibility ("Yakima Taxpayers") submits these Public Hearing comments and respectfully requests City Council make two motions to revise pages 4 and 14 of the TIP as follows:

> TIP page 4: Delete the three words "including trolley provisions" from the Project Description for "6th Avenue Roadway Improvements" and change the "Total Funds and Expenditures" from $17,350,000 TO $10,000,000.
>
> TIP page 14: Delete the word "Trolley" and substitute the word "Transportation" in the Project Description for "Naches River Bridge Repair."

The trolley is Not Eligible for inclusion in the TIP because: (1) Yakima County Superior Court ruled the trolley is not a railroad but instead is a "tourist attraction"; (2) Under state and federal laws, the seasonal tourist trolley is not "public transportation" and is not a "transportation improvement"; (3) On 2/17/2026, City Council removed the trolley tracks from the 6th Avenue Roadway Project amid concerns the trolley was not an eligible "transportation improvement." SEPA Review must be completed before amending the Capital Facilities Element.

Attachments:

1. City Council Motion # 1 revising TIP page 4
2. City Council Motion # 2 revising TIP page 14
3. Yakima Ordinance No. 2026-005
4. Yakima City Council Meeting Minutes (2/17/2026)
5. Letter from Attorney James C. Carmody (1/20/2026)
6. WSDOT: Naches River Bridge not eligible for Transportation Alt. funds (1/20/2026)
7. Congdon Orchards v. City of Yakima Court Decision (Excerpt 4/8/1987)
8. Letter from Attorney James C. Carmody (12/18/2025)
9. Yakama Nation Request for Formal Consultation (12/3/2025)
10. Letter from Attorney James C. Carmody (12/3/2025)
11. Letter from Attorney James C. Carmody (9/15/2025)
12. Yakima County "High Risk" Geologic Hazard GMA Critical Areas Map
13. Utilities and Transportation Commission Public Safety Order
14. National Historic Preservation Act § 106 Consultation
15. Trolley Operation License Agreement (Page 2 excerpt 1/20/2026)
16. Memorandum: Sightseeing Tourist Trolley not Eligible (STIP ID WA-15913)

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Motion # 1

I MOVE TO DELETE THE THREE WORDS "<u>INCLUDING TROLLEY PROVISIONS</u>" FROM THE PROJECT DESCRIPTION FOR "6TH AVENUE ROADWAY IMPROVEMENTS" ON PAGE 4 OF THE TIP AND CHANGE THE TOTAL FUNDS AND EXPENDITURES FROM $17,350,000 TO $10,000,000.

<u>REASONS: THE TROLLEY IS **NOT ELIGIBLE** FOR INCLUSION IN THE TIP</u>

City Council Resolution 2024-095 originally contemplated the use of Yakima's Transportation Benefit District (TBD) funds to rebuild tracks and overhead electric wires on a 1.5-mile segment of the 4-mile Yakima to Selah rail line. However, that 2024 Resolution was superseded by a 2026 **"No Tracks"** City Ordinance and accompanying Motion to *"remove the trolley tracks from the TBD list."* (Yakima Ordinance 2026-005 and City Council Meeting Minutes--Feb. 17, 2026). HLA Engineering 2024 estimate of $7.4 Million to build 6th Avenue tracks and overhead electric power system should be deducted from the total costs of the 6th Avenue Roadway Project.

In a Legal Opinion on TBD transportation improvements sent to the City January 20, 2026, Yakima Attorney Jamie Carmody stated: *"The inclusion of funding for trolleys would violate state law."* On February 17, 2026, the City Council voted to <u>not</u> use any TBD funds for the 6th Avenue tracks and overhead electric wires. City Council member Juliet Potrykus explained the City Council's decision to not spend City funds on the trolley: *"I would just like to draw a very hard line about the responsibility of paying for anything having to do with the trolley going forward being in the hands of the trolley not the taxpayers"* (Yakima City Council meeting transcription, 2/17/2026 at 1:33:30 minutes).

Yakima County Superior Court ruled the tourist trolley used for scenic excursions is not a "*railroad*" but instead is a "*tourist attraction*." The seasonal, non-ADA-accessible tourist trolley that operates on summer weekends and holidays does not provide continuous or functional mobility and therefore does not qualify as "*transportation*" or "*public transportation*" under various state and federal laws, e.g., RCW 81.104.015(4). Federal law says sightseeing tourist trolleys and charters are <u>not</u> "*public transportation.*" For many years, Yakima trolley operating agreements have restricted trolley use to "*tourist attraction.*" Yakima does not own any land with railroad tracks to Selah. Passenger rail service was legally abandoned in 1935 by Order of Washington State Transportation Division, and there is nothing in the record documenting established railway use rights or authority for operations in Selah. The 1935 abandonment of passenger rail operations caused an automatic reversion of the passenger rail easement to private landowners.

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Motion # 2

I MOVE TO DELETE THE WORD "TROLLEY" AND SUBSTITUTE THE WORD "TRANSPORTATION" IN THE PROJECT DESCRIPTION FOR "NACHES RIVER BRIDGE REPAIR" ON PAGE 14 OF THE TIP.

REASONS: THE TROLLEY IS **NOT ELIGIBLE** FOR INCLUSION IN THE TIP

The trolley is **Not Eligible** for inclusion on the TIP because the Yakima trolley is not a "railroad" and does not qualify as "*transportation*" or "*public transportation*" under various state and federal laws. Under Supreme Court case law, the abandonment of passenger rail service to Selah in 1935 and abandonment of freight service in 1985 triggered an automatic reversion of the railroad easement back to the adjacent private landowners. In Washington, when an easement is granted to a railroad by private conveyance, the easement is not a "perpetual public easement." *Lawson v. State of Washington*, 107 Wn.2d 444 (1986). Sightseeing tourist trolley excursions are not railroad operations and therefore trigger reversion of land possession back to the underlying private property owners.

Another example of the trolley not being eligible for transportation funding was a January 20, 2026 email from the Washington State Department of Transportation informing the City that the Naches River Bridge was not eligible for transportation alternative funding as a non-motorized facility because the bridge does not allow pedestrians. Tourist attractions do not qualify for transportation funding.

The historically accurate name for the bridge over the Naches River is "Yakima Valley Transportation Company Bridge" not "Yakima Valley Trolley Bridge." Yakima Valley Transportation Company is listed in the National Register of Historic Places; Yakima Valley Trolleys is not on the National Historic Register. If the TIP is not changed from "trolley" to "transportation," the capital facilities amendment will enable ground disturbance and operations in "High Risk" geologic hazard Critical Areas where the Yakama Nation requested formal consultation. This would also be inconsistent with a UTC Public Safety Order.

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Rivera, Eva

From:	350 Yakima Climate Action <350yakimaclimateaction@gmail.com>
Sent:	Wednesday, October 14, 2026 12:41 PM
To:	Ask Planning; Preston, Bill; Martin, Trevor
Cc:	Ray Paolella; Bob Cox; Felipe Rodriguez-Flores
Subject:	Comments on Yakima's draft Comprehensive Plan 2050 by 350 Yakima Climate Action - Part 1 of 2
Attachments:	350 Yakima Comments on Comp Plan 2050 & SEPA Documents.pdf; Overburdened Communities Highly Impacted by Air Pollution.pdf; East Yakima Environmental Justice Report 2025.pdf; ClimateActionPlan_Full_2023.pdf; Award Letter WODT.pdf

Dear Planning Commission,

Attached is a letter from 350 Yakima Climate Action with comments on the City's draft Comprehensive Plan 2050, along with 10 attachments.
NOTE: Due to the length of attachments, we are sending attachments in two separate emails.

Please include these in the public record today.

Thank you,

Coleen Anderson
350 Yakima Climate Action
346 N 24th Avenue
Yakima, WA 98902
360-731-4555

cc: Ray Paolella
Felipe Rodriguez Flores
Bob Cox

--

350 Yakima Climate Action acknowledges we live and work on the ancestral lands of the fourteen Confederated Tribes and Bands of the Yakama Nation. The people of the Yakama Nation inhabited more than 12 million acres across Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, and Yakima Counties. We thank the caretakers of this land who have lived here and continue to live here since time immemorial.

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October 13, 2026

City of Yakima Planning Commission
Planning Division
129 N. 2nd Street
Yakima, WA 98901

RE: Yakima Comprehensive Plan 2050 and State Environmental Policy Act (SEPA)

Dear City of Yakima Planning Commission and Planning Division:

City of Yakima's Notice of Public Hearing/Notice of Environmental Review (9/24/2026) requests comments on the: (1) proposed Yakima Comprehensive Plan 2050 and (2) SEPA Environmental Checklist and proposed Determination of Non-Significance (DNS). Please accept these comments from 350 Yakima Climate Action relating to SEPA Review of the GMA-required Climate Resiliency Subelement and the Transportation Element's required Multimodal and Active Transportation provisions since the transportation sector produces about half of all climate-warming greenhouse gas emissions in Washington State. Please include this letter and all the attachments in the October 14, 2026 Public Hearing Record.

Growth Management Act (GMA) Requirements

The City of Yakima must adopt a *resiliency subelement* as part of the City's GMA Comprehensive Plan Update.

The resiliency subelement must equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems, and enhance beneficial opportunities. The resiliency subelement must prioritize actions that benefit overburdened communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change.

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Under state law, the resiliency subelement must have specific goals, policies, and programs to:

(A) Identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;
(B) Identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice; and
(C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.

According to Department of Commerce Guidance, the City of Yakima can meet GMA's "*minimum requirements*" by including in the comprehensive plan "*at least one climate resilience policy for each climate-related hazard (e.g., sea level rise and drought) that is relevant to the jurisdiction.*" Washington Department of Commerce, Climate Element Planning Guidance (Growth Management Services, December 2025): https://deptofcommerce.app.box.com/s/glw5yo8jvfsd40eoa4kdsx0fzde3s9ij

State Environmental Policy Act (SEPA) Requirements

Under RCW Chapter 43.21C and WAC Chapter 197-11, the City of Yakima is required to conduct the SEPA process to analyze direct, indirect, and cumulative impacts of Comprehensive Plan Amendments on public safety, public health, the natural environment, and the built environment. SEPA documents must address probable impacts of future project actions allowed/anticipated by the Comprehensive Plan Amendments. If the proposed Comprehensive Plan Amendments may have a probable significant adverse environmental impact, the SEPA Responsible Official must issue a Determination of Significance (DS) and an Environmental Impact Statement is required.

SEPA Environmental Checklist Inadequate

The SEPA Environmental Checklist (Sept. 24, 2026) is woefully inadequate and should be rewritten to bring it into compliance with state law.

The Environmental Checklist fails to mention the required *Resiliency Subelement.*

The Environmental Checklist fails to discuss efforts to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact

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scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems.

The Environmental Checklist fails to discuss:

- Overburdened Communities -- RCW 36.70A.030(31)
- Environmental Justice -- RCW 36.70A.030(17)
- Highly Impacted Communities – RCW 19.405.020(22)
- Vulnerable Populations disproportionately impacted by environmental harms -- RCW 36.70A.030(52)
- Vital habitat for safe passage/species migration -- RCW 36.70A.070(9)(e)
- Best Available Science -- RCW 36.70A.070(9)(e)

The Environmental Checklist mentions "climate goals and policies" but does not discuss the application of policies to avoid or substantially reduce the adverse impacts of climate change in highly impacted human communities with vulnerable populations.

Probable Significant Adverse Environmental Impacts

1. **Climate Resiliency: East Yakima Overburdened Community Highly Impacted by Air Pollution**

The East Yakima Overburdened Community is delineated in the attached "East Yakima Community 2025 Environmental Justice Report" and "2025 Report: Overburdened Communities Highly Impacted by Air Pollution."

These reports were produced as a collaboration between the State Departments of Health and Ecology, and the reports contain Best Available Science and present scientifically credible climate projections and impact scenarios. Additional Best Available Science and climate impact scenarios are presented in the attached "Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee.

The East Yakima Overburdened Community has the highest estimated number of deaths per population associated with yearly PM 2.5 air pollution exposure in the entire State of Washington: 78 deaths per 100,000 population. The Lower Yakima Valley Overburdened Community Has the next highest estimated number of deaths per population associated with yearly PM 2.5 air pollution exposure: 56 deaths per 100,000 population.

The Environmental Checklist and Draft Comprehensive Plan 2050 contain no discussion of the very significant adverse climate change impacts in Overburdened Communities. The Environmental Checklist and Draft Comprehensive Plan 2050 have

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no goals or policies to identify, protect, and enhance resiliency to climate change impacts on Overburdened Communities. There are no goals or policies to address natural hazards created or aggravated by climate change.

2. Climate Resiliency: Climate-Related Drought

Yakima heavily relies on water resources for agricultural activities and water supply for its residents. However, climate change has led to changes in the timing and intensity of precipitation, reducing snowpack in the mountains, altering the natural water flow regime, and affecting the availability of water during the dry season. This results in water scarcity, impacting agricultural productivity and the availability of drinking water. Drought is a serious hazard arising from climate change that could have profound deleterious impacts on the Yakima Valley economy. Changes in temperature and precipitation patterns due to climate change can alter growing seasons and affect crop yields. Warmer temperatures and increased risks of pests and diseases can pose significant challenges to agricultural production.

3. Community Resiliency: Active Transportation

The East Yakima Overburdened Community currently has inadequate access to green space and outdoor recreation on both sides of the Yakima and Naches River riparian corridors, including access to about 100 acres of public recreational lands at the rivers' confluence and William O. Douglas Hillclimb. The proposed multimodal level of service standards compromise public safety goals by allowing shared uses of City streets lanes by motor vehicles, pedestrians, and bicycles without requiring dedicated space/separation for non-motorized active transportation.

4. Determination of Significance

Due to probable, significant adverse climate impacts, the SEPA Responsible Official is required to issue a Determination of Significance. An environmental impact statement must be prepared for the proposed Comprehensive Plan Amendments. Discussions should include significant direct, indirect, and cumulative environmental impacts, significant irrevocable commitments of natural resources, reasonable alternatives including mitigation measures, and significant environmental impacts which cannot be mitigated. RCW 43.21C.030, RCW 43.21C.031.

Suggested Revisions to Yakima Comprehensive Plan 2050

The proposed Comprehensive Plan 2050 has no identifiable *Resiliency Subelement* and fails to discuss efforts to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available

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science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems.

The proposed Comprehensive Plan 2050 fails to identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice. The proposed plan does not address potential high-risk landslides where the City proposes to operate and maintain abandoned railroad tracks for public use in Selah Gap. The plan does not have a resilience policy for climate-related drought hazards arising from declining mountain snowpacks that alter the natural water flow regime that City residents and the agricultural economy rely on.

To equitably enhance resiliency to the adverse impacts of climate change in human communities and ecological systems and to avoid worsening localized climate impacts in overburdened communities, the Comprehensive Plan should include specific goals and policies to identify, protect, and enhance resiliency to climate change impacts in human communities and ecological systems and address natural hazards created or aggravated by climate change, as recommended in the "Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee based on Best Available Science (Attached).

The Yakima Greenway and William O. Douglas Trail that serve the residents of the East Yakima Overburdened Community should be completed and maintained to provide Vulnerable Populations with access to green space and outdoor recreation on both sides of the Yakima and Naches River riparian corridors, including access to about 100 acres of public recreational lands at the rivers confluence and William O. Douglas Hillclimb. Safe pedestrian and bicycle connections to the City's Lower Cowiche Canyon/William O. Douglas Trail should be prioritized for recreational access and commuting by residents in East Yakima. Consistent with evolving state transportation standards to protect public safety, multimodal levels of service in the Transportation Element should be revised to require spatial separation between active transportation and motorized vehicles. Future transportation projects should have dedicated, protected pedestrian, bicycle, and ADA facilities.

Additional specific policies should be considered in the Comprehensive Plan to address Climate Resiliency:

- Solar panels on every public building.
- Work toward transitioning public transportation to electric.
- Require trees be planted with all new development. For example, in San Antonio, Texas, before any development of property a tree application must be submitted. See Tree Preservation - City of San Antonio

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- The City should plant more trees in overburdened communities. See Health Disparities Map at Environmental Health Disparities (EHD) Map
- The City should plant more trees than currently exist along creeks and rivers and especially along salmon streams and riparian areas
- Build/designate cooling/warming centers and make sure the community knows where they are, especially the houseless. See information here: How to Turn Facilities into Public Cooling Centers During Extreme Heat - Facilities Management Advisor
- Protect and conserve water by putting limits on the amount of irrigation water and restricting specific activities—such as limiting outdoor lawn watering schedules, banning runoff, or adjusting pricing tiers to discourage heavy usage. See what they did in California: CA adopts mandatory water conservation rules - CalMatters
- Build/designate fresh air centers during poor air quality days and make sure the community knows where they are, especially those highly impacted by air pollution such as outdoor workers, unhoused populations and tribes
- Protect workers from wildfire smoke. See: Portal for Protection from Wildfire Smoke
- **Use portable air cleaners:** During poor air quality days, deploy portable HEPA air purifiers in rooms where large numbers of people gather if central HVAC upgrades are not immediately possible.
- Frontline communities may live in homes that aren't properly sealed, don't have access to air purifiers, and often cannot afford to stay inside on poor air quality days due to work that exposes them to the poor air quality. We need to be sure they can access clean air spaces.
- All tribes are considered overburdened communities, so these measures should be in all tribal lands.
- Work with community-based organizations to ensure proper training and education on being prepared for poor air quality and how to use a mask. Ensure that outreach is done in a culturally competent and humble way and in each participant's native language. **Read about Emergency Operations Plans and cultural competence**.
- Maintain a supply of NIOSH-certified N95 respirator masks to be distributed to underserved and vulnerable community members during times of poor air quality. Ozone levels are increased by chemical reaction on hot days.
- Add poor air quality prevention to your **Hazard Mitigation Plan**. Create and or develop a response protocol for poor air quality days in partnership with frontline communities.
- Establish more robust communication to let people know about health hazards from poor air quality. For example, if more people knew the health risks of jogging on poor air quality days, they wouldn't do it.
- The Yakima County Health District does not take responsibility for sharing important health messages. The City should encourage robust communication on poor air quality days.

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- Create clean air centers in frontline communities. Use spaces that are already common gathering spots.
- Create a free air purifier program to distribute air purifiers to frontline communities, **like this program in the City of Ashland**.
- Measures should be taken to protect outdoor workers during poor air quality and excessive heat days. Create model laws to protect frontline communities from poor air quality. For example, **The Farmworker Smoke Protection Act of 2019, which requires the Occupational Safety and Health Administration (OSHA)** to address the exposure of farmworkers to wildfire smoke. OSHA will now require employers to offer protective equipment and offer training on how to use it. This is a good start. However, we need enforcement mechanisms to make sure workers are safe and have ways to take time off if they shouldn't be outside.
- Standards should be adopted to control PM2.5 pollution from industrial dairies and other industrial polluters.
- Farmers should be encouraged to utilize no-till farming practices to keep down the dust from the tilling of fields.
- Adopt measures that will require and help farmers plant cover crops when their fields are fallow. See: The Scientific Case for Paying Farmers to Use Cover Crops and No-Till - National Farmers Union
- The City should consider adopting standards or controls on industrial dairies' unlimited, unmetered use of water
- Apply for grants from the Dept. of Commerce for money available through the Climate Commitment Act to help pay for these measures. See: Climate Planning Grants – Washington State Department of Commerce

The public should have documents to inform review of the Comprehensive Plan Update and Proposed Determination of Nonsignificance (DNS). Critical documents such as the Proposed Determination of Nonsignificance (DNS), six appendices and Planning Commission 10/14/2026 agenda are not available online, including the "Climate Vulnerability Assessment Memo" and "Climate Element Summary" which has not been released to the public.

Thank you for your consideration,

Coleen Anderson
Raymond Paolella
350 Yakima Climate Action

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Attachments:

1. *2025 Report: Overburdened Communities Highly Impacted by Air Pollution* by Washington State Departments of Ecology and Health (December 2025, Ecology Publication 25-02-037): https://apps.ecology.wa.gov/publications/summarypages/2502037.html

2. *East Yakima Community 2025 Environmental Justice Report* (Washington State Departments of Ecology): https://apps.ecology.wa.gov/publications/parts/2502037part15.pdf

3. Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee

4. Yakima Health District BRIC Funding Request

5. Yakima Health District BRIC Award Letter

6. SEPA Environmental Checklist

7. Naches River Bridge ADA ramp up to Landing Wayside

8. Yakama Nation Letter to City of Yakima 12.3.2025

9. Landslide High Risk Info along Railroad Tracks

10. UTC & BNSF Approval of Shared Use Trail in RR ROW

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2025 Report: Overburdened Communities Highly Impacted by Air Pollution

Air Quality Program
Washington State Department of Ecology
Olympia, Washington

December 2025, Publication 25-02-037

DEPARTMENT OF ECOLOGY
State of Washington

Washington State Department of HEALTH

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[1] https://ecology.wa.gov/about-us/contact-us

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Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300 | Northwest Region 206-594-0000 | Central Region 509-575-2490 | Eastern Region 509-329-3400

Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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2025 Report: Overburdened Communities Highly Impacted by Air Pollution

Washington State Department of Ecology
Air Quality Program

Olympia, WA

December 2025| Publication 25-02-037

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Glossary

Air Quality Index (AQI) – Tool designed by the United States Environmental Protection Agency (EPA) for reporting daily local air quality based on five criteria air pollutants: particulate matter, ground-level ozone, sulfur dioxide, carbon monoxide and nitrogen dioxide. The AQI has six color-coded categories that correspond to human health concerns. The higher the AQI value, the greater the concern to air pollution and human health.

Anthropogenic (non-biogenic) carbon – Carbon in the atmosphere that originates from human activities, rather than natural processes.

Attainment/nonattainment – As established by the EPA, if the air quality in a geographic area meets or is cleaner than the national air quality standard, it is called an attainment area (designated "attainment/unclassifiable"); areas that don't meet the national air quality standards are called nonattainment areas.

Asthma – A chronic illness in which airways become inflamed and constricted, causing wheezing, coughing, and difficulty breathing with varying degrees of frequency and severity.

Biogenic carbon – Refers to carbon released from the combustion, decomposition, or processing of materials derived from biological sources such as wood, paper, biomass fuels, agriculture residues, food waste, or biogas. Naturally, carbon is stored in organic matter like trees, plants, grasses, and soil. At the end of its life cycle, organic matter decomposes and over time emits absorbed carbon back into the atmosphere. These emissions can be accelerated by human activities or through deforestation and land-clearing.

Cardiovascular disease – A class of diseases that involve the heart and/or blood vessels (arteries and veins).

Census, United States – A complete enumeration, usually of a population, but also of businesses and commercial establishments, housing, farms, governments, and so forth.

Census block group – Subdivision of a census tract that contains a cluster of census blocks, or between 250 and 550 housing units. Census blocks are the smallest geographic census units and change every decade.

Census tract – Small and relatively stable geographic areas with a population between 2,500 and 8,000.

Chronic obstructive pulmonary disease (COPD) – An umbrella term for a group of respiratory tract diseases characterized by airflow obstruction or limitation. Conditions included are chronic bronchitis, emphysema, and bronchiectasis. Tobacco smoking is the most common cause for COPD; it can also result from exposure to airway irritants such as coal dust or solvents, congenital defects, or unknown causes.

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Criteria air pollutants (CAPs) – Six pollutants that can be harmful to human health and the environment with National Ambient Air Quality Standards designated by the EPA. The pollutants are particulate matter (PM), ground-level ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), lead (Pb), and sulfur dioxide (SO_2).

Daily exposure to $PM_{2.5}$ and O_3 – This refers to the ambient concentration of the pollutant averaged (i.e., 24-hour daily mean for $PM_{2.5}$ or daily maximum 8-hour mean for O_3) over a 24-hour period for a given location, often used in short-term (acute) epidemiological analyses.

Design value – A statistic that describes the air quality status of a given monitor relative to the level of the National Ambient Air Quality Standards (NAAQS), as referenced in eCFR 40 Part 50.[2]

Diabetes – A condition where blood sugar levels are higher than normal due to the body's inability to use or store blood glucose for energy.

Environmental Benefits Mapping and Analysis Program-Community Edition (BenMAP-CE) – An open-access, analytic software tool developed by the EPA that can be used to estimate morbidity and mortality associated with air pollutant exposure and the economic value of these health outcomes.

Environmental justice – The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, rules, and policies. Environmental justice includes addressing disproportionate environmental and health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities, the equitable distribution of resources and benefits, and eliminating harm (from RCW 70A.02.010(8)).

Environmental Protection Agency (EPA), United States – An independent agency of the United States government tasked with environmental protection matters. The EPA delegates some regulatory responsibility to U.S. states and federally recognized Tribes, and sponsors partnerships with businesses, non-profit organizations, and local governments.

Federal Equivalent Methods (FEM) – A method for measuring outdoor criteria air pollutants that the EPA has designated as equivalent to a Federal Reference Method (FRM). FEMs are alternative, often more automated, systems that have been tested and approved to be as accurate and consistent as FRMs, allowing them to be used for monitoring air quality in compliance with the federal Clean Air Act.

Federal Reference Methods (FRM) – Specific, scientifically defensible methods for measuring outdoor air pollutants that are designated by the EPA to ensure accurate and consistent air quality data collection across different locations. They serve as the "gold standard" for

[2] Code of Federal Regulations- eCFR :: 40 CFR Part 50 -- National Primary and Secondary Ambient Air Quality Standards.

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monitoring, against which other methods, called Federal Equivalent Methods (FEMs), are compared and evaluated. FRMs are published in the Code of Federal Regulations, under 40 CFR Part 50.

Geographic Information System (GIS) – A technology used to create, manage, analyze, and map all types of data, drawing connections spatially and communicating complex information.

Ground-level ozone (O_3) – Ozone is gas that is a harmful air pollutant at ground-level because of its effect on human health and the environment.

Hispanic – The Washington State Office of Financial Management (OFM) bases race and ethnicity categories on federal standards that define "Hispanic or Latino" as a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

Ischemic heart disease – Heart disease caused by narrowed coronary arteries, resulting in reduced blood supply to the heart. When blood flow to the heart is blocked completely, this results in a heart attack (myocardial infarction). Exposure to air pollution can contribute to the development of ischemic heart disease and increase the risk of cardiovascular events in people with heart ischemic heart disease.

Listening session (LS)- Facilitated group conversations with those who work, live, or spend time in overburdened communities highly impacted by air pollution. Participants were asked about their experiences with air quality and health.

Lived experience compensation (LEC) – Compensation of eligible community members who participate on an Ecology workgroup, as authorized by RCW 43.03.220 and the Office of Equity Community Compensation Guidelines. Ecology refers to compensation under this authority as "lived experience compensation" instead of "community compensation" to differentiate lived experience compensation from other ways the agency may seek to compensate communities, such as by awarding grants to community-based organizations.

Local Clean Air Agencies (LCAAs) – There are seven local clean air agencies, also known as local air pollution control authorities, that manage air quality for certain counties in Washington. The Washington Department of Ecology manages air quality for counties that do not have a local clean air agency.

Local health jurisdictions (LHJs) – Local government entities, including 30 county health departments, three multi-county health districts, and two city-county health departments, that carry out public health functions in Washington.

Long-term exposure – Continuous inhalation of polluted air over an extended period, typically several months to years. This exposure can occur in various environments. The health effects of long-term exposure can accumulate over time, leading to serious health issues such as chronic respiratory and cardiovascular diseases.

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Lung cancer – Cancer that begins in the cells of the lungs. Exposure to air pollution may increase risk of mortality in people with lung cancer.

Major point sources – Industrial, commercial, or institutional stationary sources with the potential to emit 100 tons per year or more of any one criteria pollutant or a combination of criteria pollutants.

Mortality – The number of estimated deaths (from a disease or in general), typically reported on an annual basis.

National Ambient Air Quality Standards (NAAQS) – Regulations set by the EPA to protect public health and the environment from harmful air pollutants. The EPA sets standards for six "criteria" pollutants: ozone, particulate matter, lead, carbon monoxide, nitrogen dioxide, and sulfur dioxide. There are two types of NAAQS: primary standards to protect public health, including sensitive populations like children and the elderly, and secondary standards to protect public welfare, covering things like visibility, crops, and buildings.

National Emissions Inventory (NEI) – A database of estimated emissions of criteria air pollutants, their precursors, and hazardous air pollutants estimated from air emission sources. The NEI is updated every three years using data provided to EPA by state, local and Tribal air agencies.

On-road vehicle emissions – These emissions are generated by operating vehicles on public roadways.

Overburdened community (OBC) – A geographic area where vulnerable populations face combined, multiple environmental harms and health impacts or risks due to exposure to environmental pollutants or contaminants through multiple pathways, which may result in significant disparate adverse health outcomes or effects (RCW 70A.65.010(54)).

Overburdened community highly impacted by air pollution (OBC) – Areas of Washington identified where people who are vulnerable to health, social, and environmental inequities are also highly impacted by criteria air pollution, as referenced in the Ecology Policy Statement: Identification of Overburdened Communities Highly Impacted by Air Pollution.

Particulate matter (particle pollution) – Small inhalable particles of solids or liquids (including dust dirt, soot, and smoke) in the air that can harm human health. PM_{10} is particulate matter less than 10 microns in diameter. $PM_{2.5}$ is particulate matter less than 2.5 microns in diameter and is often referred to as fine particulate matter.

People of color – Individuals who self-report a race other than white alone and/or list their ethnicity as Hispanic or Latino. That is, all people other than non-Hispanic white individuals.

Respiratory disease – A type of disease that affects the lungs and other parts of the respiratory system. Some risk factors include infection, tobacco smoke, occupational chemicals and dust, and other forms of air pollution. Some of the most common respiratory diseases include

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asthma, chronic obstructive pulmonary disease (COPD), pulmonary fibrosis, pneumonia, and lung cancer.

Seasonal exposure to ozone (O_3) – The average O_3 concentration across a defined season or multi-month period. In this report, we focus on Washington's warm season of May–September. This is when ozone levels are highest as warm temperatures and intense sunlight are needed for its formation.

SensWA – A portable sensor device built by Ecology to provide real-time air quality information about fine particle pollution. Data collected from SensWA devices are used to calculate the Air Quality Index (AQI), which is displayed on Washington's Air Quality Map.

Short-term exposure – The period when individuals are affected by air pollution, typically lasting from a few days to weeks. This exposure can lead to various health effects, including respiratory issues, eye and throat irritation, and make pre-existing conditions, such as asthma, worse.

Stroke – The sudden impairment of brain function caused when a part of the brain experiences either bleeding or a major reduction in blood flow.

Unhealthy for Sensitive Groups (USG) – A range of the air quality index (AQI) that includes certain groups of people that have an increased risk due to medical or exposure conditions, or who are innately susceptible and may experience health effects when engaged in outdoor activities during periods of elevated air pollution. For particle pollution, the sensitive groups include people with heart and lung disease, older adults, children, people with diabetes and people with lower incomes.

Vehicle Miles Traveled (VMT) – The total number of miles traveled by a vehicle within a specific time. It is used as a metric to measure travel demand and usage over a geographic area, such as a county or state, and to assess highway performance and traffic patterns.

Wildfire smoke – A complex mixture of gases and compounds released when a wildfire burns. The composition and toxicity vary depending on the wildfire environment. Wildfire smoke is the largest source of particle pollution impacting human health in Washington.

X,Y coordinates – A pair of values that represents the distance from an origin (0,0) along two axes, a horizontal axis (x), and a vertical axis (y). On a map, x, y coordinates are used to represent features at the location they are found on the earth's surface.

Yearly exposure to $PM_{2.5}$ – The average concentration of the pollutant over an entire calendar year (or 12-month period) at a location (or population-weighted across locations) and is typically used for chronic-exposure assessments.

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Acronyms

ACS – American Community Survey
AIAN – American Indian and Alaska Native
AQI – Air Quality Index
BENMAP-CE – Benefits Mapping and Analysis Program, Community Edition
CAP – Criteria air pollutant
CCA – Climate Commitment Act
CH_4 – Methane
CHARS – Comprehensive Hospital Abstract Reporting System
CHS – Center for Health Statistics
CI – Confidence interval
C-LINE – Community LINE source model
CO – Carbon monoxide
CO_2 – Carbon dioxide
COPD – Chronic obstructive pulmonary disease
CRF – Concentration response function
DNC – Data not collected
EPA – United States Environmental Protection Agency
ED – Emergency Department
GIS- Geographic Information System
MI – Myocardial infarction
NAAQS – National Ambient Air Quality Standard
NEI- National Emissions Inventory
NHOPI – Native Hawaiian and Other Pacific Islander
N_2O – Nitrous oxide
NO_2 – Nitrogen dioxide
NW-AIRQUEST – Northwest-International Air Quality Environmental Science and Technology Consortium
O_3 – Ozone
OBC- Overburdened community highly impacted by air pollution
OFM – Washington State Office of Financial Management
Pb – Lead
PM – Particulate matter
RHINO – Rapid Health Information Network
SO_2 – Sulfur dioxide
VOC – Volatile organic compound
WSCR – Washington State Cancer Registry

Units of measurement:

ppb – parts per billion
ppm – parts per million

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MT CO_2e – metric tons of carbon dioxide equivalent (using carbon dioxide equivalent as a measurement captures the cumulative impacts of all greenhouse gases in a single number)
µg/m³ – micrograms per cubic meter
TPY – tons per year

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Executive Summary

The Washington Department of Ecology is responsible for implementing the environmental justice (EJ) provisions of the 2021 Climate Commitment Act (CCA), Washington's landmark climate policy. Ecology is leading the initiative to improve air quality in communities identified as overburdened and highly impacted by criteria air pollution by expanding the air monitoring network, reducing emissions, issuing grants, and conducting rulemaking. The CCA requires Ecology to report criteria air pollution levels and greenhouse gas emissions in Washington.

Ecology and the Washington State Department of Health partnered to produce this report. Following the first two-year EJ report, *Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution*, published in 2023, this report provides information about criteria air pollutant concentrations and their health impacts, as well as greenhouse gas emissions in 16 overburdened communities highly impacted by criteria air pollution in Washington. These 16 communities include 1.37 million Washingtonians living in rural, urban, and suburban areas.

Key findings

Air pollution

- Between 2022 and 2024, overburdened communities highly impacted by criteria air pollution experienced an average of 2.9 days per year (range 0-8.3 days per year) when air quality was at the level considered "unhealthy for sensitive groups" or worse (101+ AQI).
    - Compared to the 2020-2022 period, this is a marked decrease from an average of 7.5 days per year (range 4.3-12 days per year) of air quality that was unhealthy for sensitive groups or worse.
- Most days of air quality that were unhealthy for sensitive groups or worse occurred during wildfire smoke events.
- On average, $PM_{2.5}$ concentrations decreased from 2022 to 2024. This may be partly because Washington had less impact from wildfire smoke in 2023 and 2024. All 2024 design values were below the established federal 24-hour standards for $PM_{2.5}$, except for data from one monitor in the Wenatchee and East Wenatchee community.
- When wildfire smoke days were excluded, annual $PM_{2.5}$ average concentrations declined by 8–15%. This highlights the impact of wildfire smoke on $PM_{2.5}$ pollution concentrations. Communities in Western Washington were generally less impacted by wildfire smoke than those in Eastern and Central Washington, although wildfire smoke impacted Western Washington in 2022.
- Data from newly established $PM_{2.5}$ monitors and sensors in overburdened communities show relatively low daily $PM_{2.5}$ concentrations in 2024.

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- Criteria air pollutants (including PM_{10}, ozone, nitrogen dioxide, sulfur dioxide, and carbon monoxide) that were monitored within overburdened community boundaries met the National Ambient Air Quality Standards (NAAQS).

Health impacts

- According to 2022 Center for Disease Control (CDC) survey data, the 16 communities identified as overburdened and highly impacted by criteria air pollution in Washington have higher levels of chronic diseases (such as asthma, cardiovascular disease, COPD, diabetes, and stroke) compared to the statewide population (Figure 2). Specific overburdened communities show greater disparities between state and community-level prevalence rates.
- The health impacts analysis focuses on exposure to $PM_{2.5}$ and ozone, the criteria air pollutants most likely to affect people's health. While all of Washington meets federal air quality standards for particulate matter and ozone pollution, estimated health impacts of these pollutants were still identified in this report.
- In our statistical models, yearly $PM_{2.5}$ exposure in the 16 overburdened communities was associated with an estimated 430 deaths by any cause among adults ages 18-84 and 261 deaths among older adults ages 65-99. Across overburdened communities, 18--84-year-olds with the highest estimated rates of deaths by any cause associated with $PM_{2.5}$ exposure live in East Yakima, Lower Yakima Valley, and Spokane and Spokane Valley.
- The highest estimated rates of deaths by any cause in overburdened communities were among Hispanic people and non-Hispanic Black people ages 18-84 after accounting for differences in ages across racial and ethnic groups.
- According to our models, $PM_{2.5}$ exposure was also associated with non-fatal health events such as hospitalizations for respiratory and cardiovascular conditions, asthma-related emergency department visits, and lung cancer diagnoses. Ozone exposure was also associated with non-fatal health events, including asthma emergency department visits and cardiovascular and respiratory hospital admissions.
- Within the 16 overburdened communities, seasonal ozone exposure (see glossary) was associated with an estimated 35 deaths by any cause per year and daily ozone exposure was associated with 2 deaths by any cause per year. The overburdened communities with the highest rates of deaths by any cause associated with ozone exposure among 65--99-year-olds were Spokane and Spokane Valley, Tri-Cities to Wallula, and East Yakima.
- For both yearly and daily $PM_{2.5}$ and ozone exposure, unadjusted and age-adjusted rates of all health conditions were higher in the 16 overburdened communities compared to statewide, with some rates up to 2 times higher than statewide rates.

Greenhouse gas emissions

- From 2020 to 2023, we have seen an overall decrease of 20.3% total reported greenhouse gas emissions from facilities in or nearby overburdened communities highly impacted by air pollution.

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- There are 49 greenhouse gas facilities that report their emissions located in overburdened communities highly impacted by air pollution and 22 are covered under the Climate Commitment Act. The number of facilities in some of these communities has changed due to closures, and new or voluntary reporting.
- From 2019 to 2021, greenhouse gas emissions from mobile sources (like cars, trucks, and locomotives) in overburdened communities highly impacted by air pollution decreased by 5.4% metric tons of carbon dioxide equivalent (MT CO_2e).
- The Climate Commitment Act provides a dedicated funding source to help a variety of programs across state agencies serving the most vulnerable communities prepare for and cope with the impacts of climate change. In the 2023-2025 biennium, nearly 60% (about $850 million) of Climate Commitment Act investments benefited these communities, exceeding the law's 35% requirement.[3]
- The Cap-and-Invest Program is in the middle of its first compliance period which runs from 2023-2026. Data collection on the program's impact to overburdened communities highly impacted by air pollution is ongoing and information on emissions reductions will be available in future reports. So far, 99.9% of participating entities are in compliance with the program.

Introduction

This publication, the *2025 Environmental Justice Report: Overburdened Communities Highly Impacted by Air Pollution* (EJ Report), was written in accordance with the 70A.65.020(2)(a)[4] provision of the CCA, which directs Ecology:

> "Beginning in 2023, and every two years thereafter, the department must conduct a review to determine levels of criteria pollutants, as well as greenhouse gas emissions, in the overburdened communities identified under subsection (1) of this section. This review must also include an evaluation of initial and subsequent health impacts related to criteria pollution in overburdened communities. The department may conduct this evaluation jointly with the Department of Health."

In 2023, Ecology published the first biennial EJ Report in collaboration with the Department of Health (DOH). This baseline report published levels of criteria air pollutants and their health impacts, as well as greenhouse gas emissions, in each of the 16 communities identified as overburdened and highly impacted by air pollution (OBCs). The 2025 EJ Report expands the collaboration between DOH and Ecology, as DOH greatly contributed to the analysis and writing of the Health Impacts, Listening Sessions, and Demographics sections of this report.

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[3] Report to the Legislature: Climate Commitment Act Investments Fiscal Year 2025 https://apps.ecology.wa.gov/publications/SummaryPages/2514107.html

[4] Environmental Justice Review, RCW 70A.65.020 https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.020

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In Ecology's 2023 EJ Report, we highlighted the need to conduct outreach and engagement in OBCs, expand the Washington Ambient Air Monitoring Network (Washington Network), and work with Tribal and community partners to identify ways to expand our research methods and analysis.

The 2025 EJ Report expands the 2023 baseline report in the following ways:

Listening sessions: The Department of Ecology and Department of Health jointly conducted four pilot listening sessions with staff from Washington's local health jurisdictions and with residents of the South Seattle and Lower Yakima Valley communities. The information gathered through these sessions shaped the format and informed the content of this report and will help guide the development of future biennial EJ Reports.

Community Reports: In response to community input, we published community-specific results and information in separate documents related to this report. The goal of the individual publications is to help present relevant information about each specific community in an organized and accessible way. This document provides more detailed information about the background, methods, and additional results that are not included in the individual Community Reports.

Health Impacts Analysis: The 2025 EJ Report expands the health analysis to include the impacts of short-term (daily) exposure to $PM_{2.5}$ and seasonal exposure to O_3, the CAPs with the greatest potential impact on population health in Washington.[5, 6, 7] We include deaths (mortalities) associated with respiratory disease, ischemic heart disease, and cardiovascular disease associated with $PM_{2.5}$ exposure for OBCs. Additionally, we analyze illness (morbidities) related to $PM_{2.5}$ and O_3 exposure, including hospitalizations and emergency department (ED) visits for cardiovascular and respiratory conditions and lung cancer diagnoses.

Tribal Partnership: The Department of Ecology has initiated Government-to-Government relationships with Tribes identified as potentially highly impacted by air pollution. Four of the seven identified Tribes have signed MOUs with Ecology to increase CAP monitoring, reduce the impact of air pollution, and expand the EJ Report to provide information about air quality and health on Tribal land. Ecology is partnering with the Department of Health and Tribes to ensure the 2027 EJ Report is published consistently with each Tribe's protocols for data sharing and usage.

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[5] WA Department of Ecology, Air quality studies https://ecology.wa.gov/research-data/scientific-reports/air-quality-studies

[6] WA State Department of Ecology, Air quality standards https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards

[7] WA State Department of Ecology, Areas meeting and not meeting air standards https://ecology.wa.gov/regulations-permits/plans-policies/areas-meeting-and-not-meeting-air-standards

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Monitoring Data: Since the publication of the 2023 EJ Report, Ecology has installed 52 new monitors and sensors in the 16 OBCs, and 50 with Climate Commitment Act funds. There is now at least one $PM_{2.5}$ monitor or sensor in each of the identified communities, which improves the accuracy of our reporting. This report includes $PM_{2.5}$ data from monitors and sensors in each of the 16 communities.

Climate commitment act and environmental justice

The Climate Commitment Act (CCA) is Washington's only economy-wide climate policy that works to cap and reduce greenhouse gas emissions from Washington's largest emitting sources and industries. The CCA also prioritizes the improvement of air quality in Washington with environmental justice in mind. Under the CCA, the state legislature directed the Department of Ecology to reduce criteria air pollution in communities and participating Tribal lands that are highly impacted by air pollution and are historically overburdened with health, social, and environmental inequities and.

RCW 70A.65.005 Outlines some of the findings and intent of the CCA:

> "(3) The legislature further finds that while climate change is a global problem, there are communities that have historically borne the disproportionate impacts of environmental burdens and that now bear the disproportionate negative impacts of climate change. Although the state has done significant work in the past to highlight these environmental health disparities, beginning with senator Rosa Franklin's environmental equity study, and continuing through the work of the governor's interagency council on health disparities, the creation of the Washington environmental health disparities map, and recommendations of the Environmental Justice task force, the state can do much more to ensure that state programs address environmental equity.

Overburdened communities highly impacted by air pollution

The "Improving Air Quality in Overburdened Communities Initiative" is an ongoing environmental justice effort led by the Department of Ecology that strives to reduce air pollution in Washington overburdened communities and Tribes highly impacted by air pollution.

Washington's overburdened communities highly impacted by air pollution (OBCs) were identified by Ecology in 2023. These 16 communities were identified using the Environmental Health Disparities map,[8] EJ Screen Demographic Index,[9] and a combination of the Washington Network, modeling, and emissions data. The community boundaries were finalized following a

[8] Washington Tracking Network, a source for environmental public health data, Department of Health https://fortress.wa.gov/doh/wtnibl/WTNIBL/

[9] Environmental Justice Screening and Mapping Tool (EJScreen) https://19january2021snapshot.epa.gov/ejscreen/environmental-justice-indexes-ejscreen_.html

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public comment and engagement process. The OBCs include 1.37 million people, approximately 17.8% of Washington's 2024 population.[10]



Figure *1*. Statewide map of overburdened communities highly impacted by air pollution.

In 2023, Ecology also identified seven Tribal reservations that are impacted by elevated levels of CAPs. As of December 2025, four Tribes have signed Memoranda of Understanding with Ecology to build long-term partnerships to monitor air quality, access grant resources, and as requested, report on greenhouse gases, CAPs, and their related health impacts. These Tribes include the Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Colville Reservation, Nooksack Indian Tribe, and Tulalip Tribes.

Ecology will re-identify overburdened communities and the Tribes highly impacted by air pollution every six years following a public engagement process. In 2029, we will utilize public input, current sociodemographic data, and air pollution data to reassess the boundaries of OBCs.

More information about the 2023 identification process can be found in the Overburdened Communities Highly Impacted by Air Pollution StoryMap[11] and the Identifying Overburdened Communities Highly Impacted by Air Pollution: Technical Support Document.[12]

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[10] Washington Census Bureau Profile https://data.census.gov/profile/Washington?g=040XX00US53
[11] Overburdened Communities Highly Impacted by Air Pollution StoryMap
https://storymaps.arcgis.com/stories/c10bdbfc69984a9d85346be1a23f6338
[12] Identifying Overburdened Communities Highly Impacted by Air Pollution: Technical Support Document
https://apps.ecology.wa.gov/publications/SummaryPages/2302019.html

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Background

Criteria air pollution

Criteria air pollutants (CAPs) are a class of common air pollutants that impact human and environmental health. The federal Clean Air Act requires the Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for six criteria air pollutants (Appendix A). The primary NAAQS are set to protect human health. The secondary NAAQS are set to protect the environment, property, agriculture, and animals. Washington is in attainment with the NAAQS, or below the limit, for all CAPs.

The criteria air pollutants are:

- Particulate matter
    - Fine particulate matter ($PM_{2.5}$)
    - Coarse particulate matter (PM_{10})
- Ozone (O_3)
- Nitrogen dioxide (NO_2)
- Sulfur dioxide (SO_2)
- Carbon monoxide (CO)
- Lead (Pb)

In Washington's overburdened communities highly impacted by air pollution (OBCs), $PM_{2.5}$ is the most frequently elevated criteria air pollutant. Wildfires are the dominant source of $PM_{2.5}$ emissions statewide, contributing approximately 44,832 tons per year (TPY).[13] The impact of wildfire smoke on ambient $PM_{2.5}$ concentrations varies year-to-year and can include smoke transported from fires burning outside of Washington.

Residential woodsmoke from home heating, primarily emitted during the colder months, accounts for approximately 17,438 TPY of $PM_{2.5}$ emissions. Agriculture activities, such as tilling and harvesting, contribute an additional 14,895 TPY of $PM_{2.5}$ emissions.

Dust from tilling, harvesting, and livestock contributes to $PM_{2.5}$ and PM_{10} pollution. Spikes in PM_{10} are usually due to wind-blown dust, which is not included in the Washington Comprehensive Emissions Inventory. Other sources of PM_{10} pollution include paved and unpaved roadway dust and construction dust.

[13] WA Department of Ecology, 2020 Washington Comprehensive Emissions Inventory Technical Support Document https://apps.ecology.wa.gov/publications/SummaryPages/2002012.html

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Ground-level ozone (O_3) forms when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react with sunlight and warm temperatures.[14] In Washington, the largest sources of VOC emissions are natural emissions from soil and vegetation (approximately 214,163 TPY), wildfires (121,121 TPY), and industrial, commercial, and consumer solvent use (approximately 69,076 TPY).[15] The highest O_3 concentrations typically occur downwind of urban areas and increase when sunlight is strongest and temperatures are higher. The EPA designates Washington's "ozone season" as May through September, when O_3 concentrations are generally highest.[16]

On-road vehicles are the largest source of nitrogen oxides (NO_x) pollution, contributing approximately 60,029 tons per year (TPY).[17] The highest NO_x concentrations occur near busy roadways, especially in the Seattle and Tacoma metropolitan areas. Major point sources – such as power plants, paper mills, and oil refineries – contribute an estimated 22,934 TPY, while non-road mobile equipment (16,615 TPY), railroads (13,629 TPY), and commercial marine vessels (13,549 TPY) also account for NO_x pollution. Across Washington, ambient NO_2 concentrations generally remain below the NAAQS in Washington, including at monitoring sites located near high-traffic highways. Although current NO_2 levels meet the standard, NO_x emissions contribute to the formation of other pollution like O_3 and $PM_{2.5}$.

SO_2, Pb, and CO concentrations in OBCs are in attainment with the NAAQS in Washington. In recent decades, measures to improve air pollution and closures of major contributing facilities have greatly reduced SO_2 and CO air pollution levels across Washington. All of Washington's counties are in attainment[18] with the NAAQS for SO_2, however, major point sources contribute approximately 7,438 tons/year of SO_2 pollution. Wildfires contribute to SO_2 pollution, but Ecology does not approximate their contribution. Wildfires are the primary source of CO pollution in Washington (approx. 512,337 tons/year). Other contributors include on-road (approx. 330,309 tons/year) and non-road (approx. 224,050 tons/year) mobile sources. Pb emissions are calculated by the EPA for aircrafts that use leaded fuel. Facilities report Pb emissions independently to their permitting agencies.

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[14] WA Department of Ecology, Ozone pollution https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards/ozone-pollution

[15] WA Department of Ecology, 2020 Washington Comprehensive Emissions Inventory Technical Support Document https://apps.ecology.wa.gov/publications/SummaryPages/2002012.html

[16] U.S. EPA, AQS Reference Table, Ozone Seasons https://aqs.epa.gov/aqsweb/documents/codetables/ozone_seasons.html

[17] WA Department of Ecology, 2020 Washington Comprehensive Emissions Inventory Technical Support Document https://apps.ecology.wa.gov/publications/SummaryPages/2002012.html

[18] WA Department of Ecology, Determining if areas in Washington meet NAAQS https://ecology.wa.gov/regulations-permits/plans-policies/areas-meeting-and-not-meeting-air-standards

Wildfire smoke

Wildfire smoke is the greatest source of air pollution in Washington.[19] The majority of wildfires are caused by humans[20], and human-caused climate change increases the frequency and scale of wildfires. The Department of Ecology forecasts smoke levels and partners with other governmental agencies to share information about wildfire smoke impacts within Washington.[21] However, wildfire smoke is not within the Department of Ecology's regulatory authority.

This report includes annual and daily $PM_{2.5}$ summary statistics calculated with and without wildfire smoke days to show the relative impact of wildfires on air quality for a 3-year period, 2022-2024.

The 2023 wildfire smoke season was largely impacted by fires in Canada and the Cascades. Following a heat wave in May, Canada experienced many wildfires that burned more than 45 million acres, which transported smoke into Washington and other parts of the United States.

In 2024, wildfires that impacted Washington were ignited both by lightning and humans. The Retreat, Mission Road, and Pioneer fires were caused by humans, with the greatest smoke impacts experienced in Central and Eastern Washington. Wildfires in Canada and Oregon did not significantly contribute to $PM_{2.5}$ pollution in Washington.

Air monitoring

The Washington Network monitors air quality conditions for all six CAPs and includes monitors operated by Ecology, local clean air agencies (LCAAs), Tribal Nations, and the National Park Service. The Washington Network is designed to provide timely pollution data to the public, support compliance with the National Ambient Air Quality Standards (NAAQS), inform pollution control strategies, and support air pollution research. With the exclusion of the Spokane-Augusta Ave air monitoring site, this report uses 2022-2024 quality-assured data from the Washington Network to ensure accuracy and reliability.

When sites are selected for air monitors and sensors, Ecology's scientific experts consider meteorology, topography, geography, population impacts, emissions information, existing monitoring data, and proximity to pollution sources. In addition, each monitoring location is placed to meet criteria established by Ecology and EPA that ensures that pollution levels within and between communities around the state can be compared. This comparability maximizes understanding of how levels of ambient air pollution varies at the local level, across the state,

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[19] WA Department of Ecology, Wildfire smoke information and map https://ecology.wa.gov/air-climate/air-quality/smoke-fire/wildfire-smoke

[20] Boegelsack N, Withey J, O'Sullivan G, McMartin D. A critical examination of the relationship between wildfires and climate change with consideration of the human impact. *Journal of Environmental Protection*. 2018 May 8;9(5):461-7.

[21] Washington Smoke Blog https://wasmoke.blogspot.com/

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and how Washington compares to other states around the country. The network of monitors in each OBC is tailored to the pollutants known or expected to be elevated in that community:

- **$PM_{2.5}$:** Since $PM_{2.5}$ is considered the primary CAP of concern in Washington due to routinely elevated concentrations and widespread population impacts, $PM_{2.5}$ is measured in every OBC. Residential wood combustion is the largest anthropogenic source of $PM_{2.5}$ in Washington, and concentrations of $PM_{2.5}$ can vary between neighborhoods at a relatively fine scale. The network of $PM_{2.5}$ monitors and sensors in OBCs can be dense in order to capture this neighborhood-scale[22] variation, with larger OBCs containing up to 12 $PM_{2.5}$ monitors and sensors.
- **PM_{10}:** The largest sources of PM_{10} are dust from agricultural tilling and harvesting, roads, and construction. Ecology prioritizes PM_{10} monitoring in communities where significant dust sources impact ambient PM_{10} concentrations.
- **O_3:** Ground-level ozone is considered a regional pollutant, with monitoring sites representing conditions across broader urban areas and regions. In many cases, ozone monitors are located outside of OBCs because the highest concentrations of ozone are typically found downwind of urban areas. Ecology considers data from these monitors to be representative of the highest concentrations expected in their broader urban areas.
- **NO_2 and CO**: On-road vehicles are the largest anthropogenic source of NO_2 and CO. These pollutants are primarily measured at near-road monitoring sites where concentrations are understood to be the highest in the state. Even at monitoring sites adjacent to the highest-traffic freeways in Washington, concentrations of these pollutants rarely exceed the "Good" range of EPA's AQI as a result of increasingly stringent federal tailpipe emissions standards. Monitoring is not widely conducted outside the near-road environment because past air monitoring has demonstrated that concentrations are well below federal standards away from dominant sources.
- **SO_2 and Pb:** Monitoring for SO_2 and Pb is not widely conducted because emissions of these pollutants in Washington have declined markedly over the past several decades. In the absence of large industrial sources of these pollutants in Washington, the remaining Pb and SO_2 monitors in the Washington Network typically record near-background levels.

With funds from the CCA, Ecology and LCAAs have added 50 monitors (including sensors) to the Washington Network since 2023, with at least one $PM_{2.5}$ monitor now located in each OBC. Of the newly installed monitors, there are 47 $PM_{2.5}$ monitors, two PM_{10} monitors, and one NO_x monitor. At least one additional $PM_{2.5}$ monitor is scheduled to be installed by early 2026 in the South and East Tacoma community. Three $PM_{2.5}$ monitors are outside of the OBCs (Royal City, Spokane-Thurston Ave, and Seattle-Linden Ave N) and were installed to understand regional transport of $PM_{2.5}$ pollution. Additionally, one monitor was recently installed in the South and

[22] Network Design Criteria for Ambient Air Quality Monitoring, 40 C.F.R. Part 58, Appendix D (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-58/appendix-Appendix%20D%20to%20Part%2058

East Tacoma community (Tacoma-S Adams St) and one in the South Seattle community (SeaTac-Sunset Park) that were not funded by the CCA but are in OBCs.

Data from sixty-three CAPs monitors and sensors installed either prior to the CCA or before November 2024 are included in this report (Table 1). Three $PM_{2.5}$ monitors included are within 500 meters of the community boundaries (Spokane-E Wellesley Ave, Ellensburg-N Cora St, and Wenatchee 8th St NE), and are representative of air quality in the adjacent OBCs. We also include one $PM_{2.5}$ monitor 700 meters from the Wenatchee and East Wenatchee boundary, as it is representative of the community's air quality. In addition, four O_3 monitors located outside OBC boundaries are included based on Ecology's determination that they reflect O_3 levels within the communities (Table 1).

Table *1*. Number of air monitors included in this report that are representative of air quality in overburdened communities highly impacted by air pollution.

Community	**$PM_{2.5}$**	**PM_{10}**	**O_3**	**NO_2**	**SO_2**	**CO**
Spokane and Spokane Valley	12	2	1*			
Tri-cities to Wallula	3	2	1*			
East Yakima	1 (4)	1				
Lower Yakima Valley	2 (3)					
Moxee Valley	1					
Mattawa	1					
George and West Grant County	1					
Ellensburg	4					
Wenatchee and East Wenatchee	3					
Everett	1 (2)	1				
North Seattle and Shoreline	2					
South Seattle	8 (3)	2	1	2 (1)	1	2
South King County	2 (3)					
Northeast Puyallup	1					
South and East Tacoma	2 (1)			1		
Vancouver	1 (5)		1*			
Total	45 (21)	8	4	3 (1)	1	2

* = O_3 monitor located outside community boundaries
( ) = Monitors installed after November 2024, not included

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Health impacts of criteria air pollution

Exposure to criteria air pollution can cause both acute and chronic adverse health impacts (Table 2). Generally, risk of health impacts increases as exposure to the air pollutants increases, and people who are more sensitive are more likely to have adverse health impacts at lower exposure levels than others. PM, NO_2, SO_2 and O_3 are associated with inflammation of the respiratory system, with short-term exposures that can lead to acute responses of irritation, like cough and sore throat. They can also trigger systemic cardiovascular inflammation and oxidative stress. As exposures increase, the impacts can be more severe.

Fine particulate matter and nitrogen dioxide

Older adults, especially those with heart (cardiovascular) or lung (respiratory) conditions, are at an increased risk of morbidity and mortality associated with short-term (days to weeks) or long-term (months to years) $PM_{2.5}$ exposure.[23, 24] Long-term $PM_{2.5}$ and NO_2 exposure have also been associated with an increased risk in the incidence of dementia, depression, stroke, and diabetes.[25, 26] Long-term $PM_{2.5}$ and NO_2 exposure also increases the risk of impaired lung development and asthma in children and infants. Short-term exposure to $PM_{2.5}$ and NO_2 has also been linked to increases in all-cause mortality, hospitalizations and exacerbations of chronic respiratory conditions like asthma and chronic obstructive pulmonary disease (COPD).[27, 28]

Ozone

Short-term O_3 exposure can cause inflammation of the bronchial airways and increases the risk of COPD, asthma exacerbation, and oxidative stress.[29] Older adults and those with preexisting health conditions are disproportionately at risk for these health impacts. Long-term exposure to O_3 is associated with an increased risk for respiratory mortality, pneumonia, and COPD

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[23] Di Q, Dai L, Wang Y, Zanobetti A, Choirat C, Schwartz JD, Dominici F. Association of short-term exposure to air pollution with mortality in older adults. *Journal of the American Medical Association*. 2017 Dec 26;318(24):2446-56.

[24] Papadogeorgou G, Kioumourtzoglou MA, Braun D, Zanobetti A. Low Levels of Air Pollution and Health: Effect Estimates, Methodological Challenges, and Future Directions. *Current Environmental Health Reports*. 2019 Sep;6(3):105-115. doi: 10.1007/s40572-019-00235-7

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[26] Paul LA, Burnett RT, Kwong JC, Hystad P, van Donkelaar A, Bai L, Goldberg MS, Lavigne E, Copes R, Martin RV, Kopp A. The impact of air pollution on the incidence of diabetes and survival among prevalent diabetes cases. *Environment International.* 2020 Jan 1;134:105333.

[27] Ma, Yiqun, et al. Short-term exposure to fine particulate matter and nitrogen dioxide and mortality in 4 countries. *JAMA Network Open* 7.3 (2024): e2354607-e2354607.

[28] Mainka, Anna, and Magdalena Żak. Synergistic or antagonistic health effects of long-and short-term exposure to ambient NO_2 and $PM_{2.5}$: a review. *International Journal of Environmental Research and Public Health* 19.21 (2022): 14079.

[29] Kim SY, Kim E, Kim WJ. Health effects of ozone on respiratory diseases. *Tuberculosis and Respiratory Diseases*. 2020 Dec 1;83(Supple 1):S6.

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mortality.[30] Children living in communities with high O_3 concentrations have increased risk of asthma, impaired lung development and function, and allergy development, including hay fever.[31, 32, 33]

Environmental justice and health disparities

Sensitive populations, including children, older adults, pregnant people, and people with underlying cardiovascular or respiratory health conditions, are disproportionately impacted by air pollution.[34] Some individuals and groups, such as outdoor workers, people with low incomes, and people who are unhoused, may experience higher levels of air pollution exposure or have less access to interventions and healthcare than the general population. These high exposure levels put them at increased risk for adverse health effects.[35, 36]

Historically, people of color and Tribal communities across the U.S. have been disproportionally exposed to environmental pollutants as a result of multiple overlapping systematic factors.[37,38] For example, redlining, a discriminatory housing lending practice, made communities of color ineligible for federal home loans and often confined these communities to areas next to major pollution sources. These pollution sources, including freeways, industry and manufacturing, ports, and airports, polluted the local air, water, and soil in historically redlined neighborhoods.[39] Over 50 years' worth of research across the U.S. has documented numerous instances of environmental racism, which was defined by civil rights leader Dr. Benjamin F. Chavis Jr. as the deliberate siting of polluting or hazardous facilities in communities primarily

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[30] Turner MC, Jerrett M, Pope CA 3rd, Krewski D, Gapstur SM, Diver WR, et al. Long-term ozone exposure and mortality in a large prospective study. *American Journal of Respiratory and Critical Care Medicine* 2016;193:1134-42

[31] Tétreault LF, Doucet M, Gamache P, Fournier M, Brand A, Kosatsky T, et al. Childhood exposure to ambient air pollutants and the onset of asthma: an administrative cohort study in Québec. *Environmental Health Perspectives* 2016;124:1276-82.

[32] Gauderman WJ, Urman R, Avol E, Berhane K, McConnell R, Rappaport E, et al. Association of improved air quality with lung development in children. *New England Journal of Medicine* 2015;372:905-13.

[33] Parker, Jennifer D., Lara J. Akinbami, and Tracey J. Woodruff. Air pollution and childhood respiratory allergies in the United States. *Environmental Health Perspectives* 117.1 (2009): 140-147.

[34] U.S. EPA, Research on Health Effects from Air Pollution https://www.epa.gov/air-research/research-health-effects-air-pollution#:~:text=Health%20Effects%20of%20Wildfire%20Smoke,-Larger%20and%20more&text=Wildfires%20increase%20air%20pollution%20in,economic%20impacts%20of%20wildfire%20emissions?

[35] American Lung Association, Who is Most Affected by Outdoor Air Pollution? https://www.lung.org/clean-air/outdoors/who-is-at-risk

[36] Scripps Institution of Oceanography, Unhoused People are Highly Vulnerable to Wildfire Smoke https://scripps.ucsd.edu/news/unhoused-people-are-highly-vulnerable-wildfire-smoke

[37] Morello-Frosch R, Zuk M, Jerrett M, Shamasunder B, Kyle AD. Understanding the cumulative impacts of inequalities in environmental health: implications for policy. *Health Affairs*. 2011 May 1;30(5):879-87.

[38] Fernández-Llamazares A, Garteizgogeascoa M, Basu N, Sonnewend Brondizio E, Cabeza M, Martínez-Alier J, McElwee P, Reyes-García V. A State-of-the-Art Review of Indigenous Peoples and Environmental Pollution. *Integrated Environmental Assessment and Management*. 2011 May 1; 16(3):324-341.

[39] The Seattle Civil Rights and Labor History Project https://deptswashington.edu/civilr/segregated.htm

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populated by Black, Hispanic, Indigenous, Asian American, or Pacific Islander people as well as migrant farmworkers and low-wage workers.[40, 41, 42]

Exposure to environmental pollutants has been found to increase the risk of adverse health outcomes for people, communities, and sovereign nations that have historically and systematically endured social, economic, and environmental harms.[43] In addition to environmental racism, numerous studies have documented disproportionate exposure to illnesses including gastrointestinal diseases, HIV/AIDS, and COVID-19[44] alongside discriminatory treatment in healthcare and other negative social determinants of health.[45, 46] Cumulatively, these practices and policies have contributed to ongoing inequities in health outcomes among people of color, particularly among Black, Indigenous, and Hispanic individuals, in communities across the U.S.[47, 48]

Table 2. Summary of criteria air pollutant sources and their health impacts.

[40] Natural Resources Defense Council, What is Environmental Racism https://www.nrdc.org/stories/what-environmental-racism

[41] National Geographic, The Origins of Environmental Justice-and Why it's Finally Getting the Attention it Deserves https://www.nationalgeographic.com/environment/article/environmental-justice-origins-why-finally-getting-the-attention-it-deserves

[42] Encyclopedia of Puget Sound, Why is so Much Pollution Found in Disadvantaged Communities? https://www.eopugetsound.org/magazine/IS/pollution-disadvantaged-communities

[43] Morello-Frosch R, Zuk M, Jerrett M, Shamasunder B, Kyle AD. Understanding the cumulative impacts of inequalities in environmental health: implications for policy. *Health Affairs*. 2011 May 1;30(5):879-87.

[44] National Library of Medicine, PubMed Central, Race, Healthcare, and Health Disparities: A Critical Review and Recommendations for Advancing Health Equity https://pmc.ncbi.nlm.nih.gov/articles/PMC10527840/#s1

[45] Kaiser Family Foundation, Race, Inequality, and Health https://www.kff.org/racial-equity-and-health-policy/health-policy-101-race-inequality-and-health/?entry=table-of-contents-introduction

[46] National Library of Medicine, PubMed Central, Changing the Narrative: Structural Barriers and Racial and Ethnic Inequities in COVID-19 Vaccination https://pmc.ncbi.nlm.nih.gov/articles/PMC8470519/

[47] Lane HM, Morello-Frosch R, Marshall JD, Apte JS. Historical redlining is associated with present-day air pollution disparities in US cities. *Environmental Science & Technology Letters*. 2022 Mar 9;9(4):345-50.

[48] Gochfeld M and Burger J. Disproportionate Exposures in Environmental Justice and Other Populations: The Importance of Outliers. *American Journal of Public Health*. 2011 Dec;101 Suppl 1(Suppl 1):S53-63.

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Pollutant	Major Sources	Health Impacts	Sensitive Populations
Fine Particulate Matter ($PM_{2.5}$)[49]	• Wildfire smoke • Residential wood smoke • Home heating • Vehicle emissions • Industrial facilities • Outdoor burning • Dust from agriculture and construction	• Increases risk of death, stroke, nervous system conditions, cancer and adverse birth outcomes • May contribute to the susceptibility of respiratory infections • Worsens respiratory illness, respiratory disease (e.g. asthma), cardiovascular disease, diabetes	• Children • Outdoor workers • Older adults • Newborns • Pregnant people • People with existing health conditions
Coarse Particulate Matter (PM_{10})	• Dust from agriculture, roadways, and construction • Pollen • Mold • Industrial facilities	• Causes upper airway respiratory irritation • Worsens asthma and other respiratory diseases	• Children • Outdoor workers • Older adults • Newborns • Pregnant people • People with existing health conditions
Ground level Ozone (O_3)[50]	• Secondary formation from reaction of nitrogen oxides (NOx) and volatile organic compounds (VOCs) with sunlight and heat • Sources of VOCs and NOx include vehicle emissions, industrial activities, household and industrial solvents, and wildfires	• Irritates airways • Worsens asthma • Reduces lung function • Increases risk for metabolic, cardiovascular, and respiratory illness	• People with asthma • Children • Older adults • Outdoor workers

[49] U.S. EPA, Health and Environmental Effects of Particulate Matter https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm

[50] U.S. EPA, Health Effects of Ozone Pollution https://www.epa.gov/ground-level-ozone-pollution/health-effects-ozone-pollution

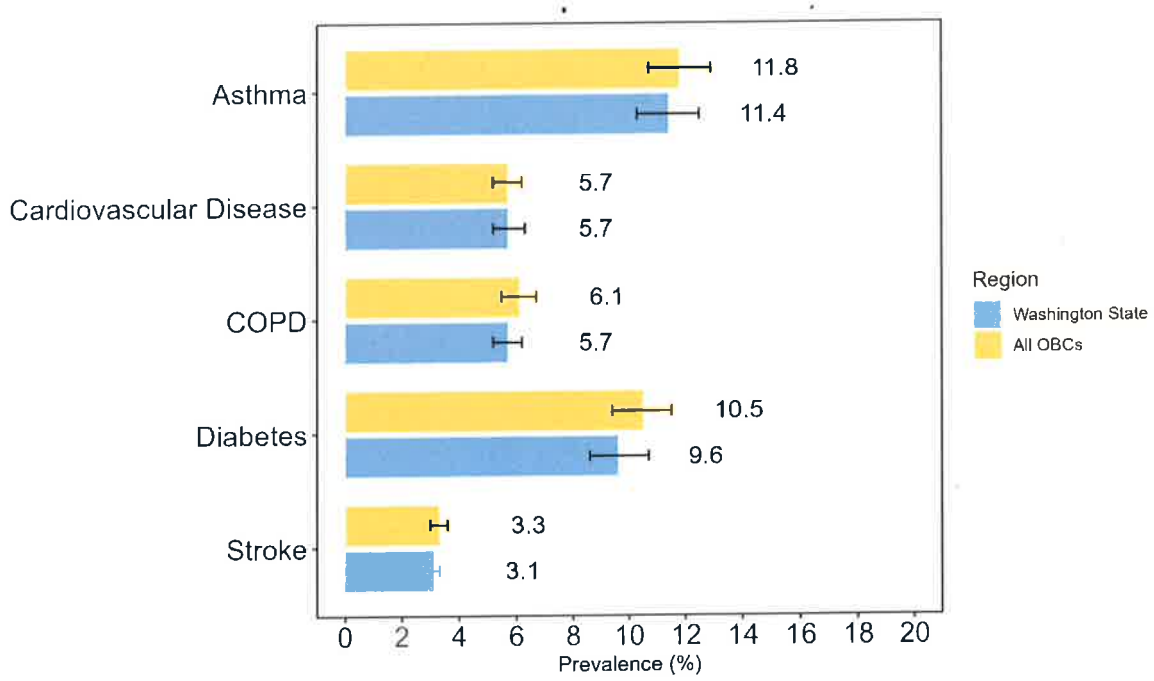
Pollutant	Major Sources	Health Impacts	Sensitive Populations
Nitrogen Dioxide (NO_2)[51]	• Fossil fuel combustion • Emissions from vehicles, ships, locomotives, power plants, industrial facilities, and residential fuel combustion	• Worsens asthma • May contribute to the development of asthma and susceptibility to respiratory infections	• People with asthma • Children • Older adults
Sulfur Dioxide (SO_2)[52]	• Fossil fuel combustion • Emissions from marine vessels, oil refineries, and industrial facilities (paper mills, refineries, power plants)	• Irritates upper airway respiratory system • Inflammation of airways • Can increase risk of asthma and bronchitis	• People with asthma • Children • Older adults
Carbon Monoxide (CO)[53]	• Emissions from motor vehicles, fuel combustion in industrial processes, generators, and residential heating	• Reduces oxygen delivery to organs • Can increase risk of cardiovascular morbidity, dizziness, unconsciousness, and death	• People with pre-existing cardiac conditions • Children • Older adults

[51] U.S. EPA, Basic Information about NO_2 https://www.epa.gov/no2-pollution/basic-information-about-no2
[52] American Lung Association, Sulfur Dioxide https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/sulfur-dioxide
[53] U.S. EPA, Basic Information about Carbon Monoxide Outdoor Air Pollution https://www.epa.gov/co-pollution/basic-information-about-carbon-monoxide-co-outdoor-air-pollution

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Pollutant	Major Sources	Health Impacts	Sensitive Populations
Lead (Pb)[54]	• Leaded aviation fuel • Past sources included leaded gasoline and smelters	• Detrimental to kidney function, the nervous system, reproductive systems, and cardiovascular health • High levels of exposure can cause permanent brain damage and neurocognitive impairment in children	• Children • Infants

CDC data from 2022 suggest that communities that are overburdened and highly impacted by air pollution have slightly higher prevalences of chronic diseases compared to the statewide population; however, overlapping confidence intervals indicate that these differences might not be statistically significant (Figure 2).[55]



[54] U.S. EPA, Lead Air Pollution https://www.epa.gov/lead-air-pollution
[55] U.S. Centers for Disease Control and Prevention, PLACES Data Portal https://www.cdc.gov/places/tools/data-portal.html

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Figure 2. Prevalence of chronic health conditions in census tracts within overburdened communities highly impacted by air pollution compared with Washington statewide.

Data in Figure 2 come from CDC PLACES, 2024 release, which uses 2022 survey data.[55] Black lines indicate a 95% confidence interval.

Environmental impacts of air pollution

Criteria air pollution is also detrimental to the environment, as it intensifies water acidification, acid rain, crop damage, and the depletion of nutrients in the soil.[56] Smog and haze can impede plants' ability to photosynthesize by limiting the sunlight that reaches their leaves.[57] This can reduce crop yields or diminish the health of forests. Particulate matter can also increase the acidity of water and soil, which disrupts the life cycles for aquatic and terrestrial organisms.[58]

Additional resources

More information about the criteria air pollutants and their health impacts:

- Criteria air pollution and health impacts Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report[59]
- Eco-Health Relationship Browser Eco-Health Relationship Browser | EnviroAtlas | US EPA[60]
- Global Burden of Disease attributable to air pollution Air pollution - Level 2 risk | Institute for Health Metrics and Evaluation[61]
- Health effects of smoke Health effects from smoke - Washington State Department of Ecology[62]
- Health impacts of air pollution and the Clean Air Act Community Health Impacts of Air Pollution in the U.S. [63]

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[56] U.S. EPA, Health and Environmental Effects of Particulate Matter https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm

[57] Frontiers. "Environmental and Health Impacts of Air Pollution: A Review." Public Health, 2020 Feb. https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2020.00014/full#B3

[58] Zuhara S, Isaifan R. The impact of criteria air pollutants on soil and water: a review. *Journal of Environmental Science and Pollution Research*. 2018 Jun;4(2):278-84.

[59] Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report https://apps.ecology.wa.gov/publications/UIPages/documents/2302115.pdf

[60] U.S. EPA EnviroAtlas Eco-Health Relationship Browser https://enviroatlas.epa.gov/enviroatlas/Tools/EcoHealth_RelationshipBrowser/

[61] Institute for Health Metrics and Evaluation, Global Burden of Disease tools https://www.healthdata.org/gbd-tool-access-changes

[62] WA Department of Ecology, Health effects from smoke https://ecology.wa.gov/air-climate/air-quality/smoke-fire/health-effects

[63] Community Health Impacts of Air Pollution in the U.S. Jan 2024 https://cdn.catf.us/wp-content/uploads/2024/01/19170229/community-health-impacts-air-pollution.pdf

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- Criteria air pollutants and national air quality standards Air quality standards - Washington State Department of Ecology[64]

Greenhouse gas emissions

Human sources of greenhouse gas emissions contribute to climate change and are accelerating its impacts. This can result in economic hardship, and intensifying events like heatwaves, droughts, floods, and wildfires, which impact human health.[65]

Since 1900, Washington has warmed nearly two degrees Fahrenheit as the result of human-caused greenhouse gas emissions, and our extreme heat days are projected to increase 6 to 9 times by the 2050s.[66] Modeling also shows the impact of warming temperatures will result in more frequent and more severe climate change impacts in Washington. Shifts in temperature can facilitate the spread of infectious diseases or the risk of cardiovascular disease, posing direct health risks.[67] Climate change will lead to an increase of ground-level O_3 due to hotter temperatures and sunlight, or an increase in PM from more intense wildfires and wind-blown dust in some locations,[68] as this varies by region.

Greenhouse gases[69], such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), generally do not cause acute health effects at the levels normally present in outdoor air. However, short-term exposure, continuous, or high concentrations, of these gases may cause temporary physiological stress[70] and can cause serious health consequences in enclosed spaces without ventilation. The link between environmental exposure to CH_4 emissions and cardiovascular diseases is a topic of growing interest to the scientific community, and how CH_4 can contribute to the formation of O_3 and $PM_{2.5}$.[71]

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[64] WA Department of Ecology, monitored criteria air pollutants and national air quality standards https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards#criteria

[65] U.S. EPA Report on the Environment. Jun 2025 https://www.epa.gov/report-environment/greenhouse-gases

[66] WA Department of Ecology, 2025 Summary Report on the Science of Human Caused Climate Change and Recommendations for Washington State's Greenhouse Gas Emissions Reduction Limits https://apps.ecology.wa.gov/publications/SummaryPages/2514064.html

[67] Mohammadali Kiehbadroudinezhad, Adel Merabet, Homa Hosseinzadeh-Bandbafha, Chapter 12, Health Impacts of Greenhouse Gas Emissions on Humans and the Environment, Advances and Technology Development in Greenhouse Gases: Emission, Capture and Conversion, Elsevier, 2024, Pgs.265-291 https://www.sciencedirect.com/science/article/abs/pii/B9780443192319000119

[68] U.S. Centers for Disease Control and Prevention, Climate and Health https://www.cdc.gov/climate-health/php/effects/air-pollution.html

[69] Chapter 173-441-040 WAC, Greenhouse Gases https://app.leg.wa.gov/WAC/default.aspx?cite=173-441-040

[70] Smith KR, Jerrett M, Anderson HR, Burnett RT, Stone V, Derwent R, Atkinson RW, Cohen A, Shonkoff SB, Krewski D, Pope CA. Public health benefits of strategies to reduce greenhouse-gas emissions: health implications of short-lived greenhouse pollutants. *The Lancet*. 2009 Dec 19;374(9707):2091-103.

[71] Mendoza-Cano O, Trujillo X, Huerta M, Ríos-Silva M, Lugo-Radillo A, Bricio-Barrios JA, Rueda-Abad JC, Pérez-Rodríguez RY, Quintanilla-Montoya AL, Uribe-Ramos JM, Mendoza-Olivo VA, Murillo-Zamora E. Assessing the relationship between energy-related methane emissions and the burden of cardiovascular diseases: a cross-sectional study of 73 countries. *Scientific Reports*. 2023 Aug 19;13(1):13515.

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The Washington Legislature set new greenhouse gas emission limits into law in 2020 to combat the threat of climate change and protect the environment, our economy, and the health and safety of our communities. Under the law, the state is required to reduce statewide emissions by 45% by 2030, 70% by 2040, and 95% by 2050. In order to meet these requirements, our state has implemented a strong suite of climate policies that work together to lower emissions. As Washington's most far-reaching climate policy, the CCA plays a key role.

Reducing greenhouse gas emissions

The CCA created the Cap-and-Invest Program, a market-based policy that limits and lowers climate pollution. This program puts a price on greenhouse gas emissions and requires major emitters to compete to buy allowances during quarterly auctions for every metric ton of greenhouse gases they release. The number of allowances available each year are gradually reduced through 2050.[72]

The Cap-and-Invest Program is the CCA's primary tool for reducing greenhouse gas emissions. Projects funded by the revenue generated through Cap-and-Invest auctions may *further* reduce emissions. The Cap-and-Invest auction revenue[73] is appropriated by the legislature, and the funds received from this program flow through state agencies to numerous projects statewide in order to reduce climate and air pollution. Ecology publishes an annual report and the Governor's Office created a CCA dashboard[74] to track how funds are invested in Washington's communities. According to the latest report[75], 60% (about $850 million) of total CCA investments benefited communities across Washington in the 2023-25 biennium, exceeding the law's 35% requirement.

Tracking greenhouse gas emissions

Ecology tracks greenhouse gas emissions two primary ways: through the greenhouse gas inventory and the mandatory greenhouse gas reporting program.

The greenhouse gas emissions inventory[76] is the historical record of Washington's contribution to global climate change, using data primarily from the EPA. The inventory measures the state's progress towards meeting mandatory greenhouse gas emission limits[77] by estimating statewide

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[72] WA Department of Ecology, Washington's Cap-and-Invest Program https://ecology.wa.gov/air-climate/climate-commitment-act/cap-and-invest

[73] WA Department of Ecology, Cap-and-Invest auction revenue https://ecology.wa.gov/air-climate/climate-commitment-act/auction-revenue

[74] CCA Dashboard: How Climate Commitment Act funds are invested https://climate.wa.gov/washington-climate-action-work/climate-commitment-act-polluters-pay-communities-benefit/cca-dashboard-how-climate-commitment-act-funds-are-invested

[75] Report to the Legislature: Climate Commitment Act Investments Fiscal Year 2025 https://apps.ecology.wa.gov/publications/SummaryPages/2514107.html

[76] WA Department of Ecology, Washington's greenhouse gas inventory https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/tracking-greenhouse-gases/ghg-inventories

[77] WA Department of Ecology, Reducing greenhouse gas emissions https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions

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emissions and reductions compared to a 1990 baseline. The most recent Washington State Greenhouse Gas Emissions Inventory report[78] summarizes Washington's greenhouse gas emissions from 1990 through 2021. Ecology is working to decrease the lag time between collecting emissions data and publishing the inventory by reducing reliance on federal data.

In July 2025, the Washington State Legislature passed Senate Bill 5036[79] which changes the frequency of the Washington Greenhouse Gas Inventory. Ecology is now required to publish a full inventory each even-number year through 2030, data summaries in 2027 and 2029 in lieu of a full report, and then annually beginning in 2031. The bill updates the requirement for the data used in the report to match the reality of data availability, changing "from the most recent two years of data" to "the two most recent years for which data is available."

In addition to producing the greenhouse gas inventory, Ecology collects emissions data directly through Washington's mandatory Greenhouse Gas Reporting Program.[80] Facilities that emit at least 10,000 MT CO_2e per year of greenhouse gas emissions have been required to report their emissions to Ecology since 2012. In 2022, requirements were updated to include a broader group of industries and align with the requirements of the Cap-and-Invest Program. Using this information, businesses that emit over 25,000 MT CO_2e are also subject to the Cap-and-Invest Program (covered sources). The Cap-and-Invest Program began on January 1, 2023, which is in its first compliance period that runs from 2023 to 2026. Data collection is ongoing and information on emission reductions will be available in the future.

While the scope of the Cap-and-Invest Program focuses on carbon pollution reductions from covered sources statewide, the environmental justice provision in RCW 70A.65.020 of the CCA requires Ecology to report levels of criteria air pollution and its resultant health impacts, as well as greenhouse gas emissions in the identified OBCs. This provision has several other requirements, like identifying the greatest contributors to CAP emissions (stationary and mobile sources), tracking emission trends, and achieving reductions of CAPs in OBCs.

The 2023[81] and 2025 EJ Reports use the same methodology to calculate the greenhouse gas results. We include updated information on greenhouse gas emissions from facilities that reported through Washington's Greenhouse Gas Reporting Program and estimates for mobile sources in overburdened communities highly impacted by air pollution.

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[78] WA Department of Ecology, Washington State Greenhouse Gas Emissions Inventory 1990-2021 https://apps.ecology.wa.gov/publications/SummaryPages/2414077.html
[79] Senate Bill 5036 Climate Policy https://app.leg.wa.gov/billsummary?billnumber=5036&year=2025
[80] WA Department of Ecology, Mandatory greenhouse gas reports https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/tracking-greenhouse-gases/mandatory-greenhouse-gas-reports
[81] WA Department of Ecology, Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report, Washington State Department of Ecology https://apps.ecology.wa.gov/publications/SummaryPages/2302115.html

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Further Washington climate policy

Burning fossil fuels emit both greenhouse gases and criteria air pollutants. Policy-driven efforts to reduce air pollution, especially within more vulnerable communities, is expected to yield benefits for environmental and human health. As Washington advances these efforts, state and local planning frameworks are incorporating climate-focused requirements.

In 2023, House Bill 1181[82] was signed into law and added a climate goal to the Growth Management Act. This law requires that cities and counties planning under the Growth Management Act include a "climate element" that reduces greenhouse gas emissions in their comprehensive plans.[83] The Washington Department of Commerce has developed intermediate guidance for those cities and counties to use.[84] In addition to this, some local governments produce their own greenhouse gas inventories required by a city ordinance. For example, the City of Spokane publishes a greenhouse gas inventory using community-level data sources.[85] When available, county and city inventories are linked in the individual Community Reports of this publication.

The transportation sector continues to emit the most greenhouse gases according to the Washington Greenhouse Gas Emissions Inventory, accounting for 39.7% of greenhouse gas emissions in 2021.[86] The Clean Fuel Standard[87], Chapter 173-424 WAC[88], curbs carbon pollution from transportation by reducing greenhouse gas emissions from the production and supply of transportation fuels. The low-emission vehicle standards and zero-emission vehicle standards under the Clean Vehicles Program[89] apply to automakers and contribute to the reduction of carbon emissions. Further policy and reports can be found on Ecology's website.[90]

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[82] Climate Change-Planning, House Bill 1181, July 23, 2023. https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1181-S2.SL.pdf?q=20230615091639

[83] Washington Department of Commerce, Growth Management Services https://www.commerce.wa.gov/growth-management/#:~:text=The%20Growth%20Management%20Act%20%28GMA%29%20requires%20that%20the,every%20ten%20years%20to%20ensure%20they%20remain%20up-to-date.

[84] Washington Department of Commerce, Growth Management Services, Climate Planning https://www.commerce.wa.gov/growth-management/climate-planning/

[85] City of Spokane's Greenhouse Gas Inventory, StoryMap, April 15, 2025 https://storymaps.arcgis.com/stories/3a4abcd7bc9642408002603847b84566

[86] WA Department of Ecology, Washington State Greenhouse Gas Emissions Inventory: 1990-2021 https://apps.ecology.wa.gov/publications/SummaryPages/2414077.html

[87] WA Department of Ecology, Clean Fuel Standard https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/clean-fuel-standard

[88] Clean Fuels Program, Chapter 173-424 WAC https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-424

[89] WA Department of Ecology, Vehicle emissions standards https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/vehicle-emissions-standards

[90] WA Department of Ecology, Reducing greenhouse gas emissions https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions

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In 2019, the Clean Energy Transformation Act (CETA) was signed into law, which requires utility companies to supply residents and businesses with carbon-free resources by 2045.[91]

Additional resources

- U.S. EPA's State Inventory and Projection Tool to help states develop greenhouse gas emissions inventories State Inventory and Projection Tool | US EPA[92]
- U.S. EPA's Local Greenhouse Gas Inventory Tool Local Greenhouse Gas Inventory Tool | US EPA93
- Washington's biggest climate policies at work Washington climate action at work | Climate[94]
- Washingtons electric vehicle mapping tool for supply equipment or charger infrastructure Zero-emission and electric vehicles mapping tool | WSDOT[95]
- Air quality in overburdened communities grants and Ecology's grant-funded projects map Overburdened communities grants - Washington State Department of Ecology[96]
- Quick facts of methane gas Methane Gas Fact Sheet[97]

Listening sessions

The Department of Ecology and Department of Health jointly developed a pilot process for conducting listening sessions with local clean air agencies, LHJs, community-based organizations, residents of OBCs, and other interested parties. Conducting these sessions aligns closely with the community engagement strategy as outlined or prescribed by the CCA. The Environmental Justice review of section of the CCA, RCW 70A.65.020, requires the Department of Ecology to proactively seek input from individuals and groups impacted by air pollution.

When developing the listening session methodology, Ecology and DOH referred to the Community Engagement Values and Guidance created by the Washington State Environmental Justice Council. The listening sessions were additionally intended to respond to calls from

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[91] Washington Clean Energy Transformation Act, Chapter 19.05 RCW https://app.leg.wa.gov/RCW/default.aspx?cite=19.405&full=true

[92] U.S. EPA, State Inventory and Projection Tool https://www.epa.gov/statelocalenergy/state-inventory-and-projection-tool

[93] U.S. EPA, Local Greenhouse Gas Inventory Tool https://www.epa.gov/statelocalenergy/local-greenhouse-gas-inventory-tool

[94] Washington climate policies https://climate.wa.gov/washington-climate-action-work

[95] Washington electric vehicle mapping tool https://wsdot.wa.gov/business-wsdot/grants/zero-emission-vehicle-grants/zero-emission-and-electric-vehicles-mapping-tool

[96] WA Department of Ecology, Air quality in overburdened communities grants https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/overburdened-communities-grants

[97] Ohio Department of Health Bureau of Environmental Health Assessment, U.S. EPA publications 2012, methane gas fact sheet https://semspub.epa.gov/work/05/437170.pdf

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environmental justice advocates for further engagement with frontline community members in decision making processes relating to environmental justice and health.[98]

The following central goals guided the pilot listening session process:

- Determine how the EJ Report can provide meaningful, informative, and accessible information to OBC members to support their understanding of air quality and its health impacts.
- Learn how the EJ Report can be delivered in a format that is accessible and valuable to community partners, organizations, and individuals.
- Expand Community Reports in the EJ Report to better reflect changing demographics, lived experiences, and priorities relating to air quality and health in each OBC. Include updated descriptions of each community in the 2025 EJ Report and the online StoryMap.

Methods

Demographics and community descriptions

The EJ Report aggregates demographic data from the Washington State Office of Financial Management[99] (OFM) and the American Community Survey[100] (ACS) by the U.S. Census Bureau. OFM demographic indicators are modeled on data from the decennial census; ACS data are estimates based on representative samples of geographic areas across the U.S., and both are based on self-reported survey data. We used 2023 census tract data from OFM's small area estimates program (SAEP) to report on population by race, ethnicity, and age; and 2023 ACS census tract level data to report population estimates by education, employment, and health metrics (Table 3).

Table 3. Data sources of demographic indicators and community descriptions.

[98] Front and Centered - 2024 Frontline Report on HEAL Progress
[99] WA Office of Financial Management, Population & demographics https://ofm.wa.gov/data-research/population-demographics/
[100] U.S. Census Bureau, American Community Survey Data https://www.census.gov/programs-surveys/acs/data.html

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Indicator	Source	Year	Specifications
Race/Ethnicity	Office of Financial Management[101]	2023	Race categories are mutually exclusive. "Hispanic" ethnicity category includes people of all self-identified races, whereas American Indian/Alaska Native, Native Hawaiian/Pacific Islander, Black, Asian, and white include only people identifying as non-Hispanic.
Age	Office of Financial Management[102]	2023	OFM provides population estimates for people ages 0 to 99 in 5-year intervals.
Educational attainment	American Community Survey[103]	2023	Estimates from 2020 census data. Includes individuals 25 years or older.
Employment	American Community Survey[100]	2023	Includes individuals 16 years or older. Excludes incarcerated individuals and active-duty members of the Armed Forces.
Healthcare coverage	American Community Survey[100]	2023	Public and private insurance.
Non-English language spoken at home	American Community Survey[100]	2023	Non-English language spoken in addition to or instead of English at home for individuals 5 years and older.
Below federal poverty line	American Community Survey[100]	2023	Household poverty threshold calculated based on age and number of household members.[104]

[101] WA Office of Financial Management, Race and ethnicity information page https://ofm.wa.gov/data-research/population-demographics/forecasts-projections/age-sex-race-and-hispanic-origin/information/
[102] WA Office of Financial Management, Estimates of April 1 population by age, sex, race and Hispanic origin https://ofm.wa.gov/data-research/population-demographics/estimates/age-sex-race-and-hispanic-origin/
[103] Census Glossary https://www.census.gov/glossary/?term=Educational+attainment
[104] Poverty Thresholds https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html

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Indicator	Source	Year	Specifications
Disability	American Community Survey[100]	2023	Disability status for individuals 18 years of age and older. The ACS includes a series of questions about hearing, vision, cognitive, ambulatory, self-care, or independent living difficulties; respondents who indicate any one of the six disability types are considered to have a disability.[105]

We calculated and reported proportions and counts for all census tracts that fall fully or partially within the boundaries of overburdened communities highly impacted by air pollution (OBCs). These counts are compared to statewide estimates.

This report followed the Federal 1997 Office of Management and Budget (OMB) standard for reporting races and ethnicities, which the Washington Office of Financial Management currently follows for reporting population estimates.[106] We recognize that this system of classification does not fully represent the broad spectrum of racial and ethnic identities of individuals and communities living in OBCs. The Community Reports use qualitative insights gathered through community engagement to help provide greater context to the factors that shape community members' experiences of air quality and health.

Data from the aforementioned sources are reported in each of the 16 Community Reports, informing the Demographic and Social and Economic Characteristics sections.

Criteria air pollution

Since 2023, Ecology has installed 52 (49 $PM_{2.5}$, two PM_{10}, and one NO_x) CAPs monitors and sensors in OBCs, with plans for more monitors and a high-resolution mobile monitoring study. Monitored pollutant levels in Washington remain below the NAAQS, and the entirety of the state is in attainment of these standards. Additional monitoring data has provided critical information for this EJ Report.

[105] How Disability Data are Collected from the American Community Survey https://www.census.gov/topics/health/disability/guidance/data-collection-acs.html
[106] WA Office of Financial Management, Race and ethnicity, https://ofm.wa.gov/data-research/population-demographics/forecasts-projections/age-sex-race-and-hispanic-origin/information/

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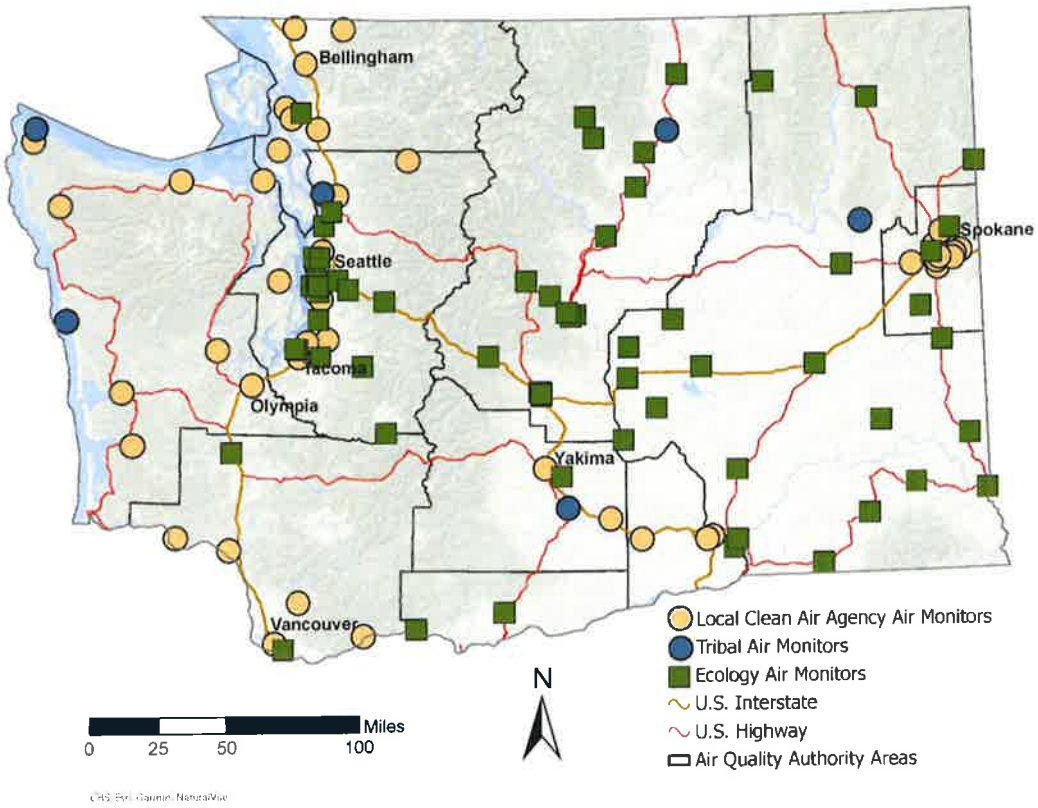


Figure 3. Ambient air monitoring sites across Washington.

In the 2023 EJ Report, we used monitoring data from 2020–2022 to report on criteria air pollution levels in OBCs. We also incorporated estimates of NO_2 and O_3 concentrations using model-monitor interpolation and roadway modeling tools. With the expansion of the monitoring network over the last two years, we were able to use monitoring data solely for the current report, minimizing the relatively larger uncertainty associated with modeling results.

For this report, we exclusively relied on data from the Washington Network. Limiting the data to the state's monitoring network ensures that this report reflects the most accurate and reliable information available, which is validated through Ecology's quality assurance process. By only using monitoring data, we avoid the uncertainties introduced by modeling methods that rely on outdated data inputs, allowing us to easily track pollution trends over time.

Design values (DVs) are three-year averages that describe the air quality at a given location and are used to determine compliance with the NAAQS.[107] DVs and estimated DVs are calculated

[107] National Primary and Secondary Ambient Air Quality Standards, 40 C.F.R. Part 50 (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-50?toc=1

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following the NAAQS methodology developed by the EPA, as described in 40 CFR Part 50.[108] A valid reporting year must have data from at least 75% of the sampling days in each calendar quarter.

We used data from regulatory monitors to report three-year DVs for pollutants that were continuously monitored between 2022 to 2024. We reported estimated DVs from sensors (SensWA) designed and built by Ecology and non-regulatory monitors that collected three consecutive years of data from 2022-2024. For pollutants that were not monitored continuously between 2022 to 2024, we report an average of available annual summary statistics.

$PM_{2.5}$

$PM_{2.5}$ (particles with a diameter less than or equal to 2.5 micrometers) is measured by Federal Reference Method (FRM) monitors, Federal Equivalent Method (FEM) monitors, non-regulatory monitors, and Ecology's SensWA devices.[109] These measurements are collected from 45 monitoring sites (FRM/FEMs and non-FRM/FEMs) and SensWA devices that are within or representative of OBCs, as some sites are located just outside the boundaries of the 16 communities highly impacted by air pollution. The monitoring data is used to calculate the annual summary statistics, the annual 98th percentile of daily concentrations, and the 2024 design values for the 2022-2024 period.

These data were processed following the EPA's methodology outlined in 40 CFR Part 50, Appendix N.[110] The annual $PM_{2.5}$ design value is the annual mean averaged over three years. This value is compared to the annual $PM_{2.5}$ NAAQS threshold of 9.0 $\mu g/m^3$. The 24-Hour $PM_{2.5}$ design value is the annual 98th percentile of 24-hour average concentrations. This value is averaged over three years and compared to the 24-hour $PM_{2.5}$ NAAQS of 35 $\mu g/m^3$.

Exclusion of wildfire smoke days

We calculated the annual $PM_{2.5}$ summary statistics with wildfire days both included and excluded to show the relative impact of wildfire smoke on annual and daily $PM_{2.5}$ concentrations. Wildfire season usually lasts from July-September, though it may begin earlier or last longer. For example, in 2022 the wildfire season persisted into October. July 4th and 5th, which are normally impacted by pollution from Independence Day fireworks, are included in all calculations, as fireworks are an anthropogenic source of emissions.

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[108] National Primary and Secondary Ambient Air Quality Standards, 40 C.F.R. Part 50 (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-50?toc=1

[109] WA Department of Ecology, Focus on SensWA, November 2023, pub 23-02-113 https://apps.ecology.wa.gov/publications/summarypages/2302113.html

[110] Interpretation of the National Ambient Air Quality Standards for $PM_{2.5}$ 40 C.F.R. Part 50, Appendix N (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-50/appendixAppendix%20N%20to%20Part%2050

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During the wildfire season, days on which the annual 24-hour 98th percentile exceeded 35.4µg/m^3 were reviewed by Ecology to determine if the exceedance was caused by wildfire smoke. These days were removed to calculate "days excluding wildfire smoke" annual summary statistics and design values. This shows the relative impact of wildfire smoke on annual and daily $PM_{2.5}$ concentrations. We followed an internal process consistent with the EPA's methodology to review and exclude exceptional events, including wildfire smoke days. To calculate the $PM_{2.5}$ annual summary statistics without wildfire smoke, Ecology reviewed days on which the maximum $PM_{2.5}$ concentration exceeded 15.0 ug/m^3 during wildfire season. Days on which these exceedances were caused by wildfire smoke were removed from the "days excluding wildfire smoke" calculation.

PM_{10}

There are eight PM_{10} monitoring sites within five OBC boundaries. The PM_{10} design values are the number of expected exceedances of the primary and secondary 24-hour NAAQS of 150 µg/m^3 (Appendix A). PM_{10} levels are well below the NAAQS throughout Washington. Occasional exceedances are usually caused by wind-blown dust or construction dust. Recently, Ecology added PM_{10} monitors in the Duwamish Valley and Everett based on community concerns about dust from unpaved roadways and construction sites.

Ozone

Ozone (O_3) is measured by FEM monitors. There are three continuously operational and ten seasonal O_3 monitors in Washington. Since O_3 is a regional pollutant, we report design values from four monitors Ecology deems representative of the O_3 concentrations within the boundaries of overburdened communities highly impacted by air pollution. We followed the NAAQS methodology for calculating O_3 design values.[111] The annual fourth-highest daily maximum 8-hour concentrations are averaged over 3 years and compared to the NAAQS of 0.070 ppm.

Nitrogen dioxide

There are four NO_2 FEM and FRM monitors in Washington's OBCs. Daily maximum 1-hour design values were calculated following the NAAQS methodology[112]. The NO_2 design values are the average of three years of the 98th percentile daily 1-hour maximum, compared to the 1-hour NAAQS of 100 ppb (Appendix A).

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[111] National 8-hour primary and secondary ambient air quality standards for ozone, 40 C.F.R. Part 50.10 (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-50/section-50.10

[112] Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen, 40 C.F.R. Appendix S to Part 50 (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-50/appendix-Appendix%20S%20to%20Part%2050

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Sulfur dioxide

Sulfur dioxide (SO_2) is measured by FEM monitors. SO_2 monitoring is limited because monitored pollution levels are far below the NAAQS. The SO_2 design values are the 99th percentile of the daily maximum 1-hour SO_2 concentrations, averaged over three years and compared to the NAAQS of 75 ppb. There is one SO_2 site within an OBC in the I-5 corridor.

Carbon monoxide

Carbon Monoxide (CO) is measured by FRM monitors. CO has a one-hour and an 8-hour averaging periods to calculate their respective primary standards. The 1-hour and 8-hour CO standards are compared to the NAAQS levels of 35 ppm and 9 ppm, respectively, and are not to be exceeded more than once per year. The hourly CO values for the recent years are all below the NAAQS levels. The 8-hour CO primary standard is the highest of the second-highest annual 8-hour maximum concentration from years 2023 and 2024. There are two CO monitoring sites within OBCs in the I-5 corridor.

Number of days with unhealthy air quality

The Air Quality Index (AQI),[113] developed by the EPA, categorizes health risks from CAPs. We calculated the annual number of days with air quality Unhealthy for Sensitive Groups (USG) or worse by counting the days when the maximum AQI exceeded 100 (see Appendix B). We use the term "unhealthy air quality" to describe the number of days that exceed this AQI threshold. For communities with multiple monitors, we used data from the monitor with the most days above this threshold. If less than a full year of data was available, all available days were included in the average. We then averaged the annual number of unhealthy air quality days from years 2022-2024 to provide a three-year snapshot of each community's exposure to unhealthy air quality. The AQI utilizes a distinct methodology from the NAAQS to provide localized information about air quality.

Health impacts

The 2023 and 2025 EJ Reports employ the same methodology to calculate the Health Impacts results, which uses the United States Environmental Protection Agency (EPA)'s Benefits Mapping and Analysis Program, Community Edition (BenMAP-CE).

In this report, we focus on the health impacts of $PM_{2.5}$ and O_3, the CAPs with the greatest potential impact on population health in Washington.[14, 114] Sources of both types of pollution are common across the state, including wood stoves and fireplaces, vehicles, dust, outdoor burning, industry , vehicles, and other sources for O_3. While all of Washington meets air quality

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[113] Technical Assistance Document for the Reporting of Daily Air Quality – the AQI https://document.airnow.gov/technical-assistance-document-for-the-reporting-of-daily-air-quailty.pdf

[114] WA Department of Ecology, Particle pollution in Washington's air https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards/particle-pollution

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standards for PM and O_3 pollution, there are still several areas of concern that are monitored closely.[115, 116] In the 2023 EJ Report, an assessment of various sources of air quality data, including monitor data, modeling, and available studies[117, 118, 119, 120], showed that levels of Pb, SO_2, and CO were determined to likely be low across the state.

BenMAP-CE

BenMAP-CE is an open-access, analytic software tool developed by the EPA that can be used to estimate morbidity and mortality associated with air pollutant exposure and the economic value of these health outcomes.[121] In this report, we used BenMAP-CE to estimate 1) the yearly impact of $PM_{2.5}$ exposure (mean annual $PM_{2.5}$ concentration) on human health; 2) the daily impact of $PM_{2.5}$ exposure (mean 24-hour $PM_{2.5}$ concentration) on human health; 3) the seasonal impact of O_3 exposure (mean seasonal O_3 concentration from May to September) on human health; and 4) the daily impact of O_3 exposure (mean daily maximum 8-hour O_3 concentration) on human health. The four main inputs for the BenMAP-CE model were: (1) baseline $PM_{2.5}$ and O_3 concentrations and natural background $PM_{2.5}$ and O_3 concentration from Cheeka Peak, a remote monitoring site with minimal sources of air pollution from human activity that serves as Washington's regional background site (2) Washington census tract population averages for 2022-2023, (3) baseline mortality and morbidity rates from Washington State Department of Health 2022-2023 data sources, and (4) effect estimates from nationally representative studies or studies from the Pacific Northwest examining $PM_{2.5}$ or O_3 exposure and mortality or morbidity (Figure 4).

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[115] WA Department of Ecology, Determining if areas in Washington meet national air quality standards https://ecology.wa.gov/regulations-permits/plans-policies/areas-meeting-and-not-meeting-air-standards

[116] WA Department of Ecology, Air quality studies https://ecology.wa.gov/research-data/scientific-reports/air-quality-studies

[117] WA Department of Ecology, Lead in Washington's air https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards/lead

[118] WA Department of Ecology, Sulfur dioxide in Washington's air https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards/sulfur-dioxide

[119] WA Department of Ecology, Carbon monoxide in Washington's air https://ecology.wa.gov/air-climate/air-quality/air-quality-targets/air-quality-standards/carbon-monoxide

[120] WA Department of Ecology, 2012 Airport Lead Study: Auburn Municipal Airport and Harvey Field https://apps.ecology.wa.gov/publications/SummaryPages/1302040.html

[121] U.S. EPA, Environmental Benefits Mapping and Analysis Program - Community Edition (BenMAP-CE) https://www.epa.gov/benmap

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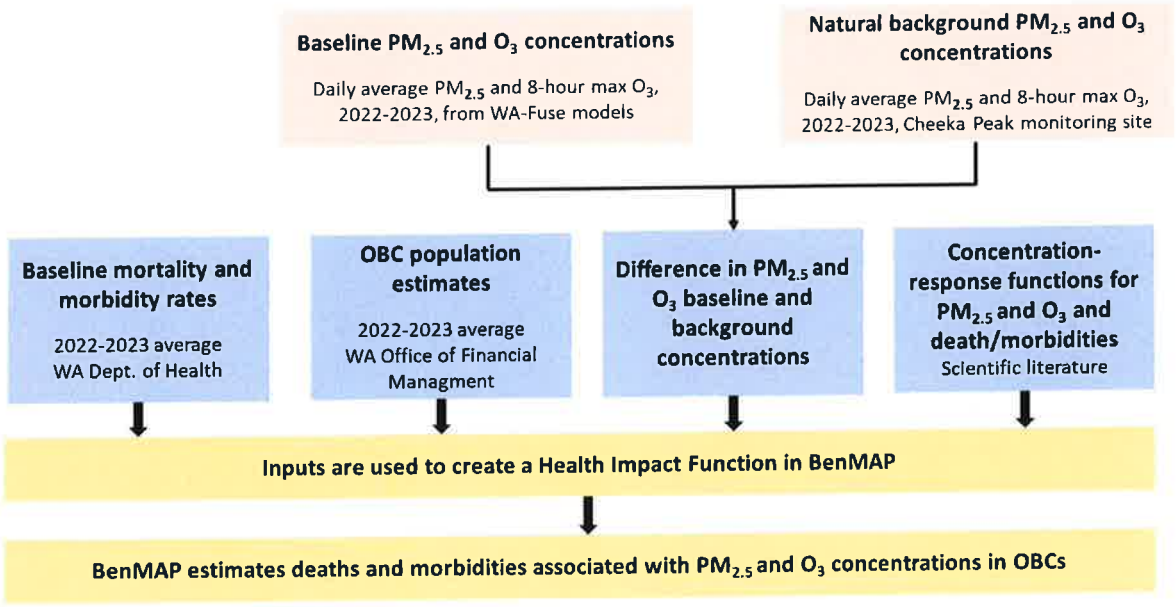


Figure 4. Flowchart of data inputs included in BenMAP-CE to produce estimates of deaths and morbidities associated with $PM_{2.5}$ and O_3 concentrations in overburdened communities highly impacted by air pollution.

BenMAP-CE was run using 2020 census tract boundaries, with results reported at the same geographic level, focusing on census tracts where communities were fully or partially identified as overburdened and highly impacted by air pollution. The health impact functions in BenMAP-CE use the following general equation:

$$\Delta Y = \left(1 - e^{-\beta * \Delta AQ}\right) * Yo * Pop$$

Where ΔY is the estimated health impact associated with yearly $PM_{2.5}$ or O_3 exposure in overburdened communities, β is the beta coefficient from an epidemiologic study on the association between $PM_{2.5}$ or O_3 concentrations and risk for the respective health outcome, ΔAQ is the change in annual or daily $PM_{2.5}$ or O_3 concentrations, *Yo* is the baseline rate of the respective health outcome per population, and *Pop* is population exposed to $PM_{2.5}$ or O_3 in overburdened communities.

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Table 4. BenMAP-CE input data and sources.

Inputs	Data Source	Year	Scale
Baseline $PM_{2.5}$ and O_3 concentrations	WA-Fuse	2022-2023	Census Tract
Natural background $PM_{2.5}$ and O_3 concentrations[122]	Monitors at Cheeka Peak, WA	2022-2023	Point
Population[123]	WA Office of Financial Management	2022-2023	Census Tract
Baseline rates per population — Deaths[124]	Center for Health Statistics/WA DOH	2022-2023	Census Tract
Baseline rates per population — Hospital admissions[125]	Comprehensive Hospital Abstract Reporting System (CHARS)/WA DOH	2022-2023	ZIP code
Baseline rates per population — ED visits[126]	Rapid Health Information Network (RHINO)/WA DOH	2022-2023	Census Tract
Baseline rates per population — Lung cancer diagnoses[127]	Washington State Cancer Registry/WA DOH	2022	Census Tract

ED = emergency department; PM = particulate matter; WA DOH = Washington State Department of Health

[122] WA Department of Ecology, Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report, Washington State Department of Ecology https://apps.ecology.wa.gov/publications/SummaryPages/2302115.html

[123] WA Department of Ecology, Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report, Washington State Department of Ecology https://apps.ecology.wa.gov/publications/SummaryPages/2302115.html

[124] Washington State Department of Health, Death data https://doh.wa.gov/data-and-statistical-reports/health-statistics/death

[125] Washington State Department of Health, Comprehensive Hospital Abstract Reporting System (CHARS) https://doh.wa.gov/data-statistical-reports/healthcare-washington/hospital-and-patient-data/hospital-discharge-data-chars

[126] Washington State Department of Health, Syndromic Surveillance (RHINO) https://doh.wa.gov/public-health-provider-resources/healthcare-professions-and-facilities/data-exchange/syndromic-surveillance-rhino

[127] Washington State Department of Health, Cancer data https://doh.wa.gov/public-health-provider-resources/healthcare-professions-and-facilities/data-exchange/syndromic-surveillance-rhino

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Population and health data

Population estimates for census tracts, including age and racial and ethnic groups, were the average of 2022-2023 Washington State Office of Financial Management (WA OFM) population and demographics datasets.[128] Health data for our analysis came from multiple DOH sources: death statistical datasets from the Center for Health Statistics (CHS),[124] hospital admission data from the Comprehensive Hospital Abstract Reporting System (CHARS),[125] emergency department (ED) visit data from the Rapid Health Information Network (RHINO),[126] and lung cancer diagnosis data from the Washington State Cancer Registry (WSCR).[127] We obtained individual-level data from each data source for years 2022-2023, except for WSCR for which we used 2022 data as 2023 cancer records were not finalized at the time of analysis. Definitions that we used to identify each of our health outcomes with each data source can be found in Table D1.

Using these health data sources and census tract population data from WA OFM, we calculated baseline rates per population of each health outcome included in our analysis, including deaths by any cause and/or cause-specific deaths (i.e., "mortality rates"), hospitalizations, ED visits, and cancer diagnoses. Incidence rates were calculated as the sum of each health outcome that was identified in the data divided by the total population. Incidence rates were calculated for each 5-year age group (e.g., 0–4, 5–9, 10–14, ..., 80–84, and 85–99) within each census tract. Census tract information was available for all DOH records except for CHARS hospital admission data, which was at the ZIP (Zone Improvement Plan) code level. We used data crosswalks developed by the U.S. Department of Housing and Urban Development to assign census tracts to CHARS records based on the ZIP code.[129] Separate rates were calculated for each age group so that we could adjust health impact estimates for age. We further stratified mortality rates due to any cause by racial and ethnic groups to assess disparities in mortality between racial and ethnic groups. We were unable to include race- and ethnicity-specific results for other health outcomes in our analysis given the lack of race- and ethnicity-stratified effect estimates for these conditions in the published literature. We calculated the yearly average rate for each health outcome across 2022-2023.

$PM_{2.5}$ and ozone concentration data

WA-Fuse is a modeling tool that incorporates $PM_{2.5}$ and O_3 monitored pollutant concentrations to provide statewide pollutant concentration maps for the years 2021–2024. Although we report the estimated health impacts of O_3 in every OBC, O_3 pollution concentrations are only reported where the pollutant is monitored by the Washington Network.

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[128] Washington State Office of Financial Management, Estimates of April 1 population by age, sex, race and Hispanic origin https://ofm.wa.gov/data-research/population-demographics/estimates/age-sex-race-and-hispanic-origin/

[129] Housing and Urban Development Office of Policy Development and Research, USPS ZIP Code Crosswalk Files https://www.huduser.gov/portal/datasets/usps_crosswalk.html

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WA-Fuse generates gridded concentration maps of daily $PM_{2.5}$ average and the daily 8-hr maximum O_3 at the spatial resolution of 5 km x 5 km. To generate daily and annual mean $PM_{2.5}$ and O_3 at the census tract level for 2022–2023, we used a population-weighted approach based on 2020 census block populations. $PM_{2.5}$ and O_3 values from WA-Fuse grid cells were assigned to each block by matching the block centroid to the nearest grid cell, excluding days with $PM_{2.5}$ above 35.4 $\mu g/m^3$. Population values were then used to weigh each block's $PM_{2.5}$ and O_3 contribution when aggregating to the tract level, ensuring that more populous areas had a greater influence on the estimates.

Yearly and daily health impact analyses were calculated by comparing baseline air quality data to the natural background $PM_{2.5}$ concentration level at Cheeka Peak, Washington. For the yearly analyses, the 2022–2023 annual mean (i.e., $PM_{2.5}$: 2.24 $\mu g/m^3$) and seasonal mean (i.e., O_3: 28.77 ppb) at the Cheeka Peak monitoring site were used to represent the natural background level of $PM_{2.5}$ and O_3 without sources of air pollution from human activity. The annual and seasonal baseline air quality data included in this analysis is 2022–2023 WA-Fuse derived $PM_{2.5}$ and O_3 data, respectively, at the census tract level. For the daily analyses, the 2022–2023 daily means at the Cheeka Peak monitoring site were used to represent the natural background level of $PM_{2.5}$ and O_3 (May-September). The daily baseline air quality data are derived from WA-Fuse during 2022-2023.

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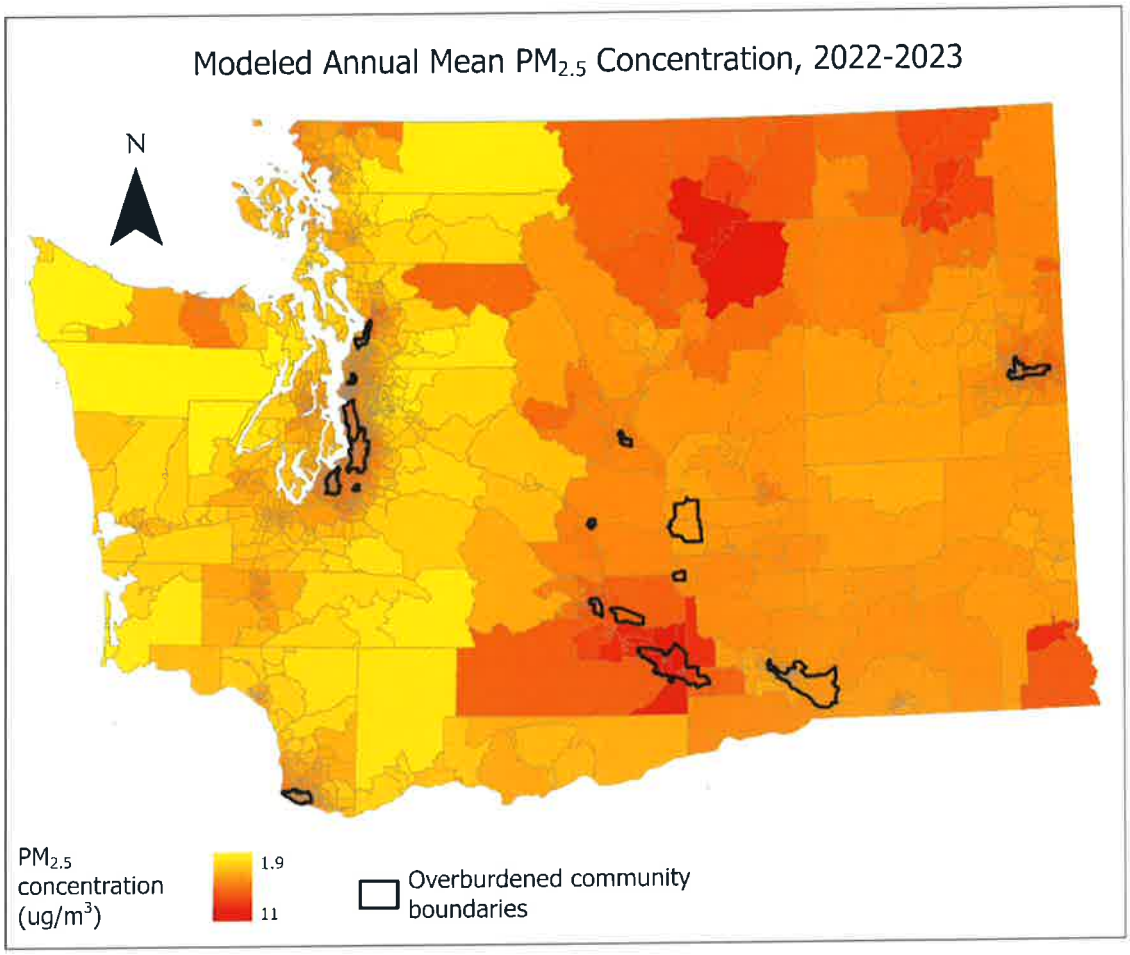


Figure 5. Census tract-level $PM_{2.5}$ concentrations based on the WA-Fuse modeled data during 2022-2023. Wildfire days exceeding 35.4 µg/m³ have been removed. Annual mean $PM_{2.5}$ NAAQS concentration is 9.0 µg/m³.

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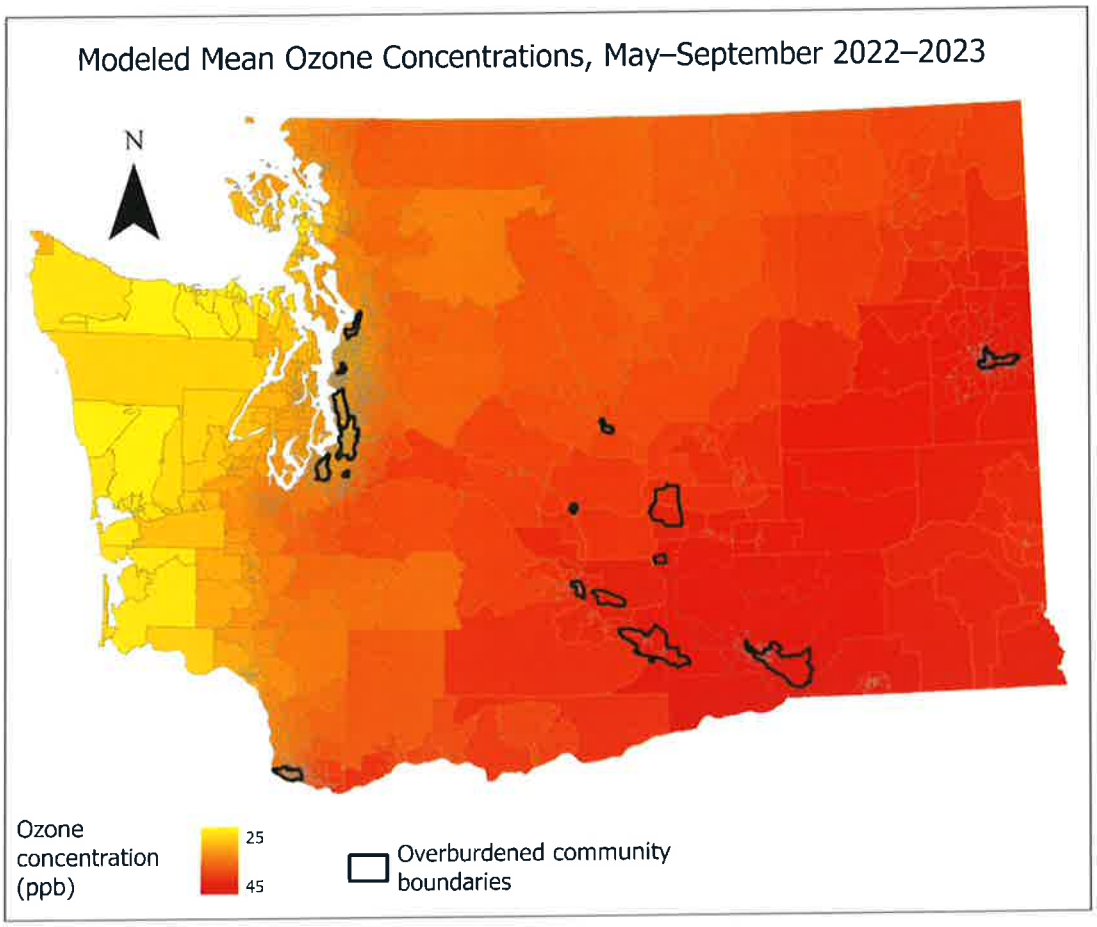


Figure 6. Census tract-level O_3 concentrations based on the WA-fuse model during 2022-2023. O_3 NAAQS concentration is 70 ppb.

Health impact functions

We identified specific health outcomes to include in our health impacts assessment in the scientific literature based on the following criteria: 1) whether there is evidence to support a causal relationship between the health outcome and $PM_{2.5}$ or O_3 in the scientific literature, 2) whether the necessary state-level health data on that outcome was available, and 3) if the scientific literature provides appropriate estimates of the amount of excess risk for that outcome associated with ambient $PM_{2.5}$ or O_3 concentrations.

We applied these criteria to the health impact functions that are preloaded by EPA and available to use in BenMAP-CE as well as carried out our own literature review to identify other relevant studies published since the latest version of BenMAP-CE was published (2020). Our literature review focused on studies published between January 2020 and April 2024 that focused on national population-based data or populations, studies carried out in Washington, or surrounding states or regions (Oregon, Northern California, Idaho). Studies that we identified

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were reviewed and scored by two epidemiologists for risk of bias. The PubMed literature search strategy and risk of bias scoring tool that we used are provided in Texts D1 and D2 in the Appendix.

In Appendix D, Tables D2 and D3 show the specific health outcomes that were included in our analysis of $PM_{2.5}$ based on these criteria, and Tables D4 and D5 show the specific health outcomes that were included in our analysis of O_3 based on these criteria.

Crude and age-adjusted mortality and morbidity

Using the specified health impact functions in BenMAP-CE, we estimated the annual number of deaths, hospitalizations, ED visits, and lung cancer diagnoses in Washington associated with the difference in baseline pollutant concentrations ($PM_{2.5}$ or O_3) for each of the identified overburdened communities highly impacted by air pollution (OBCs) and the natural background $PM_{2.5}$ concentration (measured at the Cheeka Peak control monitoring site) with respective 95% confidence intervals (CI). In other words, our estimates indicate the numbers of excess health outcomes that are related to the $PM_{2.5}$ or O_3 concentrations in each community. It is important to note that the underlying studies that drive our models were not designed to estimate causal relationships between pollutants and health outcomes; therefore, it cannot be said that the numbers of health outcomes we report are directly caused by $PM_{2.5}$ or O_3. Using these estimates and population estimates from WA OFM, we calculated crude rates for all OBCs combined and each individual OBC. CIs are proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

Because mortality and morbidity risks increase with age, and age distributions vary across communities and demographic subgroups, we adjusted the crude mortality and morbidity rates for age to allow for direct comparison across groups. Age-adjusted rates were calculated by using the 2023 Washington age distribution as the standard population. For each 10-year age group (e.g., 20–29-year-olds, 30–39-year-olds), we multiplied the crude rate by the state population for that age group to determine the expected number of conditions statewide. The numbers of expected conditions were summed across age groups and divided by the statewide population for the included age range for each health outcome to determine the age-adjusted rate. We used BenMAP-CE to analyze race- and ethnicity-stratified mortality rates due to any cause separately, then averaged the point estimates from the model outputs to present the final estimates.

Greenhouse gas emissions

For the 2025 reporting period, we included greenhouse gas emission totals from reporting facilities and estimates from mobile sources.

Facilities

Washington's Greenhouse Gas Reporting Program requires entities that produce over 10,000 metric tons of carbon dioxide equivalent (MT CO_2e) per year to report their greenhouse gas

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emissions annually.[130] Entities are required to continue to report their greenhouse gas emissions unless they emit less than 10,000 MT CO_2e per year for five consecutive years, as required by WAC 173-441-030(6).[131] The CCA builds upon this existing greenhouse gas reporting framework and also has its own specific reporting requirements. With some exceptions, an entity is covered by the CCA if it emits more than 25,000 MT CO_2e annually. Entities have a compliance obligation to report their greenhouse gas emissions for a full compliance period of four years, even if they report below 25,000 MT CO_2e in a calendar year.

Emissions that are reported use the Intergovernmental Panel on Climate Change (IPCC)[132] Fourth Assessment Report (AR4) Global Warming Potentials (GWPs) to convert greenhouse gas emissions into CO_2e. Each gas has a GWP, which describes how much heat it traps in the atmosphere relative to CO_2 over a specific time horizon (20, 100, or 500 years). The IPCC published AR4 GWPs in 2007. The Greenhouse Gas Reporting Program uses AR4 GWPs mainly for regulatory stability, consistency, and alignment with other federal programs.

Information from the Greenhouse Gas Reporting Program is used to understand the amount and sources of carbon pollution in Washington. The reporting program allows the Department of Ecology to track emissions and reductions over time, and to also support the Cap-and-Invest Program.

The reporting facilities include many industrial sectors[133]:

- Chemicals
- Food Production
- Government
- Healthcare
- Livestock – cattle feedlots
- Manufacturing
- Metals
- Minerals
- Natural Gas Systems
- Petroleum Systems

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[130] WA Department of Ecology, Mandatory greenhouse gas reports https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/tracking-greenhouse-gases/mandatory-greenhouse-gas-reports
[131] Reporting of Emissions of Greenhouse Gases, Applicability, WAC 173-441-030 https://app.leg.wa.gov/WAC/default.aspx?cite=173-441-030
[132] Intergovernmental Panel on Climate Change https://www.ipcc.ch/
[133] Greenhouse gas reporting program, Pie by sector chart https://data.wa.gov/Natural-Resources-Environment/GHG-Reporting-Program-Pie-by-Sector/9zij-tfi5

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- Power Plants
- Pulp and Paper
- Waste – landfills
- Wood Products

Some sectors do not have a stationary location that can be identified on a map (x, y coordinates), some report statewide totals that cannot be disaggregated, and certain entities import liquid fuels and therefore report emissions generated outside the state. These emissions were excluded from greenhouse gas facility totals in overburdened communities highly impacted by air pollution (OBCs), but still contribute to overall statewide greenhouse gas emissions. They include:

- Bulk power transmission and distribution – provides electricity statewide and emissions (fluorinated greenhouse gas) are counted as a statewide total
- Electric power distribution marketers
- Imported liquid fuels – fossil fuels imported from out of state
- Fuel suppliers – natural gas and petroleum supplied statewide for wholesale and retail
- Natural gas distribution – leaks from pipelines that locally distribute natural gas, emissions are counted as a statewide total

Facility sector greenhouse gas emissions that are exempt from coverage under the CCA but are required to report greenhouse gas emissions:

- Landfills – Washington established a landfill-specific methane-reduction program adopted by Ecology under Chapter 173-408 WAC[134] in 2024
- Coal plants – exempt in statute RCW 70A.65.080(7)(c)[135]
- National security – military bases
- Hanford Nuclear Waste Site
- Cattle feedlots – exemptions for covered greenhouse gas emissions regarding agriculture equipment and manure management, but can voluntarily report emissions.

Using Esri[136] Geographic Information Systems (GIS), we spatially determined the location of greenhouse gas reporting facilities within OBCs. Facilities within a three-mile radius of the community boundary were also included and are described as "nearby", consistent with the

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[134] Landfill Methane Emissions, Chapter 173-408 WAC https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/closed-rulemaking/wac-173-408
[135] Greenhouse gas emissions-Cap and Invest Program, Program coverage, Chapter 70A.65 RCW https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.080
[136] Esri ArcGIS https://www.esri.com/en-us/home

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reporting process used in the 2023 EJ Report. We utilized 2022 and 2023 reported data from the Greenhouse Gas Reporting Program.[137]

Many of the greenhouse gas reporting facilities also emit criteria air pollutants. Air pollution is not constrained by community boundaries, which is why facilities within a three-mile radius of the community boundaries were included in this report. The choice of using a three-mile radius is not in statutory language, but rather used as a screening distance to capture near-community area around sources of air pollution. Other examples like the Colorado Department of Public Health and Environment's Air Toxic Act[138] and California Air Resources Board Community Health Protection Program[139] consider distance buffers in their policies. Furthermore, the Code of Federal Regulations (CFR)[140] and EPA's "Quality Assurance Handbook for Air Pollution Measurement Systems"[141] define spatial scales for network design criteria for ambient air quality monitoring.

[137] WA Department of Ecology, Washington State Greenhouse Gas Reporting Program https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/tracking-greenhouse-gases/mandatory-greenhouse-gas-reports

[138] Air Toxics Act, Colorado Department of Public Health and Environment https://cdphe.colorado.gov/air-toxics-act

[139] California Air Resources Board (CARB) AB 617, Community Health Protection Program https://www.baaqmd.gov/community-health/community-health-protection-program

[140] Network Design Criteria for Ambient Air Quality Monitoring, 40 C.F.R. Appendix D to Part 58 (2025) https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-58/appendixAppendix%20D%20to%20Part%2058

[141] EPA Quality Assurance Handbook for Air Pollution Measurement Systems Volume II Ambient Air Quality Monitoring Program, 6.1 Monitoring Objectives and Spatial Scales, Jan 2017 https://www.epa.gov/sites/default/files/2020-10/documents/final_handbook_document_1_17.pdf

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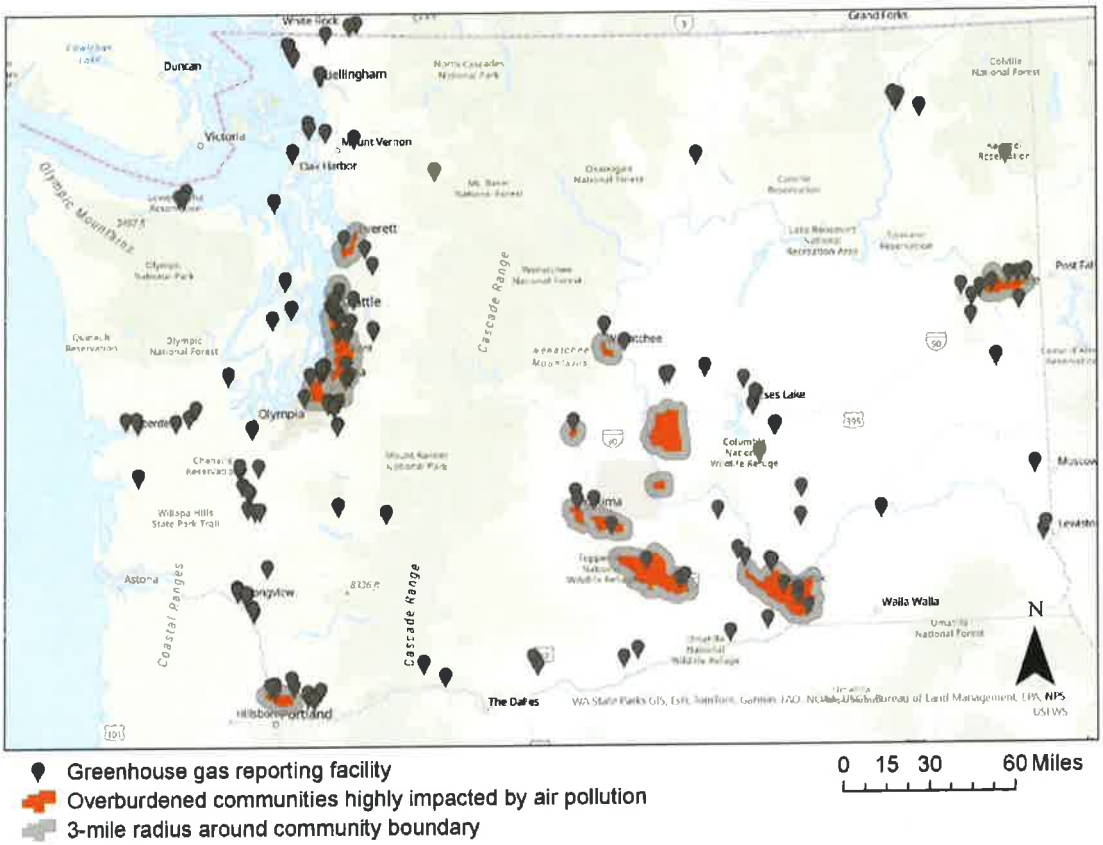


Figure 7. Statewide greenhouse gas reporting facilities, 2023.

Mobile sources

Greenhouse gas emissions from on-road and non-road mobile sources were estimated by using existing data from EPA's National Emissions Inventory (NEI), Washington's statewide greenhouse gas emissions inventory, and census population data.

We provided greenhouse gas emissions estimates for mobile sources using the following data sources:

- The 2020 EPA National Emissions Inventory (NEI)[142] published every three years, which uses EPA's Motor Vehicle Emission Simulator (MOVES) and other tools that report activity for ships, trains, and airplanes. The NEI uses process-based emissions calculators that rely on local fuel, fleet, and travel information for mobile source estimates.

[142] U.S. EPA, 2020 National Emissions Inventory (NEI) Data https://www.epa.gov/air-emissions-inventories/2020-national-emissions-inventory-nei-data

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- The Washington State Greenhouse Gas Emissions Inventory: 1990-2021[143], which relies on the EPA's State Inventory Tool (SIT)[144] to estimate emissions for the transportation sector.
- The 2020 Washington Census for county and block group populations[145]

To estimate greenhouse gas emissions from mobile sources, we began by finding the ratio of county to state emissions from mobile sources for each county from EPA's 2020 NEI. We then apportioned the total statewide emissions from the transportation sector in 2020 and 2021 from the Washington State Greenhouse Gas Emissions Inventory to counties using these ratios, as shown below:

> County emissions (MT CO_2e) = (County mobile emissions from NEI ÷ Statewide mobile emissions from NEI) x Statewide transportation emissions total from WA Greenhouse Gas Emissions Inventory

Next, we allocated the county-level estimates of greenhouse gas emissions from mobile sources to the overburdened communities highly impacted by air pollution using population data from the 2020 Census. We then found the emissions per capita in each community, as shown below:

> Community emissions (MT CO_2e) = (County emissions ÷ County population) × Community population

> Community emissions per capita (MT CO_2e/capita) = Community emissions ÷ Community population

The results use the IPCC's Fifth Assessment Report (AR5)[146] GWPs to convert greenhouse gas emissions into CO_2e. The gases included in this conversion are carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). The IPCC published AR5 GWPs in 2013-2014 and AR6 GWPs in 2021-2022. The Washington Greenhouse Gas Emissions Inventory uses AR5 GWPs in mobile source emission estimates, as its greenhouse gas accounting models are updated periodically as science improves.

Listening sessions

In June 2025, the Departments of Ecology and Health jointly conducted four pilot listening sessions to gather community perspectives, inform this report, and improve future engagement and reporting processes.

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[143] Washington State Department of Ecology, Greenhouse Gas Inventories https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/tracking-greenhouse-gases/ghg-inventories
[144] U.S. EPA, State Inventory and Projection Tool https://www.epa.gov/statelocalenergy/state-inventory-and-projection-tool
[145] Washington State Office of Financial Management, 2020 Census https://ofm.wa.gov/washington-data-research/population-demographics/decennial-census/2020-census, https://ofm.wa.gov/washington-data-research/population-demographics/gis-data/census-geographic-files
[146] Intergovernmental Panel on Climate Change https://www.ipcc.ch/

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Methodology development

Ecology and DOH staff reviewed existing listening session protocols for other state agencies and conducted a literature review of methodologies for governments conducting community-based participatory research. Agency staff also attended multiple listening sessions led by the Department of Health and the University of Washington to identify best practices when hosting these types of sessions. This informed the development of a Listening Session Discussion Guide, which outlined:

- Script describing listening sessions and their purpose
- Informed consent explanation and form
- Information management and retention
- Questions for participants
- Evaluation forms

Planning and implementation of listening sessions

For the pilot listening sessions, our team chose to invite local public health and community partners that have existing relationships with the Departments of Health and Ecology. We held two online sessions for staff of local health jurisdictions (LHJs) in various roles related to their agencies' work on environmental health, community outreach, or health promotion. The two in-person listening sessions were geared towards community members who live or work in two overburdened communities highly impacted by air pollution in Central and Western Washington, specifically South Seattle and the Lower Yakima Valley. Community participants were invited to these two in-person sessions by local leaders involved with environmental justice organizations.

The project team conducted the following four pilot listening sessions in 2025:

- June 23rd and 24th: Virtual listening sessions with staff from each of the 11 LHJs that serve the 16 identified communities (15 participants)
- June 24th: In-person listening session in Burien in partnership with the Duwamish Valley Sustainability Alliance, a local community-based organization (22 participants)
- June 26th: In-person listening session in Sunnyside with farm workers (16 participants)

Each of these four sessions featured a facilitated discussion about pollutants of concern, health impacts, vulnerable groups, available resources to protect residents, communication channels, and community priorities.

For the virtual listening sessions, we invited staff from the 11 LHJs that work in each of the 16 identified communities to participate. These sessions were held online, due to feasibility, accessibility, and familiarity with virtual platforms among the participants. Online sessions were conducted in English since no participants expressed a need for a translation.

Staff from the following agencies participated:

- Benton-Franklin Health District
- Chelan-Douglas Health District
- Clark County Public Health
- Grant County Health District
- Kittitas County Public Health Department
- Public Health-Seattle/King County
- Spokane Regional Health District
- Snohomish County Health Department
- Tacoma-Pierce County Health Department
- Walla Walla County Department of Community Health
- Yakima Health District

The in-person listening sessions were hosted entirely in Spanish. All materials, including the consent and feedback forms, presentation, and discussion questions, were translated into Spanish. The in-person events were also hosted in locations recommended by the partnering community leaders.

All four pilot listening sessions followed the same format First, ECY and DOH staff shared a 10-minute presentation on air quality, health, and Washington's environmental justice work under the Climate Commitment Act, followed by information about the purpose of the listening session and the intended uses of the information shared by participants. Then, the consent form was explained to participants, who were invited to ask questions about the form before voluntarily signing.

Once consent forms were signed, the facilitators guided participants through community agreements to ensure respectful and engaged participation. When there were more than eight total participants, facilitators divided participants into two groups for the discussion. In each group, facilitators asked the same eight questions, including the following:

"What do you think contributes to poor air quality in your community? What types of pollution are you or your community most concerned about?"

"What information about greenhouse gas emissions, criteria air pollutants, and health impacts from air pollution would help protect your community?"

After participants had the opportunity to respond to the questions, breakout groups rejoined to share and reflect on the key takeaways from discussions. Finally, participants were invited to fill out an evaluation form to provide recommendations for improving future listening sessions.

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Facilitators followed the discussion guide questions but had the opportunity to ask follow-up questions not included in the guide to clarify or expand on each topic. Notetakers recorded observations and abbreviated statements. Recordings, transcripts, and notes were taken anonymously to protect participant's privacy. Notes and transcripts recorded in Spanish were translated to English by a bilingual DOH staff member.

Information analysis

Two project staff independently reviewed the notes and transcripts from each listening session. Key themes, comments, and specific ideas were identified from each transcript. This information is incorporated into the statewide results in this document as well as the South Seattle and Lower Yakima Valley Community Reports. Information gathered during the listening sessions is being used to inform the dissemination strategy of this report. Further, the Department of Ecology is referring to the participants' concerns regarding air quality and health when planning the analysis for the 2027 EJ Report.

Lived experience compensation

Ecology's Office of Equity and Environmental Justice recently introduced Lived Experience Compensation (LEC), a form of compensation for community members who directly contribute to a state agency's work. Participants who were not otherwise compensated for participation in listening sessions and had direct lived experience with air quality and its resultant health impacts were compensated for their participation. Each in-person participant received a one-time gift card for $100 after the end of the session.

Statewide Results

Demographic data

The demographic results are reported for Washington, each overburdened community highly impacted by air pollution (OBC), and the aggregate of all census blocks fully or partially included in OBC boundaries. There are two times as many Black and Native Hawaiian/Pacific Islander residents in OBCs as compared to statewide averages (Figure 9). A third of residents in OBCs speak a language other than English at home, compared to 22% of all Washington residents. The proportion of residents who do not have health care coverage is higher in OBCs (10%) than the statewide average (6%).

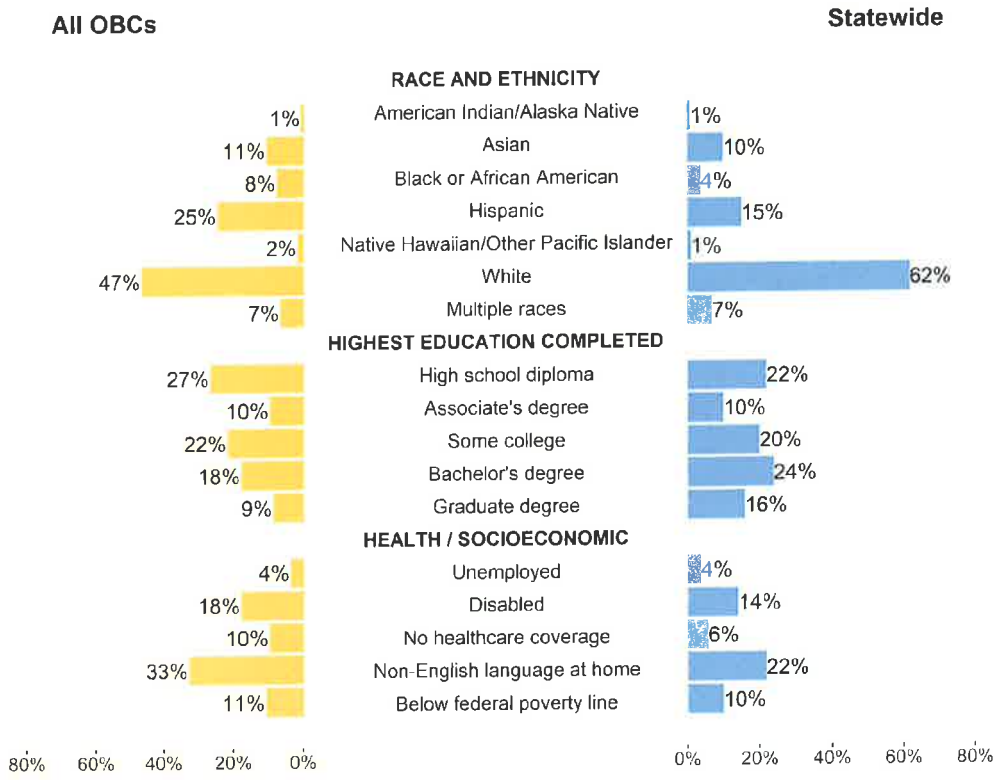


Figure 8. Statewide proportions compared to all census tracts fully or partially identified as overburdened communities highly impacted by air pollution.

Race and ethnicity estimates are from the Washington State Office of Financial Management, 2023. Education, health, and socioeconomic estimates are from the 2023 American Community Survey. Washington's population was 8,035,700 in 2024.[147]

Criteria air pollution

Fine particulate matter ($PM_{2.5}$) contributes to the greatest number of elevated AQI days per year. In 2022-2024, most days on which the AQI exceeded 101 (the minimum threshold for the "Unhealthy for Sensitive Groups" category) occurred during wildfire events. Due to these events, some monitors across Washington reported concentrations above the $PM_{2.5}$ and PM_{10} NAAQS threshold. On average, there were fewer days with unhealthy air quality between 2022-2024 compared to 2020-2022 (Table 5).

[147] WA Office of Financial Management, Nov 2024 Data Tables, Population by age and sex https://ofm.wa.gov/wp-content/uploads/sites/default/files/public/dataresearch/pop/stfc/stfc_2024.xlsx

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Table 5. Average maximum number of days with unhealthy air quality in overburdened communities, 2022-2024. Days impacted by wildfire smoke are included in this calculation.

Community Name	Pollutant of concern	Avg. annual days with unhealthy air quality (2020-2022)	Avg. annual days with unhealthy air quality (2022-2024)*
Spokane and Spokane Valley	$PM_{2.5}$ 24-hour; $PM_{2.5}$ annual; Cumulative criteria air pollution	7.3	3.7
Tri-Cities to Wallula	O_3; $PM_{2.5}$ 24-hour; PM_{10}; Cumulative criteria air pollution	8.3	2.3
East Yakima	$PM_{2.5}$ 24-hour; $PM_{2.5}$ annual; Cumulative criteria air pollution	11	2.7
Lower Yakima Valley	$PM_{2.5}$ 24-hour; $PM_{2.5}$ annual; Cumulative criteria air pollution	10.7	4
Moxee Valley	$PM_{2.5}$ 24-hour; Cumulative criteria air pollution	DNC	2
George and West Grant County	$PM_{2.5}$ 24-hour	DNC	2
Mattawa	$PM_{2.5}$ 24-hour	DNC	2
Ellensburg	$PM_{2.5}$ 24-hour; Cumulative criteria air pollution	5.7	3
Wenatchee and East Wenatchee	$PM_{2.5}$ 24-hour	12	8.3
Everett	$PM_{2.5}$ 24-hour	5.7	0
North Seattle and Shoreline	$PM_{2.5}$ 24-hour; Cumulative criteria air pollution	5.3	0
South Seattle	$PM_{2.5}$ 24-hour; $PM_{2.5}$ annual; Cumulative criteria air pollution	6.7	4.7

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Community Name	Pollutant of concern	Avg. annual days with unhealthy air quality (2020-2022)	Avg. annual days with unhealthy air quality (2022-2024)*
South King County	$PM_{2.5}$ 24-hour; Cumulative criteria air pollution	6.3	3.7
Northeast Puyallup	Cumulative criteria air pollution	DNC	0
South and East Tacoma	$PM_{2.5}$ 24-hour; Cumulative criteria air pollution	7	5.7
Vancouver	$PM_{2.5}$ 24-hour; Cumulative criteria air pollution	4.3	1.7

* = All available monitoring data from 2022-2024 are included in the three-year average. Partial years' data is weighted the same as a full years' data. Years for which the data was not collected were not included in the three-year average.
DNC = Data not collected

Between 2022 and 2024, air quality monitoring across Washington shows a general decline in average daily and annual $PM_{2.5}$ concentrations. When wildfire-impacted days are excluded, all overburdened communities highly impacted by air pollution (OBCs) maintained levels below the National Ambient Air Quality Standards (NAAQS) (Table 6 and 7).

Communities with longer established monitoring sites, such as Spokane and Spokane Valley, East Yakima, Lower Yakima Valley, South Seattle, South King County, South and East Tacoma, and Vancouver, show year-to-year decreases in average daily $PM_{2.5}$ values (Table 6). East Yakima and Lower Yakima Valley followed this trend, with notable decreases in annual $PM_{2.5}$ concentrations over a three-year period between 2022 to 2024 (Table 7). Western Washington communities, including South Seattle and Tacoma, experienced smaller but consistent reductions in annual $PM_{2.5}$ concentrations, reflecting fewer days impacted by wildfire smoke than in eastern regions (Table 7).

A second clear pattern is the effect of wildfire smoke on annual summary statistics for 24-hour $PM_{2.5}$, particularly in Central and Eastern Washington (Table 6). Communities such as Spokane and Spokane Valley, and Lower Yakima Valley showed 8–15% reductions in average daily $PM_{2.5}$ values when wildfire smoke days were excluded (Table 6). In contrast, Western Washington communities exhibited smaller differences (4-8%) when including and excluding wildfire days, reflecting less impact from wildfire smoke. The Wenatchee-Fifth St $PM_{2.5}$ monitor in the Wenatchee and East Wenatchee community exceeded the NAAQS threshold of 35 $\mu g/m^3$ for the 2022-2024 period due to a significant wildfire smoke contribution in 2022. The George

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$PM_{2.5}$ monitor in the George and West Grant County community exceeded the NAAQS threshold in 2023 due to wildfire smoke. Otherwise, no other monitors reported data that exceeded the NAAQS threshold.

Communities with monitors installed in 2024, including Moxee Valley, Wenatchee and East Wenatchee, North Seattle and Shoreline, Everett, and Northeast Puyallup, report relatively low ambient daily $PM_{2.5}$ levels, generally between 14 and 26 $\mu g/m^3$. These concentrations are in attainment with the NAAQS.

These $PM_{2.5}$ levels provide the foundation of a trend that will be analyzed through subsequent publications of the EJ Report. Concentrations of other criteria air pollutants that are monitored in some OBCs – including PM_{10}, O_3, NO_2, SO_2 and CO – were consistently below the NAAQS thresholds from 2022-2024. Currently, there is not sufficient data available to establish a trend, as many of the monitors are newly installed and policy stemming from the Climate Commitment Act is still being implemented. More information on individual communities can be found in the Community Reports of this publication.

Table 6. *24-hour $PM_{2.5}$ (98th percentile) summary statistics and 2024 design values ($\mu g/m^3$) in overburdened communities highly impacted by air pollution, 2022-2024. Summary statistics in brackets [ ] exclude wildfire-impacted days when the average $PM_{2.5}$ concentration exceeded 35.4 $\mu g/m^3$. 24-hour $PM_{2.5}$ (98th percentile) NAAQS is 35 $\mu g/m^3$.*

Community Name	Monitoring Site	2022 24-hour 98th Percentile	2023 24-hour 98th Percentile	2024 24-hour 98th Percentile	2024 Design Value
Spokane and Spokane Valley	Spokane-Augusta Ave	33.3 [28.1]	*24.3 [23.1]*	21.2 [21.2]	*26 [24]*
	Spokane-E Broadway Ave	29.7 [25.4]	24.7 [21.0]	21.4 [21.4]	25 [23]
	Spokane-E Garland Ave	DNC	DNC	*22.7 [22.7]*	*
	Spokane-E Joseph Ave	DNC	DNC	*24.4 [24.4]*	*
	Spokane-E Sprague Ave	DNC	DNC	*23.6 [23.6]*	*
	Spokane-E Stonewall Ave	DNC	DNC	*19.7 [19.7]*	*
	Spokane-N Howard St	DNC	DNC	*28.8 [28.8]*	*
	Spokane-N Perry St	DNC	DNC	*26.5 [26.5]*	*
	Spokane-S Pittsburg St	DNC	DNC	*18.1 [18.1]*	*
	Spokane Valley-E Buckeye Ave	DNC	DNC	*20.6 [20.6]*	*
	Spokane Valley-E Wellesley Ave	DNC	DNC	*18.3 [18.3]*	*
	Spokane Valley-N Pines Rd	DNC	DNC	*22.4 [22.4]*	*

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Community Name	Monitoring Site	2022 24-hour 98th Percentile	2023 24-hour 98th Percentile	2024 24-hour 98th Percentile	2024 Design Value
Tri-cities to Wallula	Kennewick-Metaline	17.1 [15.9]	*16.1* *[14.8]*	15.5 [15.5]	16 [15]
	Burbank-Maple St	DNC	*15.0* *[14.7]*	19.8 [19.8]	*17* *[17]*
	Finley-S Finley Rd	DNC	DNC	*20.0* *[20.0]*	*
East Yakima	Yakima-4th Ave	29.4 [29.0]	25.4 [23.0]	26.4 [22.1]	27 [25]
Lower Yakima Valley	Prosser-Highland Dr	*21.7* *[21.7]*	20.1 [16.8]	*23.7* *[23.1]*	*22* *[21]*
	Sunnyside-S 16th St	34.4 [32.3]	*29.5* *[20.1]*	25.2 [24.6]	*30* *[26]*
Moxee Valley	Moxee-E Seattle Ave	DNC	DNC	*26.1* *[23.2]*	*
Mattawa	Mattawa-Wahluke High School	DNC	18.3 [15.9]	13.8 [13.8]	*
George and West Grant County	George	DNC	*105.5* *[18.0]*	15.1 [15.1]	*
Ellensburg	Ellensburg-Ruby St	25.1 [24.5]	18.4 [17.0]	14.7 [14.7]	19 [19]
	Ellensburg-Discovery Hall	DNC	DNC	*13.8* *[13.8]*	*
	Ellensburg-Mountain View Ave	DNC	DNC	*11.4* *[11.4]*	*
	Ellensburg-N Cora St	DNC	DNC	*15.4* *[15.4]*	*

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Community Name	Monitoring Site	2022 24-hour 98th Percentile	2023 24-hour 98th Percentile	2024 24-hour 98th Percentile	2024 Design Value
Wenatchee and East Wenatchee	Wenatchee-Fifth St	70.9 [21.7]	19.9 [16.8]	16.8 [16.8]	36 [18]
	Wenatchee-Methow St	DNC	DNC	*16.4* *[16.4]*	*
	East Wenatchee-8th St	DNC	DNC	*15.8* *[15.8]*	*
Everett	Everett-Beverly Park Rd	DNC	DNC	*13.9* *[13.9]*	*
North Seattle and Shoreline	Seattle-NE 127th St	DNC	DNC	*15.2* *[15.2]*	*
	Seattle-College Way N	DNC	DNC	*14.4* *[14.4]*	*
South Seattle	Seattle-10th & Weller	*29.7* *[27.7]*	19.1 [18.3]	15.8 [15.8]	*22* *[21]*
	Seattle-Beacon Hill	27.7 [23.3]	19.4 [15.9]	12.0 [12.0]	20 [17]
	Seattle-Duwamish	27.6 [25.3]	22.7 [22.4]	16.5 [16.5]	22 [21]
	Seattle-South Park	31.1 [24.3]	20.8 [20.8]	15.7 [15.7]	23 [20]
	Tukwila-Allentown	30.5 [26.3]	24.2 [23.3]	18.7 [18.7]	24 [23]
	Seattle-16th Ave S	DNC	DNC	*14.4* *[14.4]*	*
	Seattle-23rd Ave SW	DNC	DNC	*21.8* *[21.8]*	*
	Seattle-S Myrtle St	DNC	DNC	*16.5* *[16.5]*	*

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Community Name	Monitoring Site	2022 24-hour 98th Percentile	2023 24-hour 98th Percentile	2024 24-hour 98th Percentile	2024 Design Value
South King County	Kent-James & Central	33.7 [32.7]	*16.0* *[16.0]*	DNC	*25* *[24]*
	Auburn-29th St	38.5 [26.2]	17.4 [17.0]	16.0 [16.0]	24 [20]
South and East Tacoma	Tacoma-S 36th St	30.7 [25.7]	21.5 [19.5]	14.9 [14.9]	22 [20]
	Tacoma-L Street	38.1 [31.0]	28.5 [27.1]	19.0 [19.0]	29 [26]
Northeast Puyallup	Puyallup-Pioneer Way E	DNC	DNC	*18.5* *[18.5]*	*
Vancouver	Vancouver-NE 84th Ave	29.4 [26.4]	25.4 [24.8]	16.6 [16.6]	24 [23]

Italics indicate incomplete annual data, DNC = data not collected, NAAQS = national ambient air quality standards, PM = particulate matter, µg/m^3 = micrograms per cubic meter, * = incomplete data for 3-year design value

Table 7. *Annual mean $PM_{2.5}$ concentrations and 2024 design values (µg/m^3) in overburdened communities highly impacted by air pollution, 2022–2024. Annual means in brackets [ ] exclude wildfire-impacted days when the average $PM_{2.5}$ concentration exceeded 15.0 µg/m^3. Annual $PM_{2.5}$ NAAQS is 9.0 µg/m^3.*

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Community Name	Monitoring Site	2022	2023	2024	2024 Design Value
Spokane and Spokane Valley	Spokane-Augusta Ave	8.94 [7.52]	*8.64 [7.10]*	6.88 [6.46]	*8.2 [7.0]*
	Spokane-E Broadway Ave	7.73 [6.36]	7.72 [6.29]	5.81 [5.46]	7.1 [6.1]
	Spokane-E Garland Ave	DNC	DNC	*6.09 [5.56]*	*
	Spokane-E Joseph Ave	DNC	DNC	*5.98 [5.49]*	*
	Spokane-E Sprague Ave	DNC	DNC	*5.21 [4.84]*	*
	Spokane-E Stonewall Ave	DNC	DNC	*5.04 [4.68]*	*
	Spokane-N Howard St	DNC	DNC	*6.92 [6.38]*	*
	Spokane-N Perry St	DNC	DNC	*8.32 [7.30]*	*
	Spokane-S Pittsburg St	DNC	DNC	*5.44 [5.09]*	*
	Spokane-Valley E Buckeye Ave	DNC	DNC	*5.34 [4.94]*	*
	Spokane-Valley E Wellesley Ave	DNC	DNC	*4.14 [3.86]*	*
	Spokane-Valley N Pines Rd	DNC	DNC	*5.49 [5.06]*	*
Tri-cities to Wallula	Kennewick-Metaline	5.55 [4.89]	6.57 [5.25]	4.43 [4.28]	5.5 [4.8]
	Burbank-Maple St	DNC	*5.62 [5.29]*	*5.23 [5.06]*	*5.4 [5.2]*
	Finley-S Finley Rd	DNC	DNC	*5.94 [5.72]*	*

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Community Name	Monitoring Site	2022	2023	2024	2024 Design Value
East Yakima	Yakima-4th Ave	9.14 [8.43]	8.79 [7.78]	7.13 [6.36]	8.4 [7.5]
Lower Yakima Valley	Prosser-Highland Dr	*9.20* *[9.20]*	7.32 [6.13]	*5.42* *[4.70]*	*7.3* *[6.7]*
	Sunnyside-S 16th St	11.18 [7.09]	*9.05* *[7.25]*	6.79 [6.16]	*9.0* *[6.8]*
Moxee Valley	Moxee-E Seattle Ave	DNC	DNC	*5.49* *[4.57]*	*
Mattawa	Mattawa-Wahluke High School	DNC	6.21 [4.63]	3.42 [3.34]	*4.8* *[4.0]*
George and West Grant County	George	DNC	*9.61* *[5.93]*	3.84 [3.68]	*6.7* *[4.8]*
Ellensburg	Ellensburg-Ruby St	7.07 [6.46]	6.49 [5.54]	4.70 [4.59]	6.1 [5.5]
	Ellensburg-Discovery Hall	DNC	DNC	*3.74* *[3.66]*	*
	Ellensburg-Mountain View Ave	DNC	DNC	*3.46* *[3.46]*	*
	Ellensburg-N Cora St	DNC	DNC	*4.05* *[3.87]*	*
Wenatchee and East Wenatchee	Wenatchee-Fifth St	10.21 [6.10]	7.20 [6.21]	5.19 [5.19]	7.5 [5.8]
	Wenatchee-Methow St	DNC	DNC	*3.35* *[3.18]*	*
	East Wenatchee-8th St NE	DNC	DNC	*3.72* *[3.53]*	*
Everett	Everett-Beverly Park Rd	DNC	DNC	*4.30* *[4.30]*	*

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Community Name	Monitoring Site	2022	2023	2024	2024 Design Value
North Seattle and Shoreline	Seattle-NE 127th St	DNC	DNC	*5.50* *[5.50]*	*
	Seattle-College Way N	DNC	DNC	*4.31* *[4.31]*	*
South Seattle	Seattle-10th & Weller	*10.53* *[7.00]*	7.86 [7.46]	6.47 [6.39]	*8.3* *[7.0]*
	Seattle-Beacon Hill	7.02 [5.47]	6.02 [5.66]	4.19 [4.19]	5.7 [5.1]
	Seattle-Duwamish	8.78 [7.44]	7.75 [7.39]	6.47 [6.42]	7.7 [7.1]
	Seattle-South Park	9.52 [7.72]	8.15 [7.80]	7.18 [7.13]	8.3 [7.5]
	Tukwila-Allentown	8.11 [6.55]	7.51 [7.17]	6.84 [6.79]	7.5 [6.8]
	Seattle-16th Ave S	DNC	DNC	*4.59* *[4.59]*	*
	Seattle-23rd Ave SW	DNC	DNC	*7.05* *[7.05]*	*
	Seattle-S Myrtle St	DNC	DNC	*4.58* *[4.58]*	*
South King County	Kent-James & Central	9.25 [8.97]	*7.36* *[7.36]*	DNC	*8.3* *[8.2]*
	Auburn-29th St	8.88 [6.86]	6.93 [6.38]	5.99 [5.92]	7.3 [6.4]
South and East Tacoma	Tacoma-S 36th St	8.34 [6.93]	6.43 [6.14]	4.71 [4.71]	6.5 [5.9]
	Tacoma-L Street	8.70 [7.23]	7.18 [6.89]	5.11 [5.07]	7.0 [6.4]
Northeast Puyallup	Puyallup-Pioneer Way E	DNC	DNC	*8.06* *[8.06]*	*

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Community Name	Monitoring Site	2022	2023	2024	2024 Design Value
Vancouver	Vancouver-NE 84th Ave	7.70 [6.88]	6.40 [6.22]	4.45 [4.35]	6.2 [5.8]

Italics indicate incomplete annual data, DNC = data not collected, NAAQS = national ambient air quality standards, PM = particulate matter, $\mu g/m^3$ = micrograms per cubic meter, * = incomplete data for 3-year design value

Health impacts

$PM_{2.5}$

Yearly exposure

Among all 16 overburdened communities highly impacted by air pollution (OBCs), we estimated 430 deaths by any cause among adults 18-84 years old (42 deaths per 100,000 population) associated with annual $PM_{2.5}$ exposure per year (Table 8). Among older adults ages 65–99 years old, we estimated 261 total deaths (137 deaths per 100,000) each year associated with annual $PM_{2.5}$ exposure (Table 9).

The communities with the highest estimated number of deaths per population associated with yearly $PM_{2.5}$ exposure among 18–84-year-olds were:

- East Yakima: 78 deaths per 100,000 population
- Lower Yakima Valley: 56 deaths per 100,000 population
- Spokane and Spokane Valley: 56 deaths per 100,000 population

Complete findings on health impacts of $PM_{2.5}$ in specific communities can be found in their respective Community Reports (Appendix E).

Age-adjusted rates are the most appropriate comparison to statewide rates given that they are standardized to match the statewide age distribution. Figure 9 shows the unadjusted and age-adjusted mortality rates by any cause associated with yearly $PM_{2.5}$ exposure among adults ages 18-84 years old in OBCs compared to statewide. We estimated the age-adjusted rate for OBCs to be 48 [95% CI: 35-61] deaths per 100,000 population compared to 27 [95% CI: 19-34] deaths per 100,000 population statewide (Figure 9).

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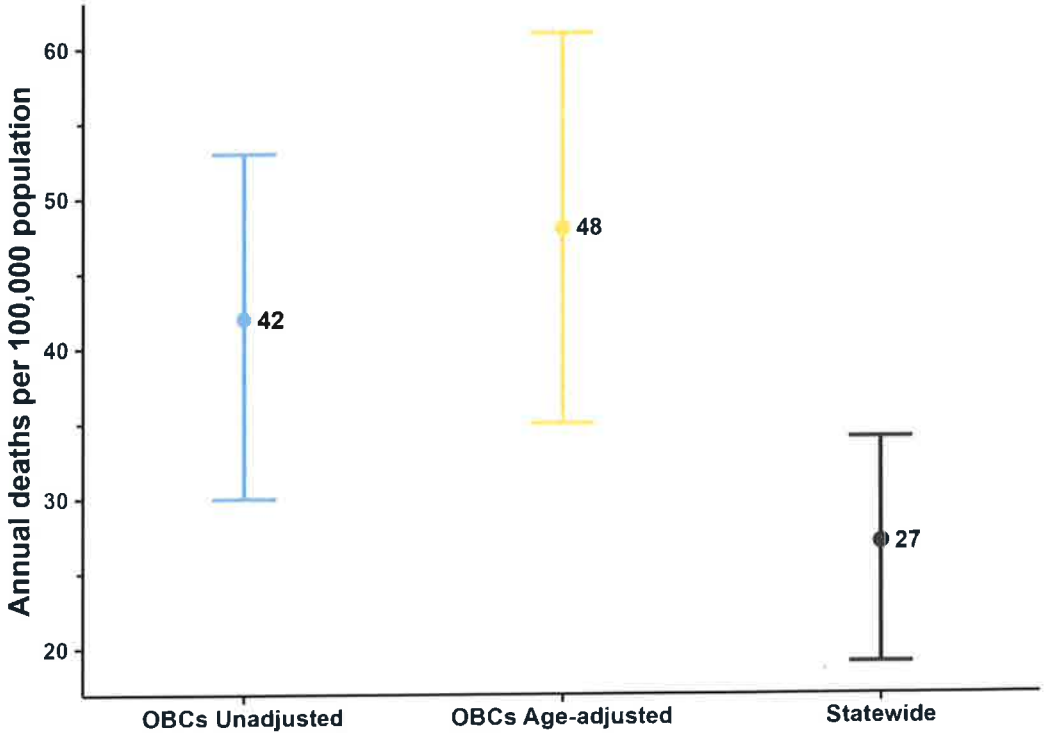


Figure 9. Unadjusted and adjusted $PM_{2.5}$ associated annual, mortality rates by any cause for all 16 overburdened communities highly impacted by air pollution compared to the statewide average based on the study of Pope et al., 2019[148], 2022-2023. Bars indicate 95% confidence intervals.

Among different racial and ethnic groups (Table 8), we estimated the highest rate of $PM_{2.5}$ related deaths by any cause per year among non-Hispanic Black people (54 annual deaths per 100,000 population) and non-Hispanic white people (53 annual deaths per 100,000 population) in the 16 OBCs. However, the annual age-adjusted mortality rate, which accounts for the ages of people in each racial and ethnic group, was highest among Hispanic people (85 deaths per 100,000 population) and non-Hispanic Black people (71 deaths per 100,000 population) (Table 8; Figure 9). The age-adjusted mortality rate for non-Hispanic white people was 49 deaths per 100,000 population. These disparities persist among older adults ages 65-99 where the highest age-adjusted mortality rates are among Black and Hispanic people at 308 and 211 deaths per 100,000 population, respectively (Table 9).

[148] Pope, C. A., 3rd, Lefler, J. S., Ezzati, M., Higbee, J. D., Marshall, J. D., Kim, S. Y., Bechle, M., Gilliat, K. S., Vernon, S. E., Robinson, A. L., & Burnett, R. T. (2019). Mortality Risk and Fine Particulate Air Pollution in a Large, Representative Cohort of U.S. Adults. *Environmental Health Perspectives*, 127(7), 77007.

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Table 8. Estimated annual deaths by any cause associated with yearly $PM_{2.5}$ exposure among 18–84-year-olds in all 16 overburdened communities highly impacted by air pollution by racial and ethnic group, 2022–2023 (based on effect estimates in study by Pope, et al., 2019).

Racial[149] and Ethnic Group	Population[150] (18-84 year-olds)	Annual Number of Deaths [95% CI][151]	Annual Deaths Per 100,000 Population [95% CI]	Age-Adjusted[152] Annual Deaths Per 100,000 Population [95% CI]
All	1,027,215	430 [310 to 544]	42 [30 to 53]	48 [35 to 61]
Hispanic	215,569	94 [53 to 132]	44 [25 to 61]	85 [48 to 119]
Non-Hispanic AIAN	10,763	5 [-3 to 11]	42 [-29 to 105]	50 [-34 to 124]
Non-Hispanic Asian	116,527	47 [-32 to 119]	40 [-28 to 102]	44 [-30 to 110]
Non-Hispanic Black	79,896	43 [13 to 71]	54 [17 to 89]	71 [22 to 116]
Non-Hispanic NHOPI	16,258	4 [-3 to 10]	25 [-17 to 63]	45 [-31 to 114]
Non-Hispanic 2+ races	57,464	17 [-11 to 42]	29 [-20 to 73]	47 [-32 to 119]
Non-Hispanic White	530,739	279 [182 to 371]	53 [34 to 70]	49 [32 to 66]

AIAN: American Indian and Alaska Native; CI: confidence interval; NHOPI: Native Hawaiian and Other Pacific Islander; $PM_{2.5}$: Particulate matter with diameter 2.5 micrometers or less

[149] Race categories only include people who identify as non-Hispanic to reflect the race categories used in the study by Pope, et al.

[150] Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise overburdened communities.

[151] CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

[152] The age-adjusted rate indicates the expected rate if the age distribution in overburdened communities matched that of Washington State.

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Table 9. Estimated annual deaths by any cause related to yearly $PM_{2.5}$ exposure among 65–99-year-olds in all 16 overburdened communities highly impacted by air pollution by racial and ethnic group, 2022–2023 (based on effect estimates in study by Di, et al., 2017[23])23.

Racial[153] and Ethnic Group	Population[154] (65-99 year-olds)	Annual Number of Deaths [95% CI][155]	Annual Deaths Per 100,000 Population [95% CI]	Age-Adjusted[156] Annual Deaths Per 100,000 Population [95% CI]
All	190,102	261 [253 to 268]	137 [133 to 141]	134 [130 to 138]
Hispanic	15,098	29 [25 to 33]	192 [166 to 216]	211 [182 to 238]
AIAN	2,843	4 [2 to 5]	128 [79 to 175]	138 [85 to 188]
Asian	23,346	33 [26 to 40]	142 [112 to 170]	139 [110 to 167]
Black	10,679	31 [30 to 32]	290 [279 to 301]	308 [296 to 320]
NHOPI	1,315	2 [1 to 2]	135 [83 to 184]	155 [95 to 211]
2+ races	8,809	12 [7 to 16]	135 [83 to 184]	146 [90 to 199]
White	143,109	141 [136 to 146]	99 [95 to 102]	96 [92 to 99]

AIAN: American Indian and Alaska Native; CI: confidence interval; NHOPI: Native Hawaiian and Other Pacific Islander; $PM_{2.5}$: Particulate matter with diameter 2.5 micrometers or less

Figure 10 is based on the study by Pope et al. (2019)[148], where AIAN refers to American Indian and Alaska Native; NH to non-Hispanic; and NHOPI to Native Hawaiian and Other Pacific Islander. The bars indicate a 95% confidence interval (CI) for each rate.

[153] Race categories include Hispanic and non-Hispanic people to reflect the race categories used in the study by Di, et al.

[154] Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise overburdened communities.

[155] CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

[156] The age-adjusted rate indicates the expected rate if the age distribution in overburdened communities matched that of Washington statewide.

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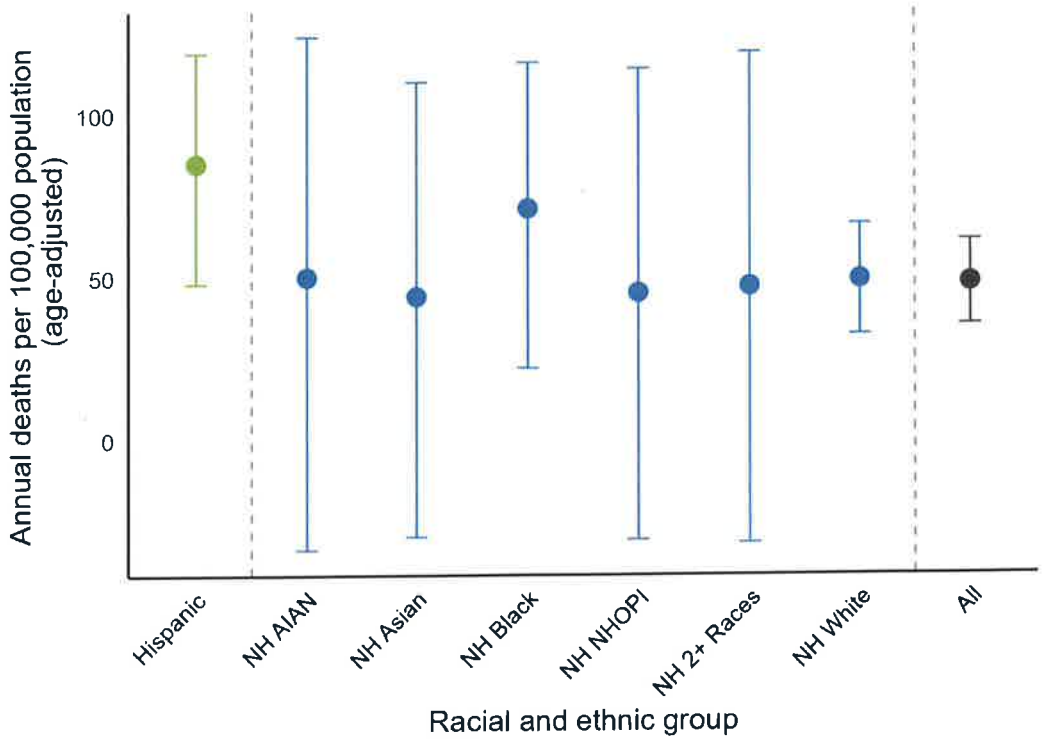


Figure 10. Age-adjusted annual death rates by any cause associated with yearly $PM_{2.5}$ exposure among ages 18-84 by racial and ethnic group in all 16 overburdened communities highly impacted by air pollution.

When assessing specific causes of death related to yearly $PM_{2.5}$ exposure (Table 10), we estimated 129 deaths due to cardiovascular disease (12 deaths per 100,000 population), 126 to 204 deaths due to ischemic heart disease (16 to 25 deaths per 100,000 population), and 21 to 31 deaths per year due to lung cancer (3 to 4 deaths per 100,000 population) among adults in OBCs. The ranges represent variability depending on the study used to develop our health impact functions.

Regarding morbidities, 195 hospital admissions (19 visits per 100,000 population) for acute myocardial infarction were estimated to be associated with yearly $PM_{2.5}$ exposure among all adults (Table 10). Additionally, 108 lung cancer diagnoses per year were associated with yearly $PM_{2.5}$ exposure among adults ages 30-99 (13 diagnoses per 100,000 population) from 2022-2023.

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Table 10. Estimated annual mortality and morbidity associated with yearly $PM_{2.5}$ exposure (yearly 24-hour average concentrations) in all 16 overburdened communities highly impacted by air pollution, 2022-2023. Brackets [ ] include 95% confidence interval.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated Annual Rate Per 100,000 Population [95% CI]	Estimated Age-Adjusted Annual Rate Per 100,000 Population [95% CI]	Estimated Statewide Annual Rate Per 100,000 Population [95% CI]
Deaths – Any cause	65 to 99	Di et al., 2017[23]	190,102	261 [253 to 268]	137 [133 to 141]	134 [130 to 138]	86 [83 to 88]
Deaths – Any cause	18 to 84	Pope et al., 2019[148]	1,027,215	430 [310 to 544]	42 [30 to 53]	48 [35 to 61]	27 [19 to 34]
Deaths – Cardiovascular disease	18 to 99	Alexeeff et al., 2023[157]	1,048,055	129 [50 to 204]	12 [5 to 19]	14 [5 to 22]	8 [3 to 13]
Deaths – Ischemic heart disease	30 to 99	Jerrett et al., 2017[158]	800,760	135 [101 to 166]	17 [13 to 21]	19 [14 to 23]	10 [8 to 13]
Deaths – Ischemic heart disease	30 to 99	Krewski et al., 2009[159]	800,760	204 [166 to 239]	25 [21 to 30]	28 [23 to 33]	16 [13 to 19]

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[157] Alexeeff SED, K.Van Den Eeden, S.Schwartz, J.Liao, N. S.Sidney, S. Association of Long-term Exposure to Particulate Air Pollution with Cardiovascular Events in California. *JAMA Network Open*. 2023;6(2):e230561.

[158] Jerrett, 2017. Comparing the Health Effects of Ambient Particulate Matter Estimated Using Ground-Based Versus Remote Sensing Exposure Estimates. *Environmental Health Perspectives*. 2017 Apr;125(4):552-559. doi: 10.1289/EHP575. Epub 2016 Sep 9.

[159] Krewski D, Jerrett M, Burnett R, et al. 2009. Extended Follow-Up and Spatial analysis of the American Cancer Society Linking Particulate Air Pollution and Mortality. Health Effects Institute, Cambridge MA

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated Annual Rate Per 100,000 Population [95% CI]	Estimated Age-Adjusted Annual Rate Per 100,000 Population [95% CI]	Estimated Statewide Annual Rate Per 100,000 Population [95% CI]
Deaths – Ischemic heart disease	30 to 99	Pope et al., 2019[148]	800,760	126 [92 to 159]	16 [12 to 20]	17 [13 to 22]	10 [7 to 12]
Deaths – Lung Cancer	30 to 99	Krewski, et al., 2009[160]	800,760	31 [13 to 48]	4 [2 to 6]	4 [2 to 7]	3 [1 to 4]
Deaths – Lung Cancer	30 to 99	Turner et al. 2016[161]	800,760	21 [6 to 35]	3 [1 to 4]	3 [1 to 5]	2 [1 to 3]
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	18 to 99	Alexeeff, et al.[157]	1,048,055	195 [110 to 275]	19 [10 to 26]	21 [12 to 30]	12 [7 to 17]
Lung Cancer Diagnoses	30 to 99	Gharibvand et al. 2016[162]	800,760	108 [35 to 171]	13 [4 to 21]	15 [5 to 24]	9 [3 to 15]

[160] Krewski D, Jerrett M, Burnett R, et al. 2009. Extended Follow-Up and Spatial analysis of the American Cancer Society Linking Particulate Air Pollution and Mortality. Health Effects Institute, Cambridge MA

[161] Turner, M.C., Jerrett, M., Pope, C.A., III, Krewski, D., Gapstur, S.M., Diver, W.R., Beckerman, B.S., Marshall, J.D., Su, J., Crouse, D.L., & Burnett, R.T. (2016). Long-term ozone exposure and mortality in a large prospective study. *American Journal of Respiratory Critical Care Medicine* 193(10): 1134-1142.

[162] Gharibvand, L., Shavlik, D., Ghamsary, M., Beeson, W.L., Soret, S., Knutsen, R., & Knutsen, S.F. (2016). The association between ambient fine particulate air pollution and lung cancer incidence: results from the AHSMOG-2 study. *Environmental Health Perspectives* 125 (3): 378?384

CI: confidence interval. CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise OBCs.

Health outcomes were selected based on the availability of effect estimates for that outcome relevant to the Washington population in the scientific literature. Where multiple effect estimates exist, we listed the model results separately for each. See the Method section for more information.

Age-adjusted rate indicates the expected rate if the age distribution in OBCs matched that of Washington statewide.

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Daily exposure

We estimated that daily $PM_{2.5}$ exposure was associated with 8 to 23 deaths by any cause (1 to 12 deaths per 100,000 population), 83 asthma hospital admissions (7 admissions per 100,000 population), 34 to 39 acute non-fatal myocardial infarction hospital admissions (3 to 4 admissions per 100,000 population), 319 to 599 asthma-related ED visits among all people (24 to 44 visits per 100,000 population), and 340 asthma-related ED visits among youths ages 0 to 17 years (112 visits per 100,000 population) (Table 11). Among older adults ages 65-99, daily $PM_{2.5}$ was associated with 157 hospital admissions (82 admissions per 100,000 population) for all respiratory conditions.

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Table 11. Estimated annual mortality and morbidity associated with daily $PM_{2.5}$ exposure (daily 24-hour average concentrations) in all 16 overburdened communities highly impacted by air pollution, 2022-2023. Brackets [ ] include 95% confidence interval.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]	Estimated age-adjusted annual rate per 100,000 population [95% CI]	Estimated statewide annual rate per 100,000 population [95% CI]
Deaths – Any cause	0 to 99	Ito et al., 2013[163]	1,351,509	8 [0 to 16]	1 [0 to 1]	1 [0 to 1]	0 [0 to 1]
Deaths – Any cause	65 to 99	Zanobetti et al., 2014[164]	190,102	23 [15 to 31]	12 [8 to 16]	12 [8 to 16]	8 [5 to 10]
Deaths – Cardiovascular disease	0 to 99	Liu et al., 2022[165]	1,351,509	14 [3 to 25]	1 [0 to 2]	1 [0 to 2]	1 [0 to 1]
Deaths – Respiratory	0 to 99	Liu et al., 2022[165165]	1,351,509	19 [-1 to 37]	1 [0 to 3]	2 [0 to 3]	1 [0 to 2]

[163]Ito, K., Ross, Z., Zhou, J., Nádas, A., Lippmann, M. and Thurston, G.D., 2013. NPACT Study 3. Time-series analysis of mortality, hospitalizations, and ambient $PM_{2.5}$ and its components. National Particle Component Toxicity (NPACT) Initiative. https://www.healtheffects.org/publication/national-particle-component-toxicity-npact-initiative-integrated-epidemiologic-and

[164] Zanobetti, A., Dominici, F., Wang, Y. and Schwartz, J.D., 2014. A national case-crossover analysis of the short-term effect of $PM_{2.5}$ on hospitalizations and mortality in subjects with diabetes and neurological disorders. *Environmental Health*, 13(1), p.38.

[165] Liu, R.A., Wei, Y., Qiu, X., Kosheleva, A. and Schwartz, J.D., 2022. Short term exposure to air pollution and mortality in the US: a double negative control analysis. *Environmental Health*, 21(1), p.81.

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Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]	Estimated age-adjusted annual rate per 100,000 population [95% CI]	Estimated statewide annual rate per 100,000 population [95% CI]
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	18 to 99	Sullivan et al., 2005[166]	1,048,055	34 [-44 to 108]	3 [-4 to 10]	4 [-5 to 12]	2 [-3 to 7]
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	18 to 99	Zanobetti et al., 2009[167]	1,048,055	39 [18 to 59]	4 [2 to 6]	4 [2 to 6]	2 [1 to 4]
Hospital Admissions – All Respiratory	65 to 99	Zanobetti et al., 2009[164167]	190,102	157 [89 to 221]	82 [47 to 116]	82 [46 to 115]	46 [26 to 65]

[166] Sullivan, J., L. Sheppard, A. Schreuder, N. Ishikawa, D. Siscovick and J. Kaufman. 2005. Relation between short-term fine-particulate matter exposure and onset of myocardial infarction. *Epidemiology*. Vol. 16 (1): 41-8.

[167] Zanobetti, A., Franklin, M., Koutrakis, P. and Schwartz, J., 2009. Fine particulate air pollution and its components in association with cause-specific emergency admissions. *Environmental Health*, 8(1), p.58.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]	Estimated age-adjusted annual rate per 100,000 population [95% CI]	Estimated statewide annual rate per 100,000 population [95% CI]
Hospital Admissions – Asthma	0 to 64	Sheppard et al., 2003[168]	1,161,407	83 [31 to 132]	7 [3 to 11]	7 [3 to 12]	4 [2 to 7]
ED Visits – Asthma	0 to 99	Mar et al., 2010[169]	1,351,509	599 [150 to 1019]	44 [11 to 75]	44 [11 to 75]	25 [6 to 42]
ED Visits – Asthma	0 to 99	Slaughter, J. C., et al., 2005[170]	1,351,509	319 [-275 to 869]	24 [-20 to 64]	24 [-20 to 64]	13 [-11 to 36]
ED Visits – Asthma	0 to 17	Norris, G., et al., 1999[171]	303,454	340 [174 to 490]	112 [57 to 162]	112 [57 to 161]	61 [31 to 88]

[168] Sheppard, L. Ambient Air Pollution and Nonelderly Asthma Hospital Admissions in Seattle, Washington, 1987-1994. In: Revised Analyses of Time-Series Studies of Air Pollution and Health. 2003, Health Effects Institute: Boston, MA. p. 227-230.

[169] Mar, T. F., J. Q. Koenig and J. Primomo. 2010. Associations between asthma emergency visits and particulate matter sources, including diesel emissions from stationary generators in Tacoma, Washington. *Inhalation Toxicology*. Vol. 22 (6): 445-8.

[170] Slaughter, J. C., E. Kim, L. Sheppard, J. H. Sullivan, T. V. Larson and C. Claiborn. 2005. Association between particulate matter and emergency room visits, hospital admissions and mortality in Spokane, Washington. *Journal of Exposure Analysis and Environmental Epidemiology*. Vol. 15

[171] Norris, G., et al. An association between fine particles and asthma emergency department visits for children in Seattle. *Environmental Health Perspectives*, 1999. 107(6): p. 489-93.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]	Estimated age-adjusted annual rate per 100,000 population [95% CI]	Estimated statewide annual rate per 100,000 population [95% CI]

ED: emergency department; CI: confidence interval. CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise OBCs.

Health outcomes were selected based on the availability of effect estimates for that outcome relevant to the Washington population in the scientific literature. Where multiple effect estimates exist, we listed the model results separately for each. See the Method section for more information.

Age-adjusted rate indicates the expected rate if the age distribution in OBCs matched that of Washington statewide.

For both yearly and daily $PM_{2.5}$ exposure, we estimated health outcome rates that were 1.5- to 2-times higher in OBCs compared to statewide. This included deaths by any cause, deaths from ischemic heart disease, and hospital admissions for acute MI related to yearly $PM_{2.5}$ exposure and asthma-related ED visits and hospital admissions for MI, asthma, and all respiratory conditions associated with daily $PM_{2.5}$ exposure.

Ozone

Seasonal exposure

We estimated that O_3 exposure during warm season (May-September) was associated with 67 deaths by any cause among older adults ages 65-99 (33 deaths per 100,000 population) (Table 12).

The communities with the highest estimated number of deaths per population associated with seasonal O_3 exposure among older adults ages 65-99 were:

- Spokane and Spokane Valley: 79 deaths per 100,000 population
- Tri-Cities to Wallula: 74 deaths per 100,000 population
- East Yakima: 73 deaths per 100,000 population

Daily exposure

Daily O_3 exposure was associated with 23 deaths by any cause (2 deaths per 100,00 population) and 689 asthma-related ED visits (51 visits per 100,000 population) among all people in OBCs and 290 respiratory hospital admissions (152 admissions per 100,000 population) among older adults ages 65-99.

Like $PM_{2.5}$ related health impacts, the rates of all examined health outcomes associated with daily and seasonal O_3 exposure are higher in OBCs compared to statewide.

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Table 12. Estimated annual mortality and morbidity associated with seasonal and daily O_3 exposure (seasonal and daily 8-hour maximum concentrations) in all 16 overburdened communities highly impacted by air pollution, 2022-2023. Brackets [ ] include 95% confidence interval.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]	Estimated age-adjusted annual rate per 100,000 population [95% CI]	Estimated statewide annual rate per 100,000 population [95% CI]
Deaths – Any cause (Seasonal)	65 to 99	Di, et al., 2017[23]	190,102	67 [46 to 87]	35 [24 to 46]	33 [23 to 44]	23 [16 to 30]
Deaths – Any cause (Daily)	0 to 99	Zanobetti and Schwartz, 2008[172]	1,351,509	23 [12 to 33]	2 [1 to 2]	2 [1 to 3]	1 [1 to 2]
ED Visits – Asthma (Daily)	0 to 99	Mar and Koenig, 2009[173]	1,351,509	689 [172 to 1135]	51 [13 to 84]	51 [13 to 84]	31 [8 to 51]

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[172] Zanobetti, A. and Schwartz, J., 2008. Mortality displacement in the association of ozone with mortality: an analysis of 48 cities in the United States. *American Journal of Respiratory and Critical Care Medicine*, 177(2), pp.184-189.

[173] Mar, T.F. and Koenig, J.Q. (2009). Relationship between visits to emergency departments for asthma and ozone exposure in greater Seattle, Washington. *Annals of Allergy, Asthma & Immunology*, 103, 474-479.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]	Estimated age-adjusted annual rate per 100,000 population [95% CI]	Estimated statewide annual rate per 100,000 population [95% CI]
Hospital Admissions – All Respiratory (Daily)	65 to 99	Schwartz, 1995[174]	190,102	290 [83 to 477]	152 [44 to 251]	151 [44 to 249]	96 [28 to 158]

ED: emergency department; CI: confidence interval. CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with PM2.5 in this group in this community.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise OBCs.

Health outcomes were selected based on the availability of effect estimates for that outcome relevant to the Washington population in the scientific literature. Where multiple effect estimates exist, we listed the model results separately for each. See the Method section for more information.

Age-adjusted rate indicates the expected rate if the age distribution in OBCs matched that of Washington statewide.

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[174] Schwartz, J., 1995. Short term fluctuations in air pollution and hospital admissions of the elderly for respiratory disease. *Thorax*, 50(5), pp.531-538.

Greenhouse gas emissions

Facilities

Table 13 summarizes the total number of facilities and greenhouse gas emissions in and near each overburdened community highly impacted by air pollution (OBC) in 2022 and 2023. Biogenic carbon (biogenic CO_2) [175] emissions are expected to be partially recaptured as part of the natural carbon cycle. For reporting purposes, biogenic CO_2 is subtracted from total metric tons of CO_2e, even though it has the same atmospheric warming effect as non-biogenic CO_2.

We reviewed data from 165 facilities in 2022 and 166 in 2023. In both reporting years, 49 facilities, or 30%, were within or nearby[176] OBCs. Of the 49 facilities, 22 are covered under the CCA as of 2023. Ecology's 2023 EJ Report included facility emissions from 2020 and 2021. Since 2020, total reported greenhouse gas emissions from facilities within and near OBCs have decreased by 20.3%, and by 6.3% after subtracting biogenic CO_2 emissions.

Some facilities that emit greenhouse gas emissions also emit significant amounts of criteria air pollutants. The proximity of industrial sites to where people live and work can cause public health concerns. Facility locations and additional information are included in each of the Community Reports that are part of this publication.

Table 13. Total number of facilities and greenhouse gas emissions reported in 2022 and 2023 in and nearby each overburdened community highly impacted by air pollution. Biogenic CO_2 is in brackets [ ].

Community Name	2022 Number of Facilities	2022 Emissions (MT CO_2e)	2023 Number of Facilities	2023 Emissions (MT CO_2e)
Spokane and Spokane Valley	5	443,941 [149,245]	5	432,774 [147,283]
Tri-Cities to Wallula	9	1,104,535 [385,234]	7	697,423 [228,624]
East Yakima	2	26,444 [0]	2	27,628 [0]

[175] Biogenic carbon refers to greenhouse gases released from the combustion, decomposition, or processing of materials derived from biological sources – such as wood, paper, biomass fuels, agriculture residues, food waste, or biogas. Under the Washington Greenhouse Gas Reporting Program, these emissions are reported separately from fossil-derived emissions because they result from carbon that circulates within the short-term natural carbon cycle rather than long-term carbon stores. Biogenic CO_2 acts the same way in the atmosphere as non-biogenic CO_2. Anthropogenic processes that include these emissions reduce a facility's environmental impact.

[176] "Nearby" refers to facilities within a three-mile radius of the community boundary that were included in this analysis.

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Community Name	2022 Number of Facilities	2022 Emissions (MT CO_2e)	2023 Number of Facilities	2023 Emissions (MT CO_2e)
Lower Yakima Valley	3	61,768 [0]	3	62,347 [0]
Moxee Valley	2	174,253 [0]	2	178,342 [0]
Mattawa	0	0 [0]	0	0 [0]
George and West Grant County	0	0 [0]	0	0 [0]
Ellensburg	1	13,700 [0]	1	12,790 [0]
Wenatchee and East Wenatchee	2	25,291 [0]	2	22,202 [0]
Everett	1	69,711 [0]	1	66,124 [0]
North Seattle and Shoreline	0	0 [0]	0	0 [0]
South Seattle	9	717,063 [0]	9	755,589 [0]
South King County	3	66,302 [0]	3	64,784 [0]
Northeast Puyallup	2	47,294 [0]	2	62,121 [0]
South and East Tacoma	6	1,192,728 [853,428]	7	920,753 [568,579]
Vancouver	4	695,179 [0]	5	736,686 [0]
Total	**49**	**4,638,209 [1,387,907]**	**49**	**4,039,563 [944,486]**

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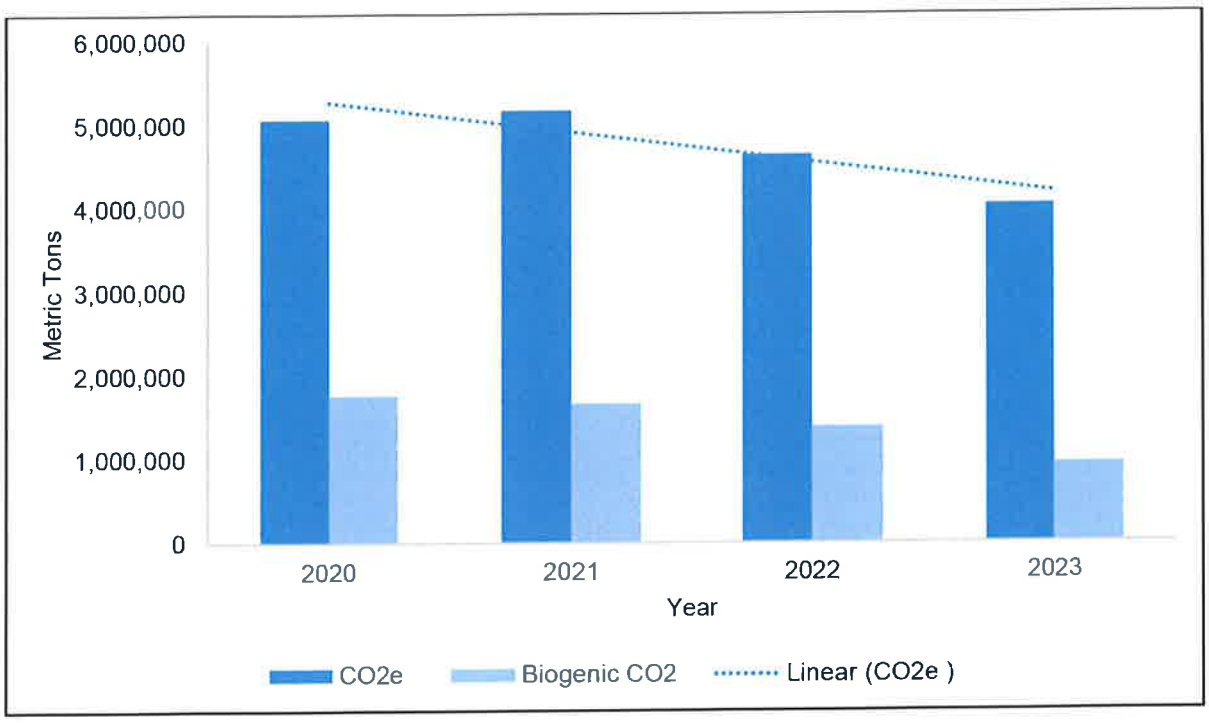


Figure 11. Comparison of annual CO_2e and biogenic CO_2 in metric tons (MT) from greenhouse gas reporting facilities that are in and nearby overburdened communities highly impacted by air pollution, 2020-2023.

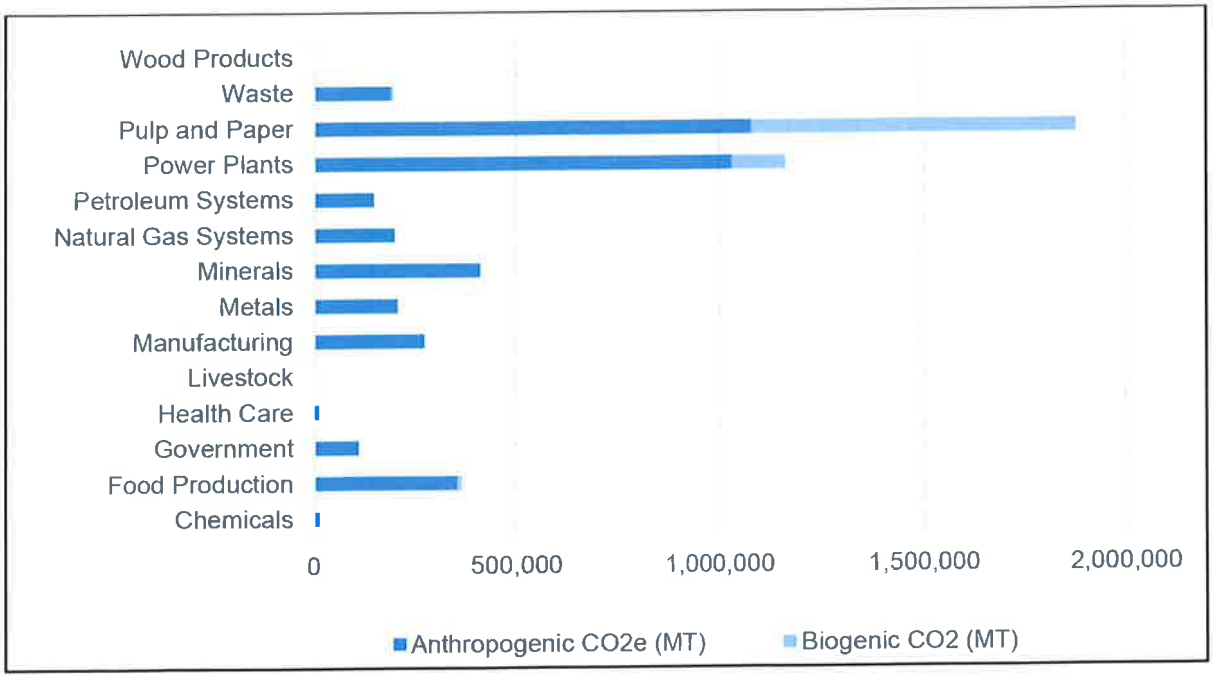


Figure 12. 2023 greenhouse gas emissions by facility sector within and nearby overburdened communities highly impacted by air pollution.

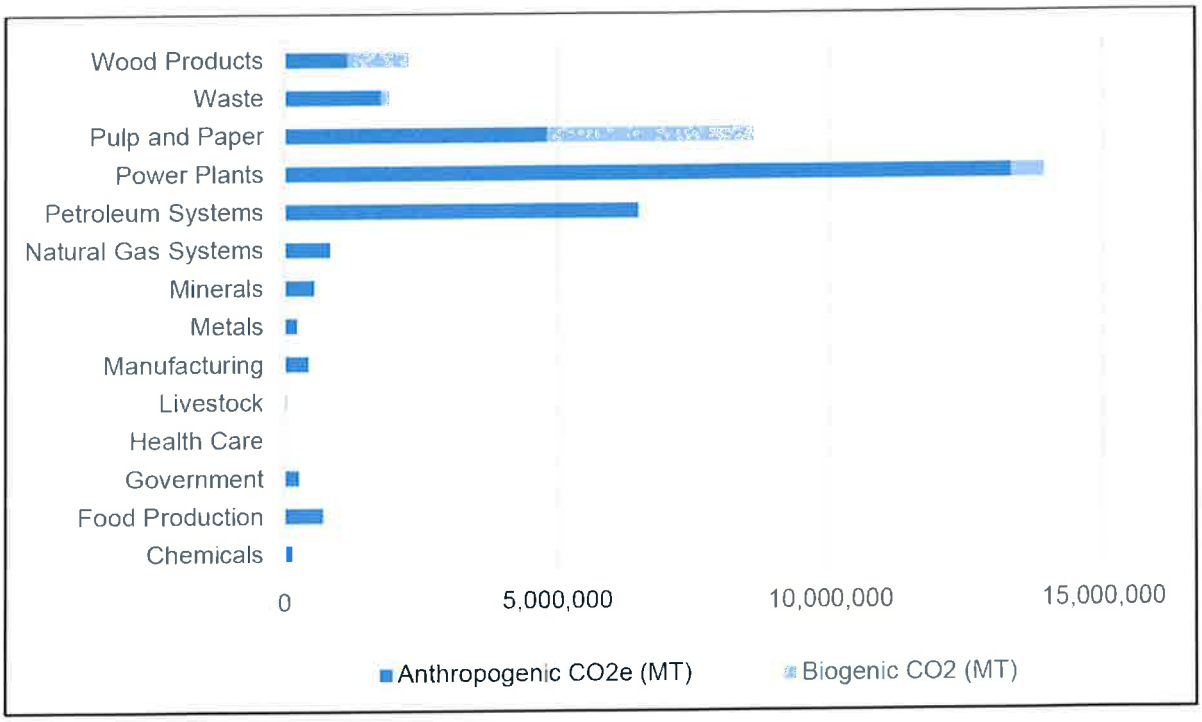


Figure 13. 2023 statewide greenhouse gas emissions by facility sector.

Mobile sources

Mobile sources create greenhouse gases as petroleum fuels are burned. Mobile sources include a variety of vehicles, engines, and equipment that can be categorized as either on-road or non-road.

On-road sources include:

- Passenger cars
- Trucks
- Buses
- Motorcycles

Non-road sources include:

- Marine vessels
- Aircraft
- Locomotives
- Lawn and agriculture equipment
- Construction equipment

- Recreation equipment

Table 14. Greenhouse gas emissions from mobile sources, 2019-2021.

Year	OBC (MT CO_2e)	Statewide (MT CO_2e)
2019	6,093,191	40,331,455
2020	4,766,401	31,549,052
2021	5,765,927	38,164,967

OBC = overburdened community highly impacted by air pollution

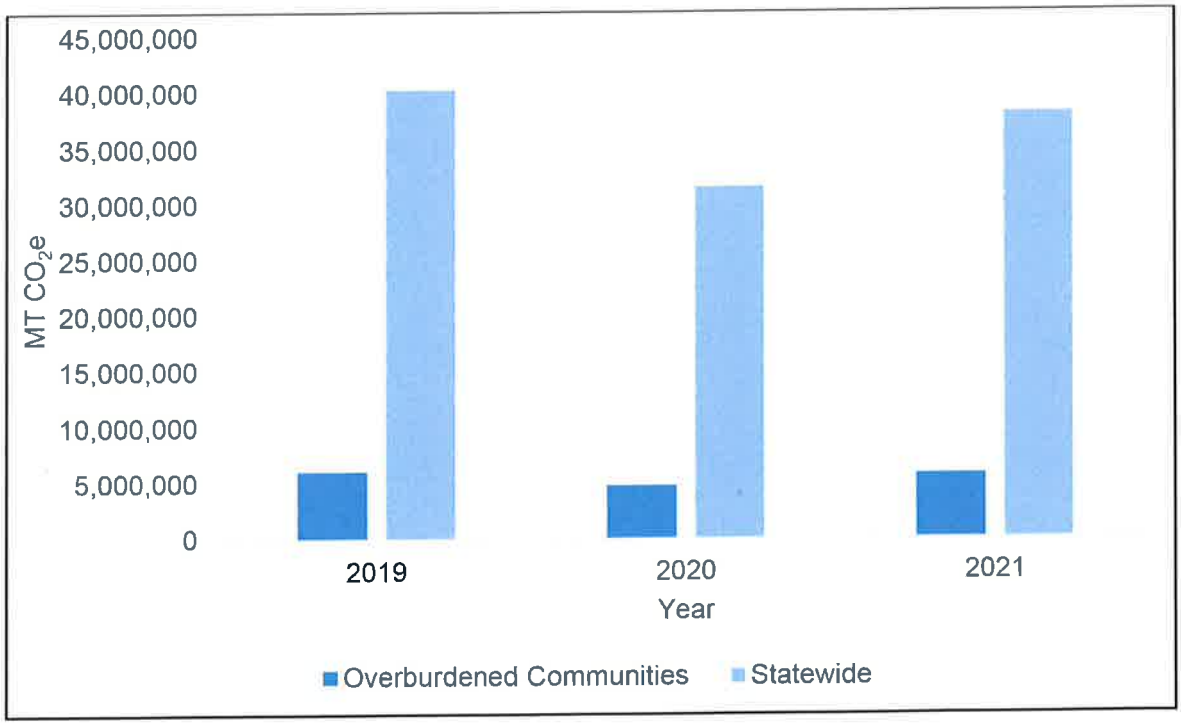


Figure 14. Comparison of annual statewide MT CO_2e from mobile sources to overburdened communities highly impacted by air pollution between 2019-2021.

The COVID-19 pandemic impacted Vehicle Miles Traveled (VMT)[177], and emissions from the transportation sector. According to the Washington State Department of Transportation (WSDOT), there was a 15% decrease in statewide VMT estimates between 2019 and 2020.[178]

[177] VMT are used in MOVES to calculate emissions while the vehicle is in motion or during short periods of idling on public roadways. WSDOT makes estimates of county VMT by functional roadway classification using the national Department of Transportation's Highway Performance Monitoring System (HPMS) data.

[178] WSDOT annual mileage and travel information https://wsdot.wa.gov/about/transportation-data/travel-data/annual-mileage-and-travel-information

This drop in VMT estimates means that people drove fewer miles on public roadways. This contributed to a decrease in greenhouse gas emissions between 2019 to 2020, which is reflected in the Washington State Greenhouse Gas Emissions Inventory. The emission reductions during this time period are considered a temporary effect of COVID-19.

Listening sessions

Air pollution and health concerns

> "When industries are fully operating, black smoke comes out and pollutes the whole area where people live." – Burien listening session participant

All four pilot listening session participant groups—Burien, Sunnyside and local health jurisdiction (LHJ) staff—mentioned roadway pollution and wildfires as air pollution sources of concern. Additional local sources of concern were air traffic and residential mold for the group in Burien and pesticide application and agricultural burning for the group in Sunnyside. Participants in the sessions with LHJ staff mentioned warehouse traffic, agricultural pollution (including pesticide drift, fertilizers, and odors from dairies), airports, pollen, prescribed burns, industrial facilities, landfills, and seasonal pollutants such as O_3 in warmer months and smoke from wood stoves in colder months. They also mentioned dust, particularly dust spread by trucks on dirt roads and dust storms that occur during strong wind events.

Participants in both the Burien and Sunnyside listening sessions mentioned that air quality is better in the winter and worse in the summer, especially during the hottest times of day and when wildfires are burning. Although discussions focused on air pollution, several participants in both sessions also raised concerns regarding land and water pollution, as well as a shortage of trees and green spaces in their communities.

Participants in listening sessions shared concerns about health impacts for themselves, family members and community members resulting from both acute and long-term exposure to air pollution. All three participant groups brought up asthma numerous times. Participants were concerned with the high prevalence of asthma in their communities, particularly among children, as well as the increased severity of asthma related to air pollution exposure. In both in-person sessions, participants mentioned allergies, the physical and mental health effects of staying indoors during unhealthy air quality events, and the costs of accessing care to treat the effects of air pollution, particularly for people without health insurance.

In the LHJ sessions, local health practitioners shared concerns that included poor air quality, worsening chronic health conditions for people who already have them, and concerns from parents about children breathing polluted air during outdoor sports seasons. In the Burien session, participants expressed interest in knowing how to protect their families from air pollution, as well as concerns about shorter life expectancy in Seattle's South Park neighborhood, which many had previously heard of. In the Sunnyside session, attendees mentioned eye irritation from heavy air pollution.

Places and populations of concern

Listening session participants shared concerns about places where populations sensitive to air pollution congregate, also known as sensitive receptor locations, as well as places more highly exposed to air pollution. The places mentioned included agricultural fields and areas near them, schools, outdoor sport and recreation facilities, areas near roadways, assisted living facilities, and outdoor events and concerts. One participant mentioned that while rural areas may have fewer industrial facilities than large urban areas, some of the rural facilities have people living close to them who may be highly exposed to air pollution.

Participants also listed groups of people who experience greater vulnerability to air pollution. They mentioned groups more sensitive to air pollution, including children, older adults, pregnant people, people with disabilities, and people with chronic diseases, particularly COPD, asthma, and cardiovascular disease. Among groups more highly exposed to air pollution, participants mentioned children playing sports, people with low incomes, public transit and commercial drivers, unhoused people, and outdoor workers such as agricultural and construction workers.

Strategies for addressing air pollution

Local health jurisdictions serving each of the 16 identified communities are already making efforts to prioritize populations with less access to resources. Staff from all 11 LHJs described actions their organizations are taking to protect residents from harmful air pollution, particularly during wildfire smoke events. Some of the activities they mentioned included:

- Supporting public health messaging for the community
  - Developing general messaging as well as focused messaging for schools
  - Utilizing DOH guidance and National Weather Service materials
  - Posting notices during smoke events with information on how best to protect oneself
- Using different colored flags for different air quality readings
- Distributing box fans, filters, and do-it-yourself fan kits
- Distributing N95 masks and highlighting their use to prevent breathing unhealthy air
- Giveaways through both focused outreach and public events
- Establishing clean air sites and cooling centers with partners such as churches and libraries, focusing on residents who do not have home air filtration
- Multilingual communication
- Partnering with community organizations and other trusted messengers, including healthcare providers, community navigator programs and community health workers
- Calling 911 to be added to the Vulnerable Persons Registry

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Participants in the Burien listening session brought up air filters in different ways, including purchasing their own, which can be costly, and sometimes being able to obtain them from community giveaways. They commented that not enough filters are distributed to the people who need them and that many people don't hear about those events. In the Sunnyside listening session, participants mentioned receiving information related to environmental health from local organizations, including how to clean up the yard to avoid fire damage. One person mentioned a box fan distribution in nearby Wapato, outside the identified Lower Yakima Valley community's boundaries. In both in-person sessions, several people said they weren't aware of any available resources. In addition, they shared that they stayed indoors when air quality was especially bad.

Information needs and communication channels

> "This is a good time for the Department of Ecology to take note of the most vulnerable neighbors, like us who live in South Park. In what way can we at home take care of our health, which is essential for us? With good health we can work and generate income. Without health we cannot work; we can't pay rent. Many situations can arise in our lives if we don't have good health. Therefore, learning to take care of our family from home with tools the Department of Ecology can give us would be great for everyone." – Burien listening session participant

> "We talk a lot about priorities, but I think we, our families, are the priorities with regard to pollution, because it really affects our health, our children, adults, all families, really. We are a priority. I would also like for the Department of Ecology to give us tools for how we can help, how we can stop polluting and take care of ourselves at home." – Burien listening session participant

Listening session participants expressed a need for more accessible, concise and precise materials about air quality and health that use easy-to-understand language. They also discussed topics on which they would like to have more information available, which largely fell into two categories:

- Air monitoring
  - How to read and interpret air monitoring data, including the Air Quality Index
  - More distributed monitor capacity—participants pointed out that when very limited sensors are used to cover large areas, data is unreliable and puts credibility at risk
  - More widespread ability to measure CAPs other than PM, e.g. O_3 monitors
  - Explaining types of sensors and comparing quality or ease of use
  - Monitoring for ultrafine particles
  - More accurate or reliable data about pollution from industrial sources to be able to confidently provide health guidance to residents

- Air pollution impacts on health
    - Better understanding how air quality and prolonged exposure impact the prevalence of certain diseases or increase the health burden of asthma, especially for people who are more sensitive to negative impacts
    - Identifying where risk factors (e.g. elevated pollution levels, sensitive populations) overlap and developing targeted messaging
    - Creating or co-creating messaging for health care providers which reflect how people talk about air pollution in public spaces or at the dinner table
    - Specifying local pollution sources and describing how they affect human health

Participants also discussed effective communication tools and strategies to disseminate information in their local communities. These included the following:

- Local radio and TV, including Spanish radio
- Local newspapers
- Newsletters
- Schools, both through environmental education in class and distribution of materials
- Flyers at kiosks/community billboards
- Word of mouth
- Door-to-door education
- Social media, including videos
- Webpages, including dedicated wildfire smoke pages
- Mobile applications

Discussion

The 2023 EJ Report included 'Next Steps' that recommended the expansion and strengthening of the data analysis in subsequent publications of the biennial report. The 2025 EJ Report sought to address many of these recommendations in the following ways:

- Increase the spatial granularity of monitoring data: since 2023, the Department of Ecology has installed 45 new air monitors and sensors in or near overburdened communities highly impacted by air pollution (OBCs). Data collected through the end of 2024 from these monitors and sensors are included in this report.
- Account for wildfire smoke in the analysis: we reported $PM_{2.5}$ concentrations both with wildfire days included and excluded to show the relative impact of wildfire smoke on air quality in OBCs.

- Expand analysis of the health impacts of CAPs: this report included the analysis of both the short-term and yearly health impacts of exposure to $PM_{2.5}$ and O_3, including mortality and morbidity health outcomes. We included more recent years of mortality data (2022 and 2023) and calculated age- and race-adjusted mortality rates. We refined this analysis by using risk estimates that are specific to the Pacific Northwest and Northern California, which have similar socio-demographic compositions to Washington.
- Include socio-cultural information and incorporate qualitative research methodologies: we expanded our reporting of socio-cultural information. This information was gathered by community engagement specialists from the Departments of Health and Ecology, provided by community partners and organizations, or gained through the pilot listening sessions. The pilot sessions gathered information about community members' concerns, priorities, and strategies for addressing air quality and health. What we learned is reflected in the South Seattle and Lower Yakima Valley Community Reports, statewide listening session results, and the format and content of the EJ Report.
- Report levels of greenhouse gas emissions in communities: Ecology leveraged information from the statewide greenhouse gas inventory and greenhouse gas reporting program. One goal is to provide more information at community-level scales in future reports.

Criteria air pollution

This is the first EJ Report to include data from $PM_{2.5}$ monitors and sensors within all 16 overburdened communities highly impacted by air pollution (OBCs). Some of these $PM_{2.5}$ monitors and sensors were installed in late 2023 and 2024, so this report does not include three comprehensive years of data from each community. The next publication of the EJ Report will include monitoring data from 2024-2026, so there will be at least one reporting period of data available from nearly all the OBCs. This will provide more robust information for Ecology to report on trends in $PM_{2.5}$ levels over time.

Overall, annual and daily levels of $PM_{2.5}$ were lower in the 2022-2024 reporting period compared to 2020-2022. This may be attributed to the lesser impact of wildfire smoke on Washington in 2023 and 2024. Other criteria air pollutants that are monitored in the OBCs were below the NAAQS.

The 2025 Environmental Justice Report uses updated methods to report CAPs concentrations in OBCs. The 2023 report included modeled NO_2 data from Community-LINE (C-LINE) source model and O_3 concentrations from the NW-AIRQUEST Regional Background Concentration tool.[179] The models' data sources and tools have not been updated since the publication of the 2023 report. While modeling of NO_2 and O_3 concentrations for the 2025 report would have provided more extensive estimates of CAPs concentration levels, these values would not have had the same degree of accuracy as values reported from CAPs monitors.

[179] NW-AirQuest Regional Background Concentration tool, Background Concentrations 2014-2017 https://idahodeq.maps.arcgis.com/apps/MapSeries/index.html?appid=0c8a006e11fe4ec5939804b873098dfe

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Therefore, this report includes CAPs concentrations data from only the Washington Network. The CAPs concentrations included in this report are the most up-to-date and accurate values available in Washington.

Health impacts

The first EJ Report published in 2023 focused on mortality associated with long-term (yearly) $PM_{2.5}$ exposure.[180] In this second iteration of the report, we expand the scope of our health impacts assessment by including a second criteria air pollutant (O_3), estimating health impacts of both daily and yearly pollutant exposure, and including morbidities as health outcomes, including hospital admissions, ED visits, and cancer diagnoses. Because the methodology for producing the pollution concentration estimates for the BenMAP-CE modeling is different between the two reports, the health impact results from 2023 should not be directly compared to those included in this report.

Using EPA analytic tools, we estimated 430 deaths by any cause each year were associated with yearly $PM_{2.5}$ exposure among adults ages 18-84 in overburdened communities highly impacted by air pollution (OBCs) and 261 deaths by any cause among older adults ages 65-99 during 2022-2023. In the 18-84 age group, the age-adjusted mortality rate associated with yearly $PM_{2.5}$ exposure was nearly twice the statewide rate (48 vs 27 deaths per 100,000 population).

As in the 2023 health impacts assessment,[181] we found that Hispanic and Black individuals had the highest age-adjusted mortality rates associated with yearly $PM_{2.5}$ exposure among all racial and ethnic groups across the OBCs. Communities of color, particularly Black and Hispanic communities, have historically been disproportionately exposed to criteria air pollution in the U.S. A 2021 study found that nearly all $PM_{2.5}$ emitter types contributed to racial disparities for pollutant exposure, regardless of state, urban and rural area, income levels, and exposure levels, demonstrating how pervasive this problem is.[182] Racial inequities in environmental health have roots in discriminatory housing policies, deliberate siting of contaminated sites and industries that generate emissions near communities of color, and other systemically racist practices. Studies have shown that historical redlining and racially restrictive housing covenants, practices that restricted home ownership for predominantly Black communities and

[180] WA Department of Ecology, Air quality studies https://ecology.wa.gov/research-data/scientific-reports/air-quality-studies

[181] WA Department of Ecology, Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report, Washington State Department of Ecology https://apps.ecology.wa.gov/publications/SummaryPages/2302115.html

[182] Tessum CW, Paolella DA, Chambliss SE, Apte JS, Hill JD, Marshall JD (2021) $PM_{2.5}$ polluters disproportionately and systemically affect people of color in the United States. Sci Adv 7(18).

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other communities of color in the 20th century, are predictive of racial disparities in air pollution exposure and poor health outcomes across the U.S. today.[183,184]

Our review demonstrates that Black and Hispanic individuals in communities overburdened by air pollution face disproportionate health impacts. These results highlight the need to understand the causes of these disparities, improve access to healthcare services, and reduce air pollution to prevent $PM_{2.5}$ associated death and morbidity in Washington. Given a lack of published studies that assess the health effects of $PM_{2.5}$ and O_3 by racial and ethnic groups in populations applicable to our analysis of WA residents, we were unable to do assessments of racial and ethnic disparities of other health outcomes. We will continue to explore ways to further assess the racial and ethnic health inequities associated with CAP exposure in future reports as new data become available in the scientific literature.

Additionally, our results indicate that $PM_{2.5}$ and O_3 have a broad impact on population health in OBCs that include cause-specific deaths and non-fatal respiratory and cardiovascular conditions among people of all ages. These conditions include deaths from cardiovascular disease, including ischemic heart disease, deaths from lung cancer, hospital admissions associated with acute myocardial infarction, asthma exacerbations, and all respiratory conditions, asthma-related ED visits, and lung cancer diagnoses. Estimated rates of health outcomes were estimated to be higher than the statewide rates for nearly all conditions, suggesting that individuals in OBCs are at higher risk for adverse health conditions that are caused or exacerbated by $PM_{2.5}$ and O_3 exposure.

Some limitations of our analysis should be considered when interpreting our findings:

- We made assumptions about where individuals were exposed to $PM_{2.5}$ and O_3 based on their residential address at the time of the health event. We did not have information to consider exposures at job sites or changes in residence throughout the year. Additionally, we may have misidentified the census tract, and therefore OBC, of residence for individuals with inaccurate, incomplete or missing residential address information in reported health records.

[183] Lane HM, Morello-Frosch R, Marshall JD, Apte JS (2022) Historical redlining is associated with present-day air pollution disparities in U.S. cities. Environ Sci Technol Lett 9(4):345–350

[184] West KL, Allen E, LaPlante A, Durben AN, Palma VD (2024) Lasting legacy: the enduring relationship between racially restrictive housing covenants and health and wellbeing. J Urban Health (Preprint).

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- The health impact functions used in our model are based on the best information available in the literature on the relationship between $PM_{2.5}$ and O_3 and respective health outcomes. The underlying studies might have methodological limitations that bias the resulting effect estimates, include a population that is not generalizable statewide, or contain results that are out of date. This could lead to either overestimation or underestimation of the calculated numbers of outcomes associated with $PM_{2.5}$ or O_3 concentrations in OBCs. Additionally, estimates for the same or related outcome representing different age groups are not directly comparable. This is due to differences in the underlying studies, including different geographies representing populations with different rates of health conditions, different time periods, and different sources and toxicities of $PM_{2.5}$.
- BenMAP-CE does not have the functionality to include daily health data for daily exposure analyses. Rather it assumes uniform daily rates based on the yearly average baseline rate. This is not representative of the variable risk of health outcomes throughout the year, where there are seasonal patterns, and likely introduces bias into our estimates.
- Each of the health datasets comes with its own limitations. ED visit data used for this analysis comes from the Washington state syndromic surveillance system which provides a near real-time summary of activity in healthcare facilities statewide. Records do not undergo a review or validation process before being reported, which can result in misclassification of diagnoses and other clinical information assigned to some records.
- Our analysis was limited to health outcomes for which there are concentration response functions in the published literature among study populations that are somewhat comparable to Washington's population (i.e., national population-based surveys and studies conducted in the Pacific Northwest region). Therefore, it excludes certain health conditions linked to $PM_{2.5}$ and O_3 exposure, such as renal conditions, adverse pregnancy outcomes, and neurocognitive conditions. We will continue to review the scientific literature to identify new health outcomes to include in our analysis, as well as identify more appropriate and rigorous scientific studies for health outcomes we did include.

Greenhouse gas emissions

While the Climate Commitment Act (CCA) directs Ecology to ensure that the Cap-and-Invest Program achieves emissions reductions and to report greenhouse gas levels in the overburdened communities highly impacted by air pollution (OBCs), it does not require Ecology to develop a comprehensive local inventory for each of the 16 communities. The Cap-and-Invest Program tracks covered entities and their greenhouse gas reductions while generating pass- through funding for climate pollution reduction projects and implementing climate and air quality policies. The greenhouse gas information provided in this report aligns with the CCA's requirements.

The OBCs have unique boundaries, some encompassing multiple or partial counties and cities. Because of this complexity, it would be difficult to meaningfully quantify greenhouse gas inventories for each OBC. Some county- and city-wide greenhouse gas inventories already exist

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throughout the state, with more expected to be published to measure progress toward climate protection goals and to inform local climate action plans.

Greenhouse gases primarily influence the global atmosphere but also have local implications through associated co-pollutants and localized climate effects. In future reports, we plan to include additional information on greenhouse gas trends and emission reductions related to air quality and climate programs, grant projects, and policies occurring within the communities.

Next Steps

Ecology, in consultation with DOH, will continue to expand and improve our analysis for future publications of the biennial EJ Report. The next report will be published by December 31, 2027. We will seek to improve the EJ Report in the following ways:

- Partner with Tribes highly impacted by air pollution who have signed MOUs with Ecology to develop Tribe-specific air quality and health reports for partnering Tribes. We intend to engage with Tribes through government-to-government meetings to develop agreements for data collection, analysis, and dissemination process for forthcoming publications of the EJ Report. Ecology and DOH are collaborating to maintain respect for each Tribe's data sovereignty protocols.
- Disseminate the report to communities that are overburdened and highly impacted by air pollution. Share results in accessible and meaningful ways.
- Develop further greenhouse gas analyses. Explore additional sources of data for inclusion in the report.
- Evaluate impacts of cap-and-invest on emissions from covered entities in overburdened communities highly impacted by air pollution.
- Explore additional data resources and tools for reporting CAPs levels. As the Washington Network expands, we will include data from additional monitors.
- Pursue additional methods for understanding the health impacts of cumulative air pollution exposure in multiple ways. First, we will explore the inclusion of new data sources to expand the types of health outcomes we are including in the report. We will also complete a literature review to identify new studies that we can apply to our health impact assessment. Additionally, we will explore the development of Washington-specific effect estimates for our model inputs using state-level data to limit reliance on studies from populations outside of Washington. We will additionally look at the co-impacts of greenhouse gas and criteria air pollution on human health.

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Appendix A. National Ambient Air Quality Standards

Table A1. National Ambient Air Quality Standards.[185]

Pollutant	Primary/ Secondary	Averaging Time	Level	Form
Carbon Monoxide (CO)	Primary	8 hours	9 ppm	Not to be exceeded more than once per year
	Primary	1 hour	35 ppm	Not to be exceeded more than once per year
Lead (Pb)	Primary and secondary	Rolling 3 month average	0.15 µg/m3 (1)	Not to be exceeded
Nitrogen Dioxide (NO_2)	Primary	1 hour	100 ppb	98th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Primary and secondary	1 year	53 ppb (2)	Annual Mean
Ozone (O_3)	Primary and secondary	8 hours	0.070 ppm (3)	Annual fourth-highest daily maximum 8-hour concentration, averaged over 3 years
Particle Pollution ($PM_{2.5}$)	Primary	1 year	9.0 µg/m^3	annual mean, averaged over 3 years
	Secondary	1 year	15.0 µg/m3	annual mean, averaged over 3 years
	Primary and secondary	24 hours	35 µg/m^3	98th percentile, averaged over 3 years

[185] NAAQS Table | US EPA

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Pollutant	Primary/ Secondary	Averaging Time	Level	Form
Particle Pollution (PM_{10})	Primary and secondary	24 hours	150 $\mu g/m^3$	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide (SO_2)	Primary	1 hour	75 ppb (4)	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Secondary	1 year	10 ppb	annual mean, averaged over 3 years

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Appendix B. Air Quality Index

Table B1. Air Quality Index.[186]

Air Quality Index Level	24-hour $PM_{2.5}$	24-hour PM_{10}	8-hour O_3	8-hour Carbon Monoxide	1-hour Sulfur Dioxide	1-hour Nitrogen Dioxide
Good (Green)	0-9.0 µg/m³	0-54 µg/m³	0-54 ppb	0-4.4 ppm	0-35 ppm	0-53 ppb
Moderate (Yellow)	9.1.1-35.4 µg/m³	55-154 µg/m³	55-70 ppb	4.5-9.4 ppm	36-75 ppm	54-100 ppb
Unhealthy for Sensitive Groups (Orange)	35.5-55.4 µg/m³	155-254 µg/m³	71-85 ppb	9.5-12.4 ppm	76-185 ppm	101-360 ppb
Unhealthy (Red)	55.5-125.4 µg/m³	255-354 µg/m³	86-105 ppb	12.5-15.4 ppm	186-304 ppm	361-649 ppb
Very Unhealthy (Purple)	125.5-225.4 µg/m³	355-424 µg/m³	106-200 ppb	15.5-30.4 ppm	305-604 ppm (24-hour)	650-1249 ppb
Hazardous (Maroon)	≥225.5 µg/m³	≥425 µg/m³	≥201 ppb	≥30.5 ppm	≥605 ppm (24-hour)	≥1250 ppb

[186] Air Quality Index Technical Assistance Document for the Reporting of Daily Air Quality – the Air Quality Index (AQI)

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Appendix C. Air Quality and Health Eco-Health Relationship



Figure C1. Linkages between air quality and health outcomes (blue arrows) and ecosystems (green arrows). Source: EPA Eco-Health Relationship Browser[187]

[187] U.S. EPA EnviroAtlas, Eco-Health Relationship Browser
https://enviroatlas.epa.gov/enviroatlas/Tools/EcoHealth_RelationshipBrowser/

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Appendix D. Health Impacts Supplemental Materials

Table D1. Definitions used to identify health outcomes in Washington Department of Health datasets.

Health Outcome	WA DOH Data Source	Fields Used	Definition	Definition Source
Deaths – Any cause	CHS death statistical dataset[124]	None	Any death record, regardless of cause	None
Deaths – Cardiovascular disease	CHS death statistical dataset[124]	Cause of death (ACME_Cause_Category 1-20)	If any of the following ICD-10 codes are listed as a cause of death for a person: B33.2|G45|G46.0|G46.1|G46.2|G46.3|G46.4|G46.5|G46.6|G46.7|G46.8|I01|I02.0|I05|I06|I07|I08|I09|I11|I20|I21|I22|I23|I24|I25|I28.0|I28.1|I28.2|I28.3|I28.4|I28.5|I28.6|I28.7|I28.8|I30|I31.0|I31.1|I31.8|I31.9|I32|I33|I34|I35|I36|I37.0|I37.1|I37.2|I37.3|I37.4|I37.5|I37.6|I37.7|I37.8|I38|I39|I40|I41|I42.1|I42.2|I42.3|I42.4|I42.5|I42.6|I42.7|I42.8|I43|I47|I48|I51.0|I51.1|I51.2|I51.3|I51.4|I60|I61|I62|I63|I65|I66|I67.0|I67.1|I67.2|I67.2|I67.3|I67.5|I67.6|I68.0|I68.1|I68.2|I69.0|I69.1|I69.2|I69.3|I70.2|I70.3|I70.4|I70.5|I70.6|I70.7|I70.8|I71|I72|I73|I77|I78|I79|I80|I81|I82|I83|I86|I87|I88|I89.0|I89.9|I98|K75.1	BenMAP-CE user manual, Table D-2: https://www.epa.gov/benmap/benmap-ce-manual-and-appendices
Deaths – Ischemic heart disease	CHS death statistical dataset[124]	Cause of death (ACME_Cause_Category 1-20)	If any of the following ICD-10 codes are listed as a cause of death for a person: I20|I21|I22|I23|I24|I25	BenMAP-CE user manual, Table D-2: https://www.epa.gov/benmap/benmap-ce-manual-and-appendices

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Health Outcome	WA DOH Data Source	Fields Used	Definition	Definition Source
Deaths – Lung Cancer	CHS death statistical dataset[124]	Cause of death (ACME_Cause _Category 1-20)	If any of the following ICD-10 codes are listed as a cause of death for a person: C30|C31|C32|C33|C34|C35|C36|C37|C38|C39	BenMAP-CE user manual, Table D-2: https://www.epa.gov/benmap/benmap-ce-manual-and-appendices
Deaths – Respiratory	CHS death statistical dataset[124]	Cause of death (ACME_Cause _Category 1-20)	If any of the following ICD-10 codes are listed as a cause of death for a person: J00|J01|J02|J03|J04|J05|J06|J09|J10|J11|J12|J13|J14|J15|J16|J17|J18|J19|J20|J21|J22|J23|J24|J25|J26|J27|J28|J29|J30|J31|J32|J33|J34|J35|J36|J37|J38|J39|J40|J41|J42|J43|J44|J45|J46|J47|J48|J49|J50|J51|J52|J53|J54|J55|J56|J57|J58|J59|J60|J61|J62|J63|J64|J65|J66|J67|J68|J69|J70|J71|J72|J73|J74|J75|J76|J77|J78|J79|J80|J81|J82|J83|J84|J85|J86|J87|J88|J89|J90|J91|J92|J93|J94|J95|J96|J97|J98	BenMAP-CE user manual, Table D-2: https://www.epa.gov/benmap/benmap-ce-manual-and-appendices
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	CHARS[125]	Diagnostic categories (DIAG1-DIAG25)	If any of the following ICD-10 diagnostic codes are assigned to a patient's hospitalization record: I21|I22	IHME diagnostic code list: https://ghdx.healthdata.org/record/ihme-data/gbd-2017-cause-icd-code-mappings

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Health Outcome	WA DOH Data Source	Fields Used	Definition	Definition Source
Hospital Admissions – Asthma	CHARS[125]	Diagnostic categories (DIAG1-DIAG25)	If any of the following ICD-10 diagnostic codes are assigned to a patient's hospitalization record: J45|J46.0	IHME diagnostic code list: https://ghdx.healthdata.org/record/ihme-data/gbd-2017-cause-icd-code-mappings
Hospital Admissions – All Respiratory	CHARS[125]	Diagnostic categories (DIAG1-DIAG25)	If any of the following ICD-10 diagnostic codes are assigned to a patient's hospitalization record: J00|J01|J02|J03|J04|J05|J06|J09|J10|J11|J12|J13|J14|J15|J16|J17|J18|J19|J20|J21|J22|J23|J24|J25|J26|J27|J28|J29|J30|J31|J32|J33|J34|J35|J36|J37|J38|J39|J40|J41|J42|J43|J44|J45|J46|J47|J48|J49|J50|J51|J52|J53|J54|J55|J56|J57|J58|J59|J60|J61|J62|J63|J64|J65|J66|J67|J68|J69|J70|J71|J72|J73|J74|J75|J76|J77|J78|J79|J80|J81|J82|J83|J84|J85|J86|J87|J88|J89|J90|J91|J92|J93|J94|J95|J96|J97|J98	IHME diagnostic code list: https://ghdx.healthdata.org/record/ihme-data/gbd-2017-cause-icd-code-mappings

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Health Outcome	WA DOH Data Source	Fields Used	Definition	Definition Source
ED Visits – Asthma	RHINO[126]	Chief complaint and discharge diagnosis (CCDD) field	CDC Asthma CCDD v1: Search CC and DD Field: (,^asthma^,or,^[;/]asma^,or,asma^,or,^asthama^,or,^asthma^,or,^asthmia^ ,or,^bronchospasm^,or,(,(,(,^Airway^,or,^Disease^,),AND, ^Reactive^,),or,(,^Airway^,AND,^Disease^,),),or,^J45^,or,^ [;/]281239006^,or,^[;/]195967001^,or,^[;/]708038006^,or,^[;/]405944004^,or,^[;/]708090002^,or,^[;/]56018004^,or,^[;/]304527002^,or,^[;/]1751000119100^,or,^[;/]401000119107^,or,^[;/]426979002^,or,^[;/]409663006^,or,^[;/]266364000^,or,^[;/]31387002^,or,^[;/]389145006^,or,^[;/]442025000^,or,^[;/]708093000^,or,^[;/]135171000119106^,or,^[;/]99031000119107^,or,^[;/]135181000119109^,or,^[;/]425969006^,or,^[;/]370218001^,or,^[;/]57546000^,or,^[;/]312453004^,or,^[;/]707446004^,or,^[;/]427295004^,or,^[;/]370219009^,or,^[;/]233678006^,or,^[;/]195949008^,or,^[;/]707447008^,or,^[;/]707445000^,or,^[;/]233683003^,or,^[;/]708094006^,or,^[;/]55570000^,or,^[;/]426656000^,or,^[;/]707980005^,or,^[;/]390798007^,or,^[;/]5281000124103^,or,^[;/]370221004^,),ANDNOT,^not asthma^	National Syndromic Surveillance Program Community of Practice: https://knowledgerepository.syndromicsurveillance.org/cdc-asthma-ccdd-v1

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Health Outcome	WA DOH Data Source	Fields Used	Definition	Definition Source
Lung Cancer Diagnoses	WSCR[127]	ICD-O-3 site code (primarySite); NCI SEER Cancer Site	primarySite has ICD-O-3 code C34.0-C34.9, excluding histology codes 9140, 9050-9055 and 9590-9993 NCI SEER Cancer Site: "Lung and bronchus"	Gharibvand, et al. 2017. *Environ Health Perspect*. 2017 Mar;125(3):378-384 https://pubmed.ncbi.nlm.nih.gov/27519054/

CHARS: Comprehensive Hospital Abstract Reporting System; CHS: Center for Health Statistics; ED: Emergency department; ICD: International Classification of Diseases; IHME: Institute for Health Metrics and Evaluation; NCI: National Cancer Institute; RHINO: Rapid Health Information Network; SEER: Surveillance, Epidemiology, and End Results Program of the National Cancer Institute; WSCR: Washington State Cancer Registry.

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Text D1. Health impact function literature review PubMed search strategy

(particulate matter OR $PM_{2.5}$ OR aerosol OR ozone OR O_3 OR (nitrogen AND (oxides OR oxide OR dioxide)) OR nitric oxide OR NO_2 OR NOx OR carbon monoxide OR sulfur dioxide OR SO_2 SOx OR (sulfur AND (oxides OR oxide OR dioxide)) OR NAAQS OR ((air OR airborne) AND criteria) OR "criteria air pollutants" OR "criteria pollutants" OR air pollutants)

AND

(response factor OR response function OR dose response OR concentration-response function OR concentration response function OR odds ratio OR risk ratio OR relative risk OR relative rate OR "RR" OR incidence rate OR "IR" OR incidence rate ratio OR "IRR" OR rate ratio OR hazard ratio OR association)

AND

(Hospitalization OR hospitalized OR emergency department OR emergency room OR inpatient OR inpatients OR outpatient OR outpatient OR outpatient clinics, hospital OR death OR mortality OR mortality rate OR morbidity OR hospital admission)

AND

(Environmental Justice OR disadvantaged OR minority OR overburdened OR socio-demographic OR sociodemographic OR socioeconomic OR disparity OR disparities OR (social AND (position OR hierarchy)) OR race OR ethnicity OR underserved OR disproportionately impacted OR racial groups OR White People [MeSH] OR Black People [MeSH] OR Hispanic [MeSH] or Latino Or Asian People [MeSH] OR American Indian or Alaska Native [MeSH] OR Native Hawaiian or Other Pacific Islander [MeSH] OR Ethnic and Racial Minorities OR vulnerable populations OR Medically Underserved Area)

AND (2020:2024[pdat])

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Text D2. Concentration-response literature review risk of bias assessment tool

If a study gets a 'yes' for each of the 6 criteria below they will be determined to have lower risk of bias. If a study gets one or more 'no' they will be determined to be of higher risk of bias.

- Generalizability to Washington population:
    - Yes: Study conducted in Washington, the Pacific Northwest (including Oregon and Idaho), or nationwide in US AND is a representative or population-based sample
    - No: Non-population-based national study OR conducted in state/region outside of the PNW, including settings outside the US
- Participant selection:
    - Yes: For survey-based studies, response rate is higher than 60% AND the attrition rate is less than 20% in follow-up studies
    - No: For survey-based studies, response rate is <=60% AND the attrition rate is >=20% in longitudinal follow-up studies (or no mention of these metrics are made)
    - N/A: Not a survey-based or longitudinal study
- Quality of air pollution data:
    - Yes: Ambient levels of $PM_{2.5}$ and O_3 are estimated from representative monitoring data and/or published and validated air pollution prediction models. If prediction modeling is used, R^2 is reported and is >=0.80. Spatial resolution of exposure data is reported and is at census tract level or more granular.
    - No: Above criteria are not met (examples include studies that use only the nearest monitoring data to assign exposure to a population)
- Quality of health data:
    - Yes: The health outcome of interest is objectively measured OR taken from medical records OR taken from an appropriate surveillance system OR taken from questionnaires or interviews using a known scale or validated assessment method. Spatial resolution of the health data is reported and is at ZIP code level or more granular.
    - No: None of the above criteria are met
- Accounting for important confounders:
    - Yes: Important confounders are accounted for in the analysis. At a minimum, effect estimates are adjusted for/conditioned on age and sex.
    - No: Does not measure or adjust for confounding variables (or make mention thereof)

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- General quality of methods/statistical modeling:
    - Yes: Study design, methods, data, assumptions, limitations are clearly stated. Statistical methods for analyses are appropriate, and the results provide enough precision to support the conclusions
    - No: Significant concerns about one or more of the above study characteristics

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Table D2. Health effect estimates (% change) used for yearly $PM_{2.5}$ analysis.

Health Effect	Age Group	Effect Estimate (%) (Mortality/Hospital admissions associated with 10 µg/m³ increase in annual average $PM_{2.5}$)	Study Region	Source
Death- any cause	18 to 84	1.13 (12% overall increase) among all people; 1.04 (11% increase) among non-Hispanic whites; 1.40 (15% increase) among non-Hispanic Blacks; 0.95 (10% increase) among non-Hispanic Asians, AIAN, NHOPI, and two or more races; 1.82 (20% increase) among Hispanics	Nationwide U.S.	Pope et al., 2019
Death- any cause	65 to 99	0.7 (7.3% overall increase) among older adults; 0.61 (6.3% increase) among non-Hispanic whites; 1.89 (20.8% increase) among non-Hispanic Blacks; 0.92 (9.6% increase) among non-Hispanic Asians, AIAN, NHOPI, and two or more races; 1.1 (11.6% increase) among Hispanics	Nationwide U.S.	Di et al., 2017[23]
Death- cardiovascular disease	18 to 99	0.77 (8% increase)	Northern California	Alexeeff et al., 2023
Death- ischemic heart disease	30 to 99	2.15 (15% increase)	116 U.S. cities	Krewski et al., 2009
Death- ischemic heart disease	30 to 99	1.31 (14% increase)	Nationwide U.S.	Pope et al., 2019
Death- ischemic heart disease	30 to 99	1.40 (15% increase)	Nationwide U.S.	Jerrett et al., 2017
Death-lung cancer	30 to 99	1.31 (11% increase)	116 U.S. cities	Krewski et al., 2009[Error! Bookmark not defined.]

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Health Effect	Age Group	Effect Estimate (%) (Mortality/Hospital admissions associated with 10 µg/m^3 increase in annual average $PM_{2.5}$)	Study Region	Source
Death-lung cancer	30 to 99	0.86 (13% increase)	Nationwide U.S.	Turner et al., 2016
Hospital admissions- acute myocardial infarction	18 to 99	1.13 (12% increase)	Northern California	Alexeeff et al., 2023[Error! Bookmark not defined.]
Lung cancer	30 to 99	3.78 (42% increase)	Nationwide U.S. and 5 Canadian provinces	Gharibvand et al., 2016

AIAN = American Indian and Alaska Native, NHOPI = Native Hawaiian and Other Pacific Islander, PM = particulate matter, µg/m^3 = micrograms per cubic meter

Table D3. Health effect estimates used for daily $PM_{2.5}$ analysis.

Health Effect	Age Group	Effect Estimate (%) (Mortality/Hospital admissions associated with 10 µg/m^3 increase in daily $PM_{2.5}$)	Study Region	Source
Death- any cause	0 to 99	0.0145 (NA)% increase	150 cities across U.S. 46 states	Ito et al., 2013
Death- any cause	65 to 99	0.0638 (0.64% increase)	121 U.S. communities	Zanobetti et al., 2014
Death-cardiovascular disease	0 to 99	0.079 (0.79% increase)	7 U.S. states	Liu et al., 2022[Error! Bookmark not defined.]
Death-respiratory disease	0 to 99	0.116 (1.16% increase)	7 U.S. states	Liu et al., 2022
ED visits - asthma	0 to 99	0.56 (4% increase)	Greater Tacoma, Washington	Mar et al., 2010
ED visits - asthma	0 to 17	0.414 (12.1% increase)	Seattle, Washington	Norris, G., et al., 1999

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Health Effect	Age Group	Effect Estimate (%) (Mortality/Hospital admissions associated with 10 µg/m^3 increase in daily $PM_{2.5}$)	Study Region	Source
ED visits - asthma	0 to 99	0.271 (3% increase)	Spokane, Washington	Slaughter, J. C., et al., 2005
Hospital admissions-asthma	0 to 64	0.332 (3.4% increase)	Seattle, Washington	Sheppard et al., 2003
Hospital admissions-nonfatal acute myocardial infarction	18 to 99	0.198 (2% increase)	King County, Washington	Sullivan et al., 2005
Hospital admissions-nonfatal acute myocardial infarction	18 to 99	0.225 (2.25% increase)	26 U.S. Communities	Zanobetti et al., 2009
Hospital admissions-all respiratory	65 to 99	0.207 (2.07 % increase)	26 U.S. Communities	Zanobetti et al., 2009Error! Bookmark not defined.

ED = emergency department, PM = particulate matter, µg/m^3 = micrograms per cubic meter

Table D4. Annual health effect estimates used for seasonal O_3 analysis.

Health Effect	Age Group	Effect Estimate (Mortality associated with 10 ppb increase in O_3)	Study Region	Source
Death- any cause	65 to 74	0.119 (1.2% increase)	Nationwide U.S.	Di et al., 2017Error! Bookmark not defined.
Death- any cause	75 to 84	0.04 (0.4% increase)	Nationwide U.S.	Di et al., 2017Error! Bookmark not defined.
Death- any cause	85 to 99	0.149 (1.5% increase)	Nationwide U.S.	Di et al., 2017Error! Bookmark not defined.

ED = emergency department, PM = particulate matter, µg/m^3 = micrograms per cubic meter

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Table D5. Annual health effect estimates used for daily 8-hour maximum O_3 analysis.

Health Effect	Age Group	Effect Estimate (Mortality/hospital admissions associated with 10 ppb increase in daily O_3)	Study Region	Source
Death- any cause	0 to 99	0.051 (0.32% increase)	48 U.S. cities	Zanobetti and Schwartz, 2008
ED visits - asthma	0 to 99	1.044 (multiple estimated increases in 0 to 17); 0.77 (multiple estimated) increases in 18 to 99	Seattle, Washington	Mar and Koenig, 2009
Hospital admissions-All Respiratory	65 to 99	0.49 (NA%) increase	Tacoma, Washington	Schwartz, 1995

ED = emergency department, PM = particulate matter, ppb = parts per billion

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Appendix E. Community Reports

Ellensburg Community Report[188]

Everett Community Report[189]

George and West Grant County Community Report[190]

South King County Community Report[191]

Mattawa Community Report[192]

Moxee Valley Community Report[193]

Northeast Puyallup Community Report[194]

North Seattle and Shoreline Community Report[195]

South Seattle Community Report[196]

Spokane and Spokane Valley Community Report[197]

South and East Tacoma Community Report[198]

Tri-Cities to Wallula Community Report[199]

Vancouver Community Report[200]

Wenatchee and East Wenatchee Community Report[201]

East Yakima Community Report[202]

Lower Yakima Valley Community Report[203]

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[188] https://apps.ecology.wa.gov/publications/parts/2502037part1.pdf
[189] https://apps.ecology.wa.gov/publications/parts/2502037part2.pdf
[190] https://apps.ecology.wa.gov/publications/parts/2502037part3.pdf
[191] https://apps.ecology.wa.gov/publications/parts/2502037part4.pdf
[192] https://apps.ecology.wa.gov/publications/parts/2502037part5.pdf
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[195] https://apps.ecology.wa.gov/publications/parts/2502037part8.pdf
[196] https://apps.ecology.wa.gov/publications/parts/2502037part9.pdf
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East Yakima Community
2025 Environmental Justice Report

DEPARTMENT OF ECOLOGY
State of Washington

Publication Information

This report is available on the Department of Ecology's website at
https://apps.ecology.wa.gov/publications/summarypages/2502037.html

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Website: Washington State Department of Ecology

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Publication 25-02-037
Community Report
December 2025

East Yakima

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Executive Summary

The East Yakima Community Report provides community information, demographic data, greenhouse gas emissions data, and information about criteria air pollutant levels (CAPs) and their health impacts. This document provides information about air quality and health impacts to those who live, work, and play in the East Yakima community.

For more information about the background and methodology of this Community Report, please visit *2025 Environmental Justice Report: Overburdened Communities Highly Impacted by Air Pollution* (2025 EJ Report).



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Community Overview

The East Yakima community was identified as overburdened and highly impacted by air pollution because it met the statewide screening criteria based on the Washington Environmental Health Disparities map[1] ranking, the EJScreen demographic index,[2] and experiences elevated levels of short-term and long-term exposure to fine particulate matter ($PM_{2.5}$) year-round. Previous modeling results indicate that ozone (O_3) and nitrogen dioxide (NO_2) contribute to the air pollution in this community. Community identification is described in more detail in the Overburdened Communities Highly Impacted by Air Pollution Story Map.



Land Area: 15.8 sq. mi

Population: 59,938

County: Yakima

Municipal Government: Yakima, Union Gap City Councils

Ecology Region: Central

Local Clean Air Authority: Yakima Regional Clean Air Agency

Local Health Jurisdiction: Yakima Health District

Primary Languages Spoken: English, Spanish

Primary pollutant of concern: Short-term $PM_{2.5}$, long-term $PM_{2.5}$, cumulative criteria air pollution

Geographic characteristics

East Yakima is in the upper Yakima Valley. It includes most of the mid-sized city of Yakima, which is the largest in Yakima County and one of the most populous in Central Washington. In addition, the designated community contains the neighboring municipality of Union Gap on the south end. It is bounded by Interstate 82 and the Yakima River to the east and State Route 12 and the Naches River to the north.

[1] Washington Environmental Health Disparities map https://doh.wa.gov/data-and-statistical-reports/washington-tracking-network-wtn/washington-environmental-health-disparities-map

[2] EJScreen demographic index https://www.epa.gov/ejscreen

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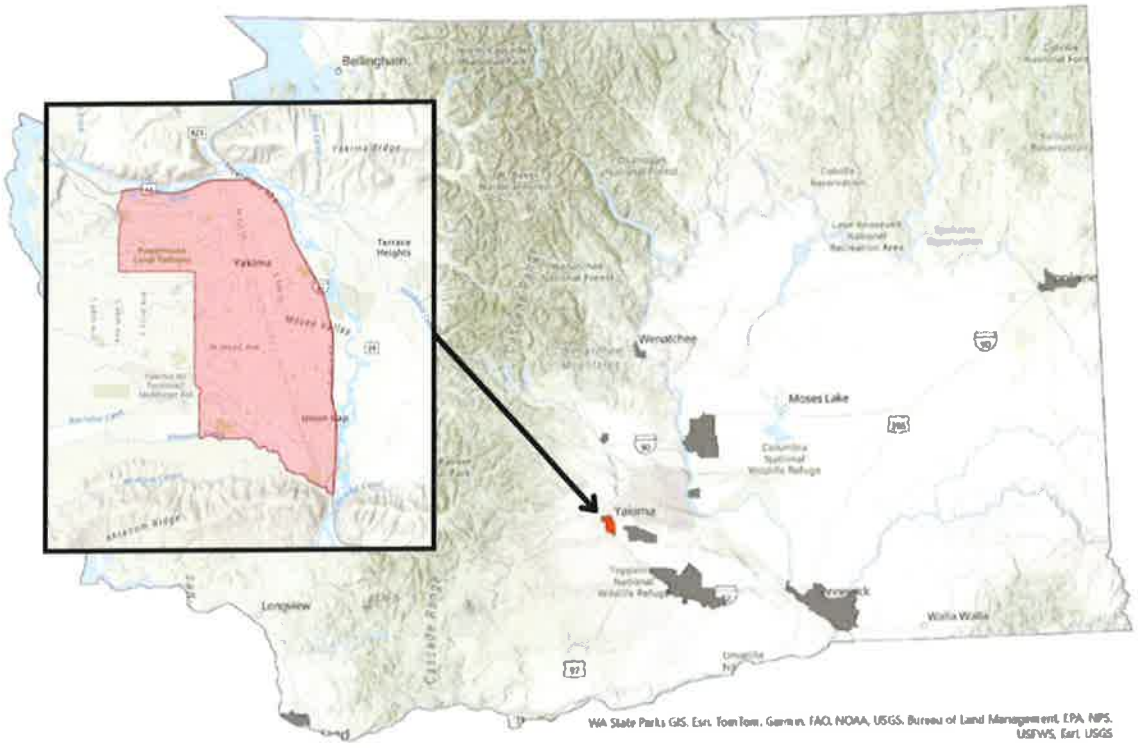


Figure 1. Map of the 16 overburdened communities highly impacted by air pollution in Washington state (gray), with East Yakima highlighted (red).

Socioeconomic characteristics

The community includes a downtown commercial area and mixed single-family and multi-family housing. There are many agricultural and food processing facilities connected to the rail lines that run north-south through the middle of the community. The city of Yakima is surrounded by smaller towns and agricultural lands elsewhere in Yakima County.

Nearly half the population of East Yakima is Hispanic, and over half of households speak a language other than English, predominantly Spanish.[3,4] The community also has a younger population compared to Washington state; 3 out of 10 residents are children. More than double the statewide average (16%) of residents lack health insurance coverage. East Yakima also has many schools, childcare facilities, health clinics, long-term care facilities, and migrant

[3] American Community Survey Data https://www.census.gov/programs-surveys/acs/data.html
[4] WA Office of Financial Management, Estimates of April 1 population by age, sex, race and Hispanic origin https://ofm.wa.gov/data-research/population-demographics/forecasts-projections/age-sex-race-and-hispanic-origin/information/

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farmworker housing. One-fifth of workers are in natural resources, construction, and maintenance occupations; of these, over half work in agriculture, fishing, and forestry.

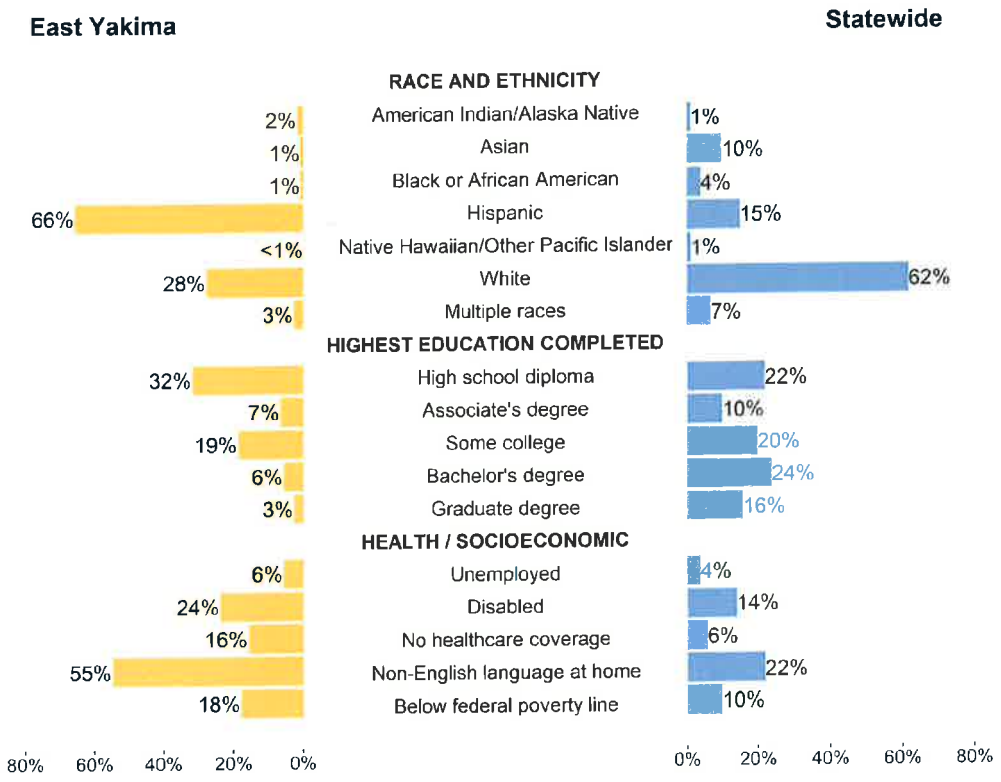


Figure 2. Sociodemographic characteristics of East Yakima compared to statewide percentages, based on Washington State's 2024 estimated population of 8,035,700.[5]

Health characteristics

According to 2022 CDC health survey data,[6] East Yakima has elevated prevalences of chronic health conditions among individuals aged 18 years and older relative to the statewide population, including asthma (12.9% vs. 11.4%), cardiovascular disease (7.4% vs. 5.7%), COPD (8.5% vs. 5.7%), diabetes (14.3% vs. 9.6%), and stroke (4.6% vs. 3.1%). These prevalences are

[5] WA Office of Financial Management, Nov 2024 Data Tables, Population by age and sex https://ofm.wa.gov/wp-content/uploads/sites/default/files/public/dataresearch/pop/stfc/stfc_2024.xlsx
[6] U.S. Centers for Disease Control and Prevention, PLACES Data Portal https://www.cdc.gov/places/tools/data-portal.html

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not necessarily attributable to air pollution. Community and statewide prevalences that have overlapping 95% confidence intervals, as shown in Figure 3, might not be statistically significant.

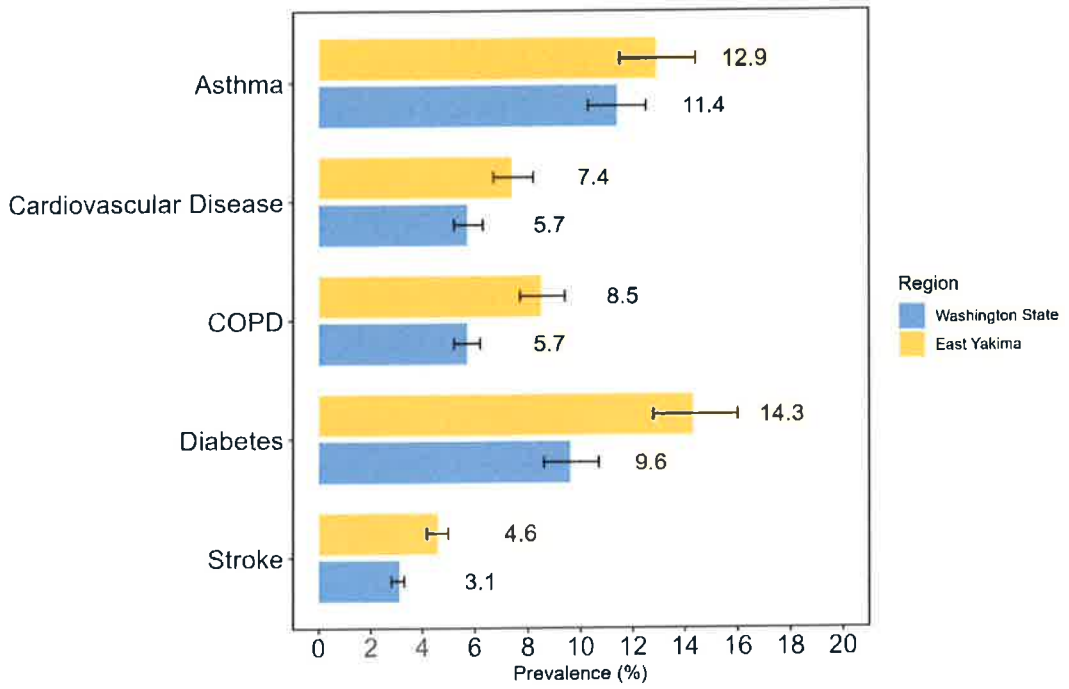


Figure 3. Prevalence of chronic health conditions among people ages 18 years and older in East Yakima census tracts compared with Washington State.

Data come from CDC PLACES, 2024 release, which uses 2022 survey data.[6] Yellow and blue bars indicate the estimated prevalence of each condition, and the black lines indicate the 95% confidence interval.

Air Monitoring

In the East Yakima community, $PM_{2.5}$ and PM_{10} have been continuously monitored at the Yakima-4th Ave monitoring site by Ecology and Yakima Regional Clean Air Agency (YRCAA). In 2025, Ecology installed four $PM_{2.5}$ sensors (SensWA) at Union Gap-4th St, Yakima-River Rd, Yakima-W Viola Ave, and Yakima-S 9th St using Climate Commitment Act (CCA) funds. Data from these sensors will be included in the next biennial EJ Report. For this reporting period, we assessed data from the Yakima-4th Ave monitoring site.

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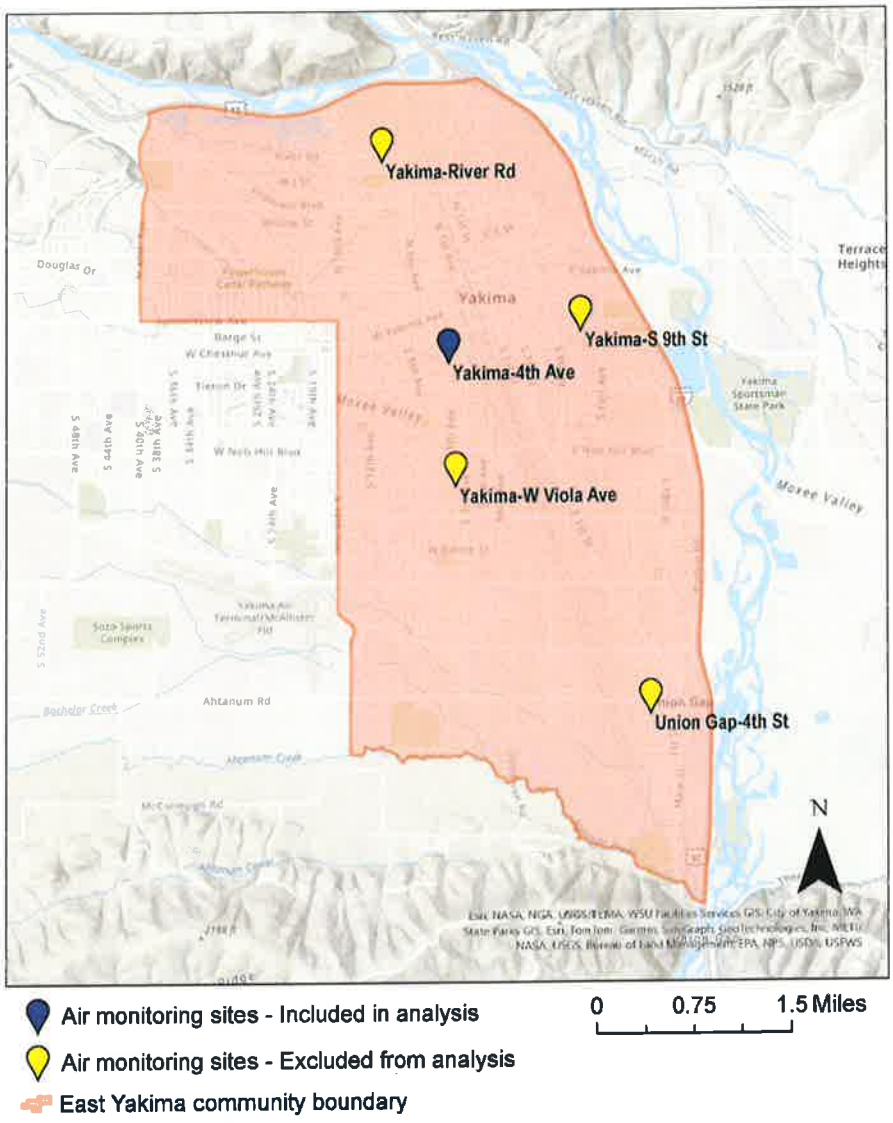


Figure 4. Map of East Yakima air monitoring sites.

Table 1. East Yakima criteria air pollutant monitors.

Monitoring Site	Type	Site Owner	Pollutants Monitored
Yakima-4th Ave	Regulatory	YRCAA	$PM_{2.5}$, PM_{10}

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Criteria Air Pollution

This report summarizes criteria air pollutant (CAPs) concentrations in the East Yakima community from 2022 through 2024. CAPs concentrations for $PM_{2.5}$ and PM_{10} are calculated using data from the Washington Ambient Air Monitoring Network and reported according to the Environmental Protection Agency's (EPA) methodology. More information can be found in the background and methods sections of the 2025 EJ Report.

In addition to analyzing monitored criteria air pollution concentrations, we calculated the number of days per year residents of the East Yakima community experienced unhealthy air quality, according to EPA's Air Quality Index (AQI). The AQI is a six-category color-coded scale used to communicate daily air quality levels to the public. Days when an AQI above 100 are considered "unhealthy for sensitive groups" or worse.

Between 2022-2024, the East Yakima community experienced an average of 2.7 days with unhealthy air quality (Figure 5). In comparison, between 2020-2022, the annual average was 11 days. Most unhealthy air quality days were primarily caused by wildfire smoke.

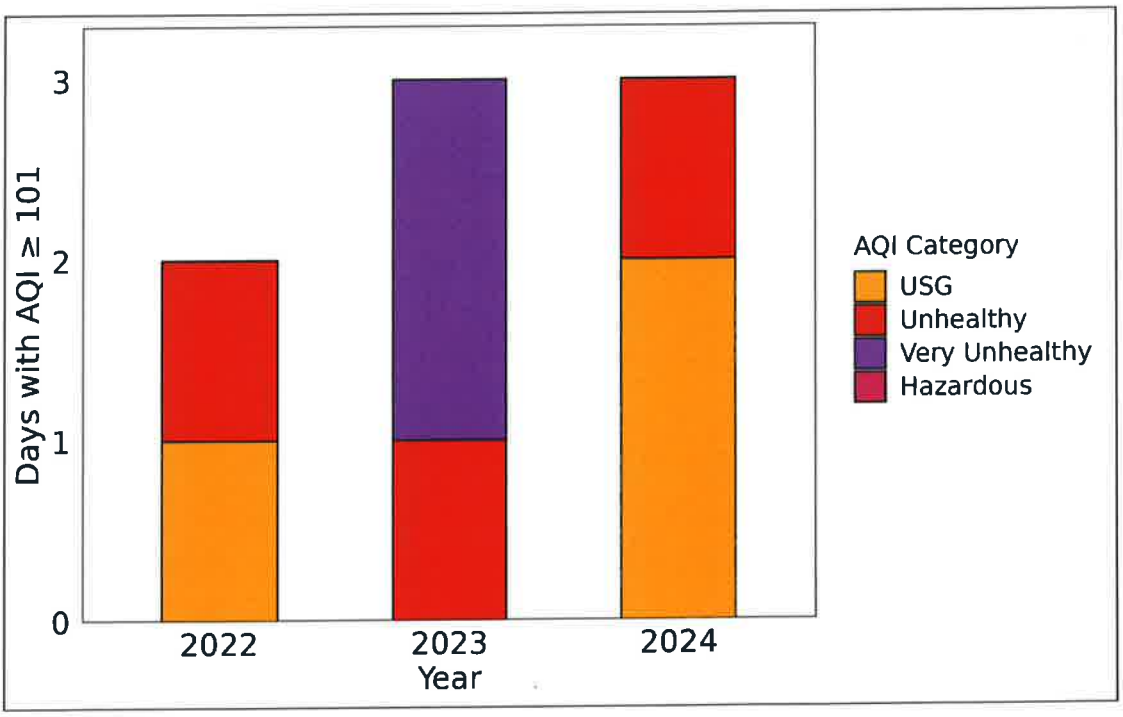


Figure 5. Number of days 2022-2024 with unhealthy air quality. Includes days impacted by wildfire smoke.

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Table 2 includes 24-hour $PM_{2.5}$ (98th percentile) concentrations. $PM_{2.5}$ concentrations are measured over 24-hour periods in micrograms per cubic meter (µg/m³). The EPA establishes national ambient air quality standards (NAAQS), which define the maximum allowable levels (thresholds) for each criteria pollutant. The NAAQS threshold for 24-hour $PM_{2.5}$ (98th percentile) is 35 µg/m³. The design value for 24-hour $PM_{2.5}$ (98th percentile) is a statistic that describes the air quality of a location relative to the NAAQS over a three-year period and is used to describe short-term fine particulate exposure.

From 2022 to 2024, the 24-hour $PM_{2.5}$ (98th percentile) concentrations at the Yakima-4th Ave monitoring site ranged from 25.4 to 29.4 µg/m³. The 2024 design value was below the NAAQS threshold (Table 2; Figure 6). Wildfire-impacted days when the 24-hour average $PM_{2.5}$ concentration exceeded 35.4 µg/m³ were excluded from these calculations. The annual (98th percentile) of 24-hour $PM_{2.5}$, excluding wildfire-impacted days, was approximately 8% lower than when all days were included.

Table 2. ***24-hour $PM_{2.5}$ (98th percentile) concentrations and 2024 design values, 2022-2024.*** *Units are in µg/m³. Brackets [ ] exclude wildfire days when 24-hour average $PM_{2.5}$ concentration exceeded 35.4 µg/m³. 24-hour $PM_{2.5}$ (98th percentile) NAAQS is 35 µg/m³.*

Monitoring Site	2022 24-hour 98th Percentile	2023 24-hour 98th Percentile	2024 24-hour 98th Percentile	2024 Design Value
Yakima-4th Ave	29.4 [29.0]	25.4 [23.0]	26.4 [22.1]	27 [25]

NAAQS = national ambient air quality standards, PM = particulate matter, µg/m³ = micrograms per cubic meter

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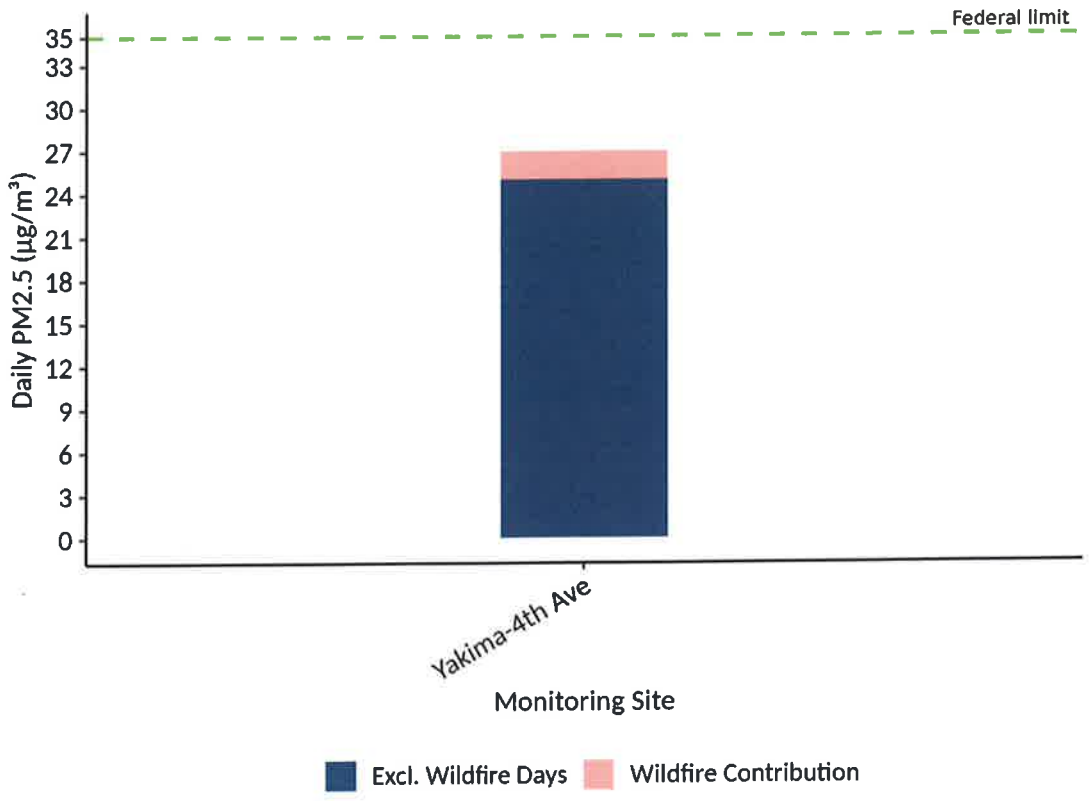


Figure 6. ***24-hour $PM_{2.5}$ (98th percentile) concentrations, 2022-2024.*** *Annual concentrations calculated with and without days elevated from wildfire smoke. Dark blue bar includes three complete years of data, 2022-2024; dashed line is the federal limit (NAAQS) for 24-hr $PM_{2.5}$.*

Table 3 includes annual mean $PM_{2.5}$ concentrations between 2022 to 2024 and 2024 design values. The annual $PM_{2.5}$ design value is a three-year average of annual mean concentrations used to describe long-term exposure. At the Yakima-4th Ave monitoring site, the 2024 design value remained below the NAAQS threshold of 9.0 µg/m³. In contrast, the 2022 annual mean concentration exceeded the threshold, primarily due to wildfire smoke (Table 3). Overall, annual $PM_{2.5}$ concentrations show a slight downward trend from 2022-2024.

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Table 3. ***Annual mean $PM_{2.5}$ concentrations and 2024 design values, 2022–2024.*** *Units are in $\mu g/m^3$. Brackets [ ] exclude wildfire days when the average $PM_{2.5}$ concentration exceeded 15.0 $\mu g/m^3$. Annual $PM_{2.5}$ NAAQS is 9.0 $\mu g/m^3$.*

Monitoring Site	2022	2023	2024	2024 Design Value
Yakima-4th Ave	9.14 [8.43]	8.79 [7.78]	7.13 [6.36]	8.4 [7.5]

NAAQS = national ambient air quality standards, PM = particulate matter, $\mu g/m^3$ = micrograms per cubic meter

For PM_{10}, the 24-hour standard is 150 $\mu g/m^3$, which should not be exceeded more than once per year on average over a three-year period. In 2023, two days at the Yakima-4th Ave monitoring site exceeded the PM_{10} standard due to wildfire smoke (Table 4). Aside from these wildfire-impacted days, monitored PM_{10} concentrations remained below the NAAQS.

Table 4. ***Annual number of exceedances of PM_{10} ($\mu g/m^3$) and 2024 design values, 2022-2024.***

Monitoring Site	Pollutant	2022	2023	2024	2024 Design Value	NAAQS Level	Form
Yakima-4th Ave	PM_{10}	0	2	0	0.7	1 ($\mu g/m^3$)	# of annual exceedances >150 $\mu g/m^3$, averaged over 3 years

$\mu g/m^3$ = micrograms per cubic meter

Health Impacts of Criteria Air Pollution

We estimated the number and rate of deaths and morbidities associated with $PM_{2.5}$ and O_3 concentrations by age range and using health effect estimates from peer-reviewed studies (Appendix B, Table 2 in the 2025 EJ Report). All estimates are rounded to the nearest whole number. We present ranges of deaths or morbidities where multiple studies assessed that health outcome.

$PM_{2.5}$

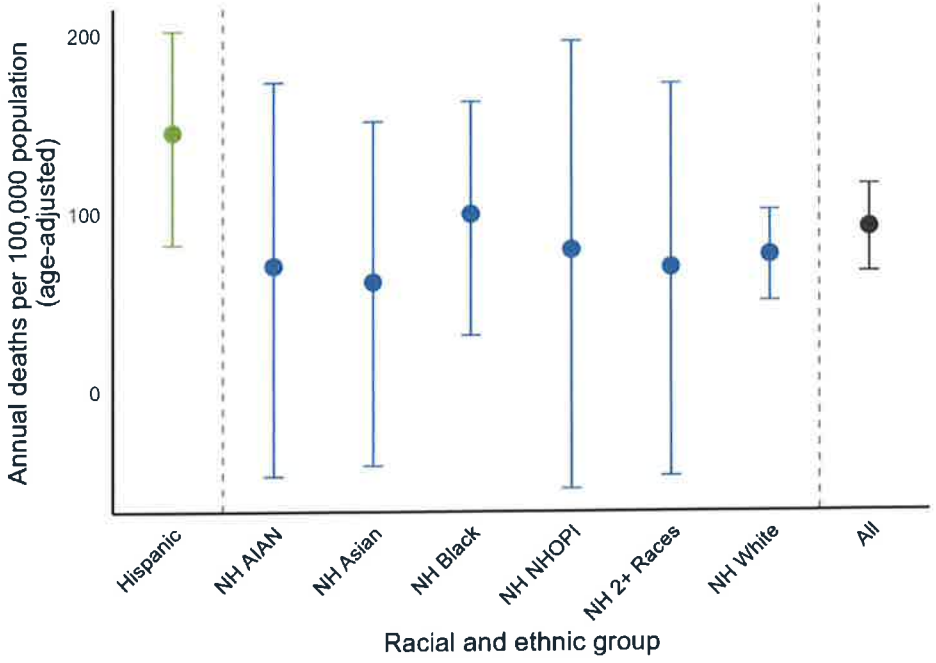
We estimated 33 deaths by any cause (78 deaths per 100,000 population, Table B1) related to yearly $PM_{2.5}$ exposure. Among older adults, which is a smaller portion of the population, we

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estimated 20 total deaths (256 deaths per 100,000 population) each year associated with yearly $PM_{2.5}$ exposure (Table B2).

Among different racial and ethnic groups (Figure 7), we estimated most $PM_{2.5}$ related deaths by any cause per year to be among Hispanic people (22 deaths among 18–84 year-olds) as was the highest annual age-adjusted mortality rate (145 deaths per 100,000 population), after adjusting for age distribution.[7] Non-Hispanic Black people had the second highest annual age-adjusted mortality rate (99 deaths per 100,000 population).

Figure 7 is based on the study by Pope et al. (2019),[8] where AIAN refers to American Indian and Alaska Native; NH to non-Hispanic; and NHOPI to Native Hawaiian and Other Pacific Islander. The bars indicate the 95% confidence interval (CI) for each rate.



[7] Age-adjusted mortality rates represent the mortality rate if the age distribution in that race category matched the age distribution of the total Washington State population. This allows for better comparability given that different race groups can have different age distributions and the risk of death is higher in older age groups. We see higher age-adjusted rates for race categories other than the non-Hispanic White group given that these groups are generally younger in overburdened communities compared to the statewide age distribution; when we standardize these groups to the state age distribution (which has a higher proportion of older people) the estimated mortality rates are higher. More information about our age-adjustment methods can be found in the 2025 EJ Report.

[8] Pope, C.A., 3rd, Lefler, J.S., Ezzati, M., Higbee, J.D., Marshall, J.D., Kim, S.Y., Bechle, M., Gilliat, K.S., Vernon, S.E., Robinson, A.L., & Burnett, R.T. (2019). Mortality Risk and Fine Particulate Air Pollution in a Large, Representative Cohort of U.S. Adults. *Environmental Health Perspectives*, 127(7), 77007.

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Figure 7. Age-adjusted annual death rates by any cause associated with annual $PM_{2.5}$ exposure among ages 18-84 by racial and ethnic group in East Yakima.

When assessing specific causes of death related to yearly $PM_{2.5}$ concentrations (Table B3), we estimated 12 deaths due to cardiovascular disease (28 deaths per 100,000 population), 13 to 21 deaths due to ischemic heart disease (41 to 66 deaths per 100,000 population), and 2 deaths per year due to lung cancer (5 to 7 deaths per 100,000 population) among adults.

Regarding non-fatal health outcomes (Table B3), an estimated 16 hospital admissions (38 visits per 100,000 population) for acute non-fatal myocardial infarction were associated with yearly $PM_{2.5}$ concentrations among adults. Additionally, 7 lung cancer diagnoses per year were associated with annual $PM_{2.5}$ exposure among all people (23 diagnoses per 100,000 population).

Daily $PM_{2.5}$ exposure (Table B4) was associated with 1 death by any cause (1 per 100,000 population) among all people and 2 deaths by any cause (23 per 100,000 population) among older adults ages 65 to 99. For non-fatal conditions, daily $PM_{2.5}$ was associated with 3 acute non-fatal myocardial infarction admissions (7 to 8 per 100,000 population) among all adults, and 10 respiratory admissions (134 per 100,000 population) among older adults ages 65 to 99, 3 asthma hospital admissions (6 per 100,000 population) among people ages 0 to 64. Additionally, 14 to 26 asthma-related emergency department (ED) visits (24 to 44 per 100,000 population) among all people and 17 asthma-related ED visits (99 per 100,000 population) among youths ages 0 to 17 years were associated with daily $PM_{2.5}$ exposure.

Ozone

We estimated that O_3 exposure during the warm season (Table B5) was associated with 6 seasonal deaths by any cause among older adults ages 65 to 99 (73 deaths per 100,000 population). Daily O_3 exposure was associated with 2 deaths by any cause (3 per 100,000 population), 33 asthma-related ED visits (55 per 100,000 population) among all people and 21 respiratory hospital admissions (277 per 100,000 population) among older adults ages 65 to 99.

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Greenhouse Gas Emissions

Greenhouse gas results for the East Yakima overburdened community highly impacted by air pollution include: 1) Emissions from greenhouse gas reporting entities per RCW 70A.65[9] and WAC 173-441,[10] -446;[11] and 2) Mobile source emissions.[12]

We did not collect information or model greenhouse gas emissions from other sources at this time. The greenhouse gas information provided in this report aligns with the CCA's requirements. For further information on methods and statewide results, refer to the 2025 EJ Report.

Facilities

Washington State requires certain businesses that emit more than 10,000 metric tons of carbon dioxide equivalents (MT CO_2e) to report to the Washington Greenhouse Gas Reporting Program.[13] Businesses that emit over 25,000 MT CO_2e are also subject to the Cap-and-Invest Program (covered sources). Each reporting facility is required to follow a compliance plan.

In the East Yakima community, two facilities (Figure 8; Table 5) within and near the community boundary reported their emissions in 2022 and 2023. The total reported emissions from these facilities was 26,444 MT CO_2e in 2022 and 27,628 MT CO_2e in 2023, a 4.5% year-to-year increase. Some facilities in other communities report biogenic carbon (biogenic CO_2) [14] emissions, which are expected to be partially recaptured as part of the natural carbon cycle. For reporting purposes, biogenic CO_2 is subtracted from total metric tons of CO_2e, even though it has the same atmospheric warming effect as non-biogenic CO_2. There were no facilities that reported biogenic CO_2 in East Yakima. Since 2020, total reported greenhouse gas emissions from facilities within and near OBCs have decreased by 20.3%, and by 6.3% after subtracting biogenic CO_2 emissions. Some year-to-year fluctuations in emissions from individual facilities are expected.

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[9] Greenhouse Gas Emissions – Cap-and-Invest Program https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65
[10] Reporting of Emissions of Greenhouse Gases https://app.leg.wa.gov/WAC/default.aspx?cite=173-441
[11] Climate Commitment Act – Program Rule https://app.leg.wa.gov/WAC/default.aspx?cite=173-446
[12] Environmental Justice Review https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.020
[13] Mandatory greenhouse gas reports https://ecology.wa.gov/air-climate/reducing-greenhouse-gas-emissions/tracking-greenhouse-gases/mandatory-greenhouse-gas-reports
[14] Biogenic carbon refers to greenhouse gases released from the combustion, decomposition, or processing of materials derived from biological sources – such as wood, paper, biomass fuels, agriculture residues, food waste, or biogas. Under the Washington Greenhouse Gas Reporting Program, these emissions are reported separately from fossil-derived emissions because they result from carbon that circulates within the short-term natural carbon cycle rather than long-term carbon stores. Biogenic CO_2 acts the same way in the atmosphere as non-biogenic CO_2. Anthropogenic processes that include these emissions reduce a facility's environmental impact.

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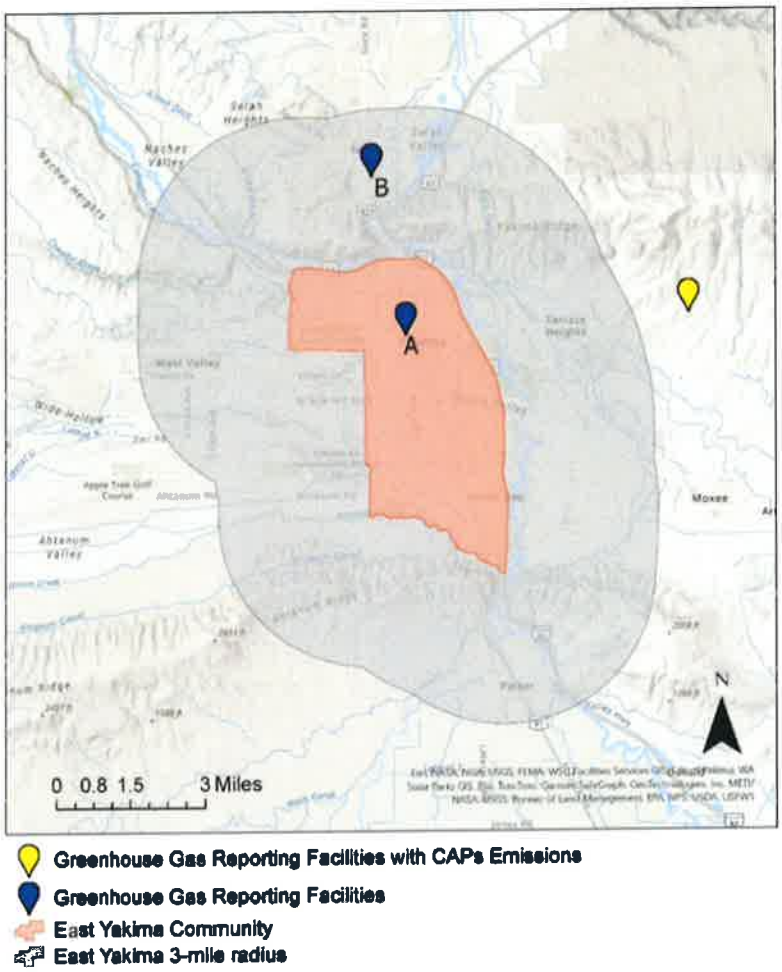


Figure 8. Reporting facilities as of 2023 that are in or near the East Yakima community boundary. Facility letters correspond with Table 5.

The emissions in Table 5 are in MT CO_2e. Each greenhouse gas uses a conversion factor known as its Global Warming Potential (GWP), in this case AR4 GWP[15], to convert emissions into CO_2e. A GWP describes how much heat a greenhouse gas traps in the atmosphere relative to carbon dioxide over a specific time horizon (20, 100, or 500 years). AR4 GWPs are published in the 2007 Intergovernmental Panel on Climate Change (IPCC).[16] The Greenhouse Gas Reporting

[15] Reporting of Emissions of Greenhouse Gases https://app.leg.wa.gov/WAC/default.aspx?cite=173-441
[16] Intergovernmental Panel on Climate Change https://www.ipcc.ch/

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Program uses AR4 GWPs mainly for regulatory stability, consistency, and alignment with other federal programs.

Table 5. Facility emissions in or nearby[17] the East Yakima community. Biogenic CO_2 is in brackets [ ].

	Facility Name/City	Facility Sector	Within Community Boundary	CCA-Covered Facility[18]	Source of CAPs[19]	2022 Emissions ($MTCO_2e$)	2023 Emissions ($MTCO_2e$)
A	Michelson Packaging – Yakima	Pulp and Paper	Yes	No	No	9,536 [0]	11,886 [0]
B	Tree Top – Selah	Food Production	Nearby	No	No	16,908 [0]	15,742 [0]

[17] "Nearby" refers to facilities within a three-mile radius of the community boundary that were included in this analysis.

[18] Large emitters of greenhouse gases, specifically those emitting 25,000 or more MT CO_2e annually in Washington State that are part of the Cap-and-Invest program established by the Climate Commitment Act.

[19] Major sources of criteria air pollutants are designated in the Air Operating Permit program. A major source is any stationary source that has the actual or potential to emit ≥100 tons per year for any air pollutant. Many sources emit far below the threshold. More information can be found at https://ecology.wa.gov/regulations-permits/permits-certifications/air-quality-permits/air-operating-permit

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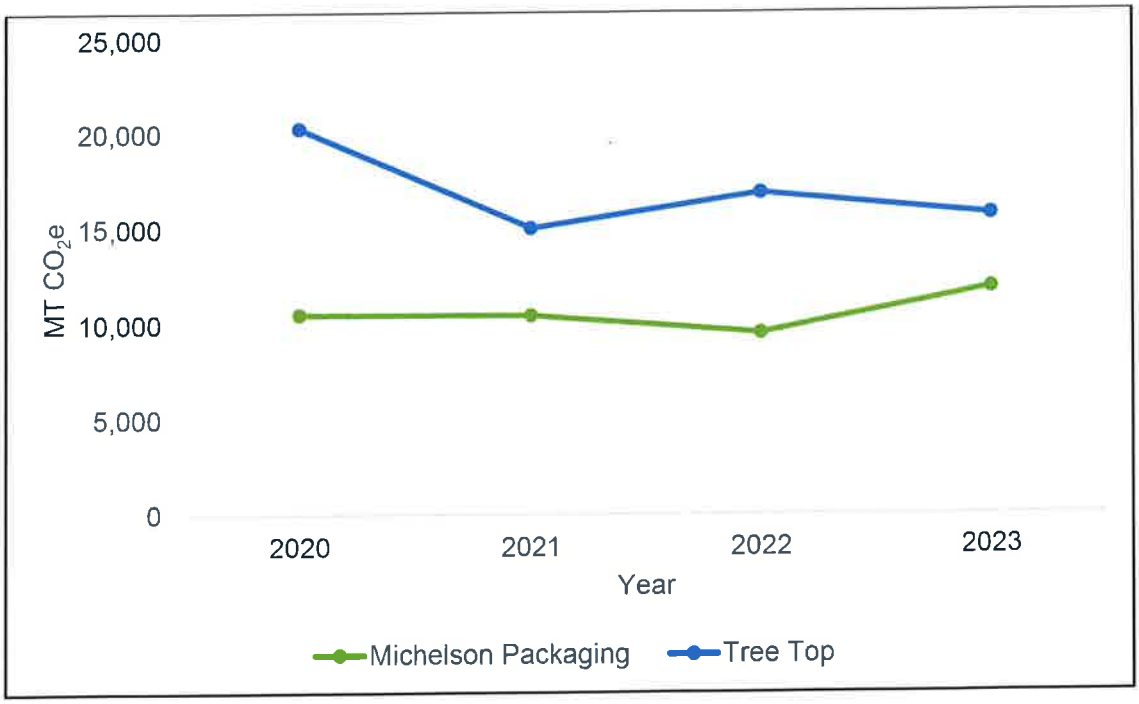


Figure 9. Greenhouse gas reporting facilities and their emissions from 2020-2023.

Mobile sources

In the East Yakima community, greenhouse gas emissions from mobile sources increased by 21% from 2020 to 2021 (Table 6) but have decreased by 5.4% between 2019 to 2021.[20] Mobile sources consist of on-road and non-road emissions. The drop in emissions in 2020 was largely due to a decrease in vehicle traffic that was attributed to the COVID-19 pandemic.[21,22]

Similar to Table 5, the results in Table 6 use AR5 GWPs to convert greenhouse gas emissions into CO_2e. In 2013-2014, the IPCC published AR5 GWPs and AR6 GWPs in 2021-2022. The Washington Greenhouse Gas Emissions Inventory[23] uses AR5 GWPs in mobile source emission estimates, as the inventory models for greenhouse gas accounting are revised as science improves.

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[20] Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution 2023 Report https://apps.ecology.wa.gov/publications/SummaryPages/2302115.html

[21] Washington State Greenhouse Gas Emissions Inventory: 1990-2021, Jan 2025 https://apps.ecology.wa.gov/publications/SummaryPages/2414077.html

[22] Reducing Greenhouse Gas Emissions from the Transportation Sector through Climate Planning, Dec 2024 https://www.epa.gov/system/files/documents/2024-12/420f24042.pdf

[23] Washington State Greenhouse Gas Emissions Inventory: 1990-2021, Jan 2025 https://apps.ecology.wa.gov/publications/SummaryPages/2414077.html

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Table 6. Greenhouse gas emissions from mobile sources per capita from 2020-2021.

Population	2020 Emissions (MT CO_2e)	2020 Per Capita MT CO_2e	2021 Emissions (MT CO_2e)	2021 Per Capita MT CO_2e
59,803	256,838	4.3	310,698	5.2

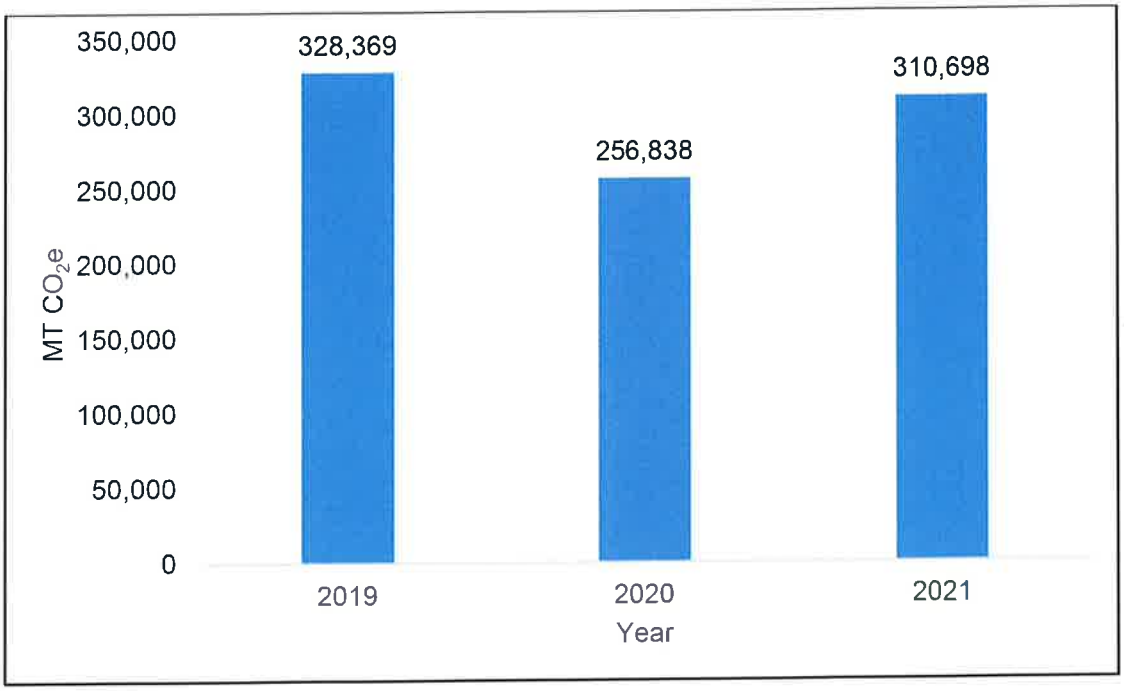


Figure 10. Annual greenhouse gas emissions from mobile sources in the East Yakima community, 2019-2021.

Community Resources

These resources provide more information about air quality and health in the East Yakima community:

- Yakima Health District data and reports page[24]
- Yakima Memorial Hospital 2022 Community Health Needs Assessment[25]

[24] https://www.yakimacounty.us/277/Community
[25] https://www.multicare.org/wp-content/uploads/2024/05/yakima-chna-2022.pdf

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- Yakima Valley Trends - Health indicators[26]
- Zero-emission and electric vehicles mapping tool | WSDOT[27]
- Home | Washington Climate Action[28]
- Climate Resilience Plan for Washington Agriculture | Washington State Department of Agriculture[29]

[26] https://yakimavalleytrends.org/category.cfm?id=7
[27] https://wsdot.wa.gov/business-wsdot/grants/zero-emission-vehicle-grants/zero-emission-and-electric-vehicles-mapping-tool
[28] https://climate.wa.gov/
[29] https://agr.wa.gov/washington-agriculture/climate-resilience-plan-for-washington-agriculture

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Appendix A. Criteria Air Pollution

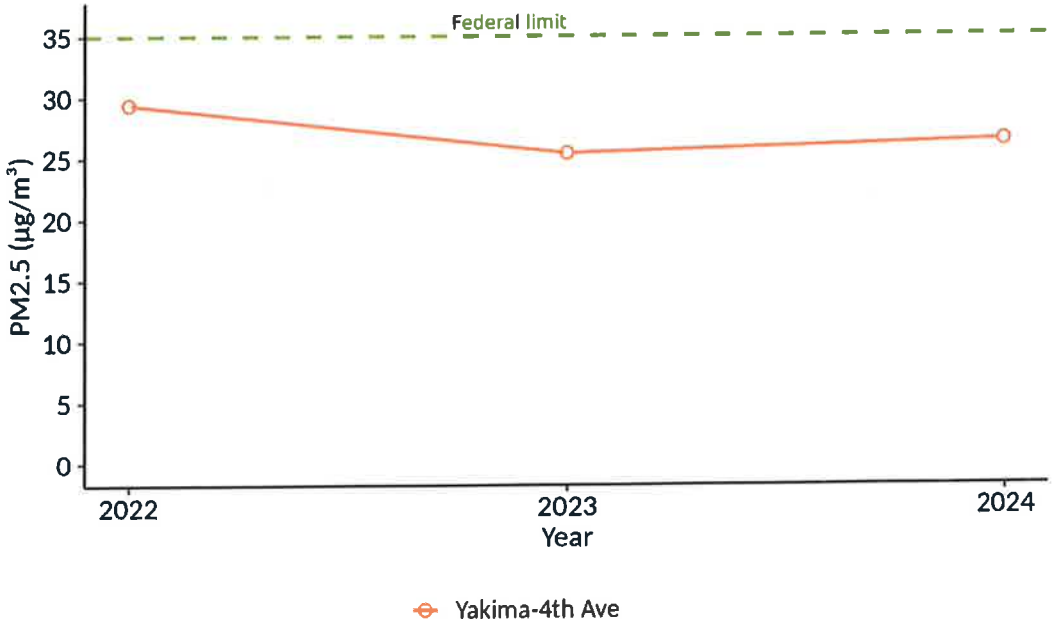


Figure A1. 24-hour $PM_{2.5}$ (98th percentile) concentrations at the East Yakima monitoring site. Days impacted by wildfire smoke are included. Dashed line is the federal limit for 24-hr $PM_{2.5}$ (35 µg/m³).

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Appendix B. Supplemental Health Impacts Tables

Table B1. Estimated annual deaths by any cause related to yearly $PM_{2.5}$ exposure among 18–84-year-olds in East Yakima by racial and ethnic group, 2022–2023 (based on effect estimates in study by Pope, et al., 2019[8]).

Racial and Ethnic Group	Population (18-84-year-olds)	Estimated Annual Deaths [95% CI]	Estimated annual deaths per 100,000 population [95% CI]	Estimated age-adjusted annual deaths per 100,000 population [95% CI]
All	41,626	33 [24 to 41]	78 [57 to 99]	91 [66 to 115]
Hispanic	24,731	22 [13 to 31]	89 [51 to 124]	145 [82 to 202]
Non-Hispanic AIAN	728	<1 [0 to 1]	50 [-35 to 125]	70 [-48 to 173]
Non-Hispanic Asian	328	<1 [0 to 1]	62 [-43 to 153]	61 [-42 to 151]
Non-Hispanic Black	674	1 [0 to 1]	88 [27 to 143]	99 [31 to 162]
Non-Hispanic NHOPI	39	<1 [range<1]	45 [-31 to 113]	79 [-55 to 196]
Non-Hispanic 2+ races	1,200	1 [-1 to 2]	63 [-44 to 157]	69 [-48 to 172]
Non-Hispanic White	13,927	14 [9 to 19]	103 [67 to 137]	76 [50 to 101]

AIAN: American Indian and Alaska Native; CI: confidence interval; NHOPI: Native Hawaiian and Other Pacific Islander.

Race categories only include people who identify as non-Hispanic to reflect the race categories used in the study by Pope, et al.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise this overburdened community.

The age-adjusted rate indicates the expected rate if the age distribution in this overburdened community matched that of Washington State.

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Table B2. Estimated annual deaths by any cause related to yearly $PM_{2.5}$ exposure among 65–99-year-olds in East Yakima by racial and ethnic group, 2022–2023 (based on effect estimates in study by Di, et al., 2017[30]).

Racial and Ethnic Group	Population (65-99-year-olds)	Estimated Annual Deaths [95% CI]	Estimated annual deaths per 100,000 population [95% CI]	Estimated age-adjusted annual deaths per 100,000 population [95% CI]
All	7,733	20 [19 to 20]	256 [249 to 263]	235 [229 to 241]
Hispanic	1,966	5 [5 to 6]	272 [235 to 306]	287 [248 to 324]
AIAN	301	1 [0 to 1]	179 [110 to 244]	191 [118 to 261]
Asian	94	<1 [range<1]	177 [140 to 212]	174 [138 to 209]
Black	163	1 [1 to 1]	383 [369 to 397]	383 [368 to 397]
NHOPI	15	<1 [range<1]	146 [90 to 199]	159 [98 to 217]
2+ races	629	1 [1 to 2]	211 [130 to 287]	212 [131 to 289]
White	6,532	11 [11 to 11]	169 [162 to 175]	153 [147 to 158]

AIAN: American Indian and Alaska Native; CI: confidence interval; NHOPI: Native Hawaiian and Other Pacific Islander

Race categories include people who identify as Hispanic and non-Hispanic to reflect the race categories used in the study by Di, et al.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise this overburdened community.

The age-adjusted rate indicates the expected rate if the age distribution in this overburdened community matched that of Washington State.

[30] Di, Q., Wang Y., Zanobetti, A., Wang, Y., Koutrakis, P., Choirat, C., Dominici, F., Schwartz, J.D. 2017. Air Pollution and Mortality in the Medicare Population. *The New England Journal of Medicine*, 376(26), pp. 2513-2522.

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Table B3. Annual mortality and morbidity associated with yearly $PM_{2.5}$ exposure (yearly 24-hour average concentrations) in East Yakima, 2022-2023. Brackets [ ] include 95% confidence interval.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]
Deaths – Any cause	65 to 99	Di et al., 2017[31]	7,733	20 [19 to 20]	256 [249 to 263]
Deaths – Any cause	18 to 84	Pope et al., 2019[32]	41,626	33 [24 to 41]	78 [57 to 99]
Deaths – Cardiovascular disease	18 to 99	Alexeeff et al., 2023[33]	42,759	12 [5 to 19]	28 [11 to 43]
Deaths – Ischemic heart disease	30 to 99	Jerrett et al., 2017[34]	32,008	14 [11 to 17]	44 [33 to 54]
Deaths – Ischemic heart disease	30 to 99	Krewski et al., 2009[35]	32,008	21 [17 to 25]	66 [54 to 78]
Deaths – Ischemic heart disease	30 to 99	Pope et al., 2019[36]	32,008	13 [10 to 17]	41 [30 to 52]

[31] Di, Q., Wang Y., Zanobetti, A., Wang, Y., Koutrakis, P., Choirat, C., Dominici, F., Schwartz, J.D. 2017. Air Pollution and Mortality in the Medicare Population. *The New England Journal of Medicine*, 376(26), pp. 2513-2522.
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[33] Alexeeff SED, K.Van Den Eeden, S.Schwartz, J.Liao, N. S.Sidney, S. Association of Long-term Exposure to Particulate Air Pollution with Cardiovascular Events in California. *JAMA Network Open*. 2023;6(2):e230561.
[34] Jerrett, 2017. Comparing the Health Effects of Ambient Particulate Matter Estimated Using Ground-Based Versus Remote Sensing Exposure Estimates. *Environmental Health Perspectives*. 2017 Apr;125(4):552-559. doi: 10.1289/EHP575. Epub 2016 Sep 9.
[35] Krewski D, Jerrett M, Burnett R, et al. 2009. Extended Follow-Up and Spatial analysis of the American Cancer Society Linking Particulate Air Pollution and Mortality. Health Effects Institute, Cambridge MA
[36] Pope, C.A., 3rd, Lefler, J.S., Ezzati, M., Higbee, J.D., Marshall, J.D., Kim, S.Y., Bechle, M., Gilliat, K.S., Vernon, S.E., Robinson, A.L., & Burnett, R.T. (2019). Mortality Risk and Fine Particulate Air Pollution in a Large, Representative Cohort of U.S. Adults. *Environmental Health Perspectives*, 127(7), 77007.

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Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]
Deaths – Lung Cancer	30 to 99	Krewski, et al., 2009[37]	32,008	2 [1 to 4]	7 [3 to 11]
Deaths – Lung Cancer	30 to 99	Turner et al., 2016[38]	32,008	2 [0 to 3]	5 [1 to 8]
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	18 to 99	Alexeeff, et al., 2023[39]	42,759	16 [9 to 23]	38 [22 to 54]
Lung Cancer Diagnoses	30 to 99	Gharibvand et al., 2016[40]	32,009	7 [2 to 11]	23 [7 to 35]

CI: confidence interval. CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise this overburdened community.

The age-adjusted rate indicates the expected rate if the age distribution in this overburdened community matched that of Washington State.

Health outcomes were selected based on the availability of effect estimates for that outcome relevant to the Washington population in the scientific literature. Where multiple effect estimates exist, we listed the model results separately for each. See the 2025 EJ Report for more information.

[37] Krewski D, Jerrett M, Burnett R, et al. 2009. Extended Follow-Up and Spatial analysis of the American Cancer Society Linking Particulate Air Pollution and Mortality. Health Effects Institute, Cambridge MA

[38] Turner, M.C., Jerrett, M., Pope, C.A., III, Krewski, D., Gapstur, S.M., Diver, W.R., Beckerman, B.S., Marshall, J.D., Su, J., Crouse, D.L., & Burnett, R.T. (2016). Long-term ozone exposure and mortality in a large prospective study. *American Journal of Respiratory Critical Care Medicine* 193(10): 1134-1142.

[39] Alexeeff SED, K.Van Den Eeden, S.Schwartz, J.Liao, N. S.Sidney, S. Association of Long-term Exposure to Particulate Air Pollution with Cardiovascular Events in California. *JAMA Network Open*. 2023;6(2):e230561.

[40] Gharibvand, L., Shavlik, D., Ghamsary, M., Beeson, W.L., Soret, S., Knutsen, R., & Knutsen, S.F. (2016). The association between ambient fine particulate air pollution and lung cancer incidence: results from the AHSMOG-2 study. *Environmental Health Perspectives* 125 (3): 378?384

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Table B4. Annual mortality and morbidity associated with daily $PM_{2.5}$ exposure (daily 24-hour average concentrations) in East Yakima, 2022-2023. Brackets [ ] include 95% confidence interval.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]
Deaths – Any cause	0 to 99	Ito et al., 2013[41]	59,783	1 [0 to 1]	1 [0 to 2]
Deaths – Any cause	65 to 99	Zanobetti et al., 2014[42]	7,733	2 [1 to 2]	23 [15 to 30]
Deaths – Cardiovascular disease	0 to 99	Liu et al., 2022[43]	59,783	1 [0 to 2]	2 [0 to 4]
Deaths – Respiratory	0 to 99	Liu et al., 2022[44]	59,783	2 [0 to 3]	3 [0 to 5]
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	18 to 99	Sullivan et al., 2005[45]	42,759	3 [-4 to 9]	7 [-9 to 21]

[41] Ito, K., Ross, Z., Zhou, J., Nádas, A., Lippmann, M. and Thurston, G.D., 2013. NPACT Study 3. Time-series analysis of mortality, hospitalizations, and ambient $PM_{2.5}$ and its components. National Particle Component Toxicity (NPACT) Initiative. https://www.healtheffects.org/publication/national-particle-component-toxicity-npact-initiative-integrated-epidemiologic-and

[42] Zanobetti, A., Dominici, F., Wang, Y. and Schwartz, J.D., 2014. A national case-crossover analysis of the short-term effect of $PM_{2.5}$ on hospitalizations and mortality in subjects with diabetes and neurological disorders. *Environmental Health*, 13(1), p.38.

[43] Liu, R.A., Wei, Y., Qiu, X., Kosheleva, A. and Schwartz, J.D., 2022. Short term exposure to air pollution and mortality in the US: a double negative control analysis. *Environmental Health*, 21(1), p.81.

[44] Liu, R.A., Wei, Y., Qiu, X., Kosheleva, A. and Schwartz, J.D., 2022. Short term exposure to air pollution and mortality in the US: a double negative control analysis. *Environmental Health*, 21(1), p.81.

[45] Sullivan, J., L. Sheppard, A. Schreuder, N. Ishikawa, D. Siscovick and J. Kaufman. 2005. Relation between short-term fine-particulate matter exposure and onset of myocardial infarction. Epidemiology. Vol. 16 (1): 41-8.

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Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]
Hospital Admissions – Acute Non-Fatal Myocardial Infarction	18 to 99	Zanobetti et al., 2009[46]	42,759	3 [2 to 5]	8 [4 to 11]
Hospital Admissions – All Respiratory	65 to 99	Zanobetti et al., 2009[47]	7,733	10 [6 to 15]	134 [76 to 189]
Hospital Admissions – Asthma	0 to 64	Sheppard et al., 2003[48]	52,050	3 [1 to 5]	6 [2 to 10]
ED Visits – Asthma	0 to 99	Mar et al., 2010[49]	59,783	26 [7 to 44]	44 [11 to 74]
ED Visits – Asthma	0 to 99	Slaughter, J. C., et al., 2005[50]	59,783	14 [-12 to 38]	24 [-20 to 63]
ED Visits – Asthma	0 to 17	Norris, G., et al., 1999[51]	17,024	17 [9 to 24]	99 [52 to 142]

[46] Zanobetti, A., Franklin, M., Koutrakis, P. and Schwartz, J., 2009. Fine particulate air pollution and its components in association with cause-specific emergency admissions. *Environmental Health*, 8(1), p.58.
[47] Zanobetti, A., Franklin, M., Koutrakis, P. and Schwartz, J., 2009. Fine particulate air pollution and its components in association with cause-specific emergency admissions. *Environmental Health*, 8(1), p.58.
[48] Sheppard, L. Ambient Air Pollution and Nonelderly Asthma Hospital Admissions in Seattle, Washington, 1987-1994. In: Revised Analyses of Time-Series Studies of Air Pollution and Health. 2003, Health Effects Institute: Boston, MA. p. 227-230.
[49] Mar, T. F., J. Q. Koenig and J. Primomo. 2010. Associations between asthma emergency visits and particulate matter sources, including diesel emissions from stationary generators in Tacoma, Washington. *Inhalation Toxicology*. Vol. 22 (6): 445-8.
[50] Slaughter, J. C., E. Kim, L. Sheppard, J. H. Sullivan, T. V. Larson and C. Claiborn. 2005. Association between particulate matter and emergency room visits, hospital admissions and mortality in Spokane, Washington. *Journal of Exposure Analysis and Environmental Epidemiology*. Vol. 15
[51] Norris, G., et al. An association between fine particles and asthma emergency department visits for children in Seattle. *Environmental Health Perspectives*, 1999. 107(6): p. 489-93.

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Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]

ED: emergency department; CI: confidence interval. CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with $PM_{2.5}$ in this group in this community.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise this overburdened community.

The age-adjusted rate indicates the expected rate if the age distribution in this overburdened community matched that of Washington State.

Health outcomes were selected based on the availability of effect estimates for that outcome relevant to the Washington population in the scientific literature. Where multiple effect estimates exist, we listed the model results separately for each. See the 2025 EJ Report for more information.

Table B5. Annual mortality and morbidity associated with seasonal and daily O_3 exposure (seasonal and daily 8-hour maximum concentrations) in East Yakima, 2022-2023. Brackets [] include 95% confidence interval.

Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]
Deaths – Any cause (Seasonal)	65 to 99	Di, et al. 2017[52]	7,733	6 [4 to 7]	73 [50 to 96]
Deaths – Any cause (Daily)	0 to 99	Zanobetti and Schwartz, 2008[53]	59,783	2 [1 to 3]	3 [2 to 5]

[52] Di, Q., Wang Y., Zanobetti, A., Wang, Y., Koutrakis, P., Choirat, C., Dominici, F., Schwartz, J.D. 2017. Air Pollution and Mortality in the Medicare Population. *The New England Journal of Medicine*, 376(26), pp. 2513-2522.
[53] Zanobetti, A. and Schwartz, J., 2008. Mortality displacement in the association of ozone with mortality: an analysis of 48 cities in the United States. *American Journal of Respiratory and Critical Care Medicine*, 177(2), pp.184-189.

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Health Outcome	Age Group	Source of Risk Estimate	Population	Estimated Annual Number [95% CI]	Estimated annual rate per 100,000 population [95% CI]
ED Visits – Asthma (Daily)	0 to 99	Mar and Koenig, 2009[54]	59,783	33 [8 to 54]	55 [14 to 91]
Hospital Admissions – All Respiratory (Daily)	65 to 99	Schwartz, 1995[55]	7,733	21 [6 to 35]	277 [80 to 454]

ED: emergency department; CI: confidence interval. CIs are inversely proportional to population sizes reflecting higher uncertainty when estimating effects with smaller numbers of people. CIs that include 0 indicate that it is plausible that no deaths are associated with O_3 in this group in this community.

Population is the average of the 2022 and 2023 Washington State Office of Financial Management estimates for the census tracts that comprise this overburdened community.

Age-adjusted rate indicates the expected rate if the age distribution in this overburdened community matched that of Washington State.

Health outcomes were selected based on the availability of effect estimates for that outcome relevant to the Washington population in the scientific literature. Where multiple effect estimates exist, we listed the model results separately for each. See the 2025 EJ Report for more information.

[54] Mar, T.F. and Koenig, J.Q. (2009). Relationship between visits to emergency departments for asthma and ozone exposure in greater Seattle, Washington. *Annals of Allergy, Asthma & Immunology*, 103, 474-479.
[55] Schwartz, J., 1995. Short term fluctuations in air pollution and hospital admissions of the elderly for respiratory disease. *Thorax*, 50(5), pp.531-538.

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Climate Action Plan

For the City of Yakima, WA

Sustainable Yakima Committee

November 2023

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Executive Summary

On May 17, 2022, the Yakima City Council established the Sustainable Yakima Committee to serve as an advisory committee on issues related to sustainability, renewable energy, recycling, and climate change, and to provide advice and/or recommendations to the City Council on reducing the City's energy consumption and greenhouse gas emissions (GHG). The Committee was instructed to draft a climate action plan and implementation strategy document and present it to the City Council for its review and evaluation within one year of the committee's first meeting.

This Plan outlines key steps the City can take to reduce community-wide emissions, support healthy ecosystems that sequester carbon, and ensure that the community is prepared for, and resilient to, climate impacts. These actions will have a wide range of co-benefits for Yakima such as, cleaner air, recycling options, and cost savings from lower utility bills.

Under this plan, the City will achieve science-based targets by reducing greenhouse gas emissions. Other cities in Washington state have adopted 50% by 2030 compared to 2019. The goals, strategies and actions outlined in this plan are organized within five Sectors:

Sector 1: Environmental Justice

Ensure Yakima's diverse communities have the right to be protected from environmental pollution, and to live in and enjoy a clean and healthful environment.

Sector 2: Energy efficiency and renewable energy

Maintain Yakima's quality of life as the economy transitions away from fossil fuels.

Sector 3: Water Conservation

Protect river and aquifer resources as well as aquatic biodiversity.

Sector 4: Carbon Offsetting

Ensure Yakima contributes to State of Washington greenhouse gas emissions goals.

Sector 5: Recycling and Waste Management

Improve collection rates for recycling, reduce food waste, and divert waste from landfills.

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INTRODUCTION

Plan Goals

The goals of this Plan are to:

- Develop and implement a plan that serves as a road map to a 1-year, 5-year, and 10-year Plan and leads to a sustainable future for our community.
- Harness the resources and talents within Yakima's community to take practical actions across a wide range of sectors and activities.

In order to achieve these goals, this Plan needs to address the following climate impacts. There are six major climate issues affecting the community of Yakima.

Why the City Needs a Plan

In 2022, the City of Yakima formalized its commitment to addressing environmental and sustainable issues in Yakima. After endorsing the Energy Innovation and Carbon Dividend Act, supporting the Fossil Fuel Non-Proliferation Treaty, and committing the City to take a SAFE Cities climate change stand, the City Council established the Sustainable Yakima Committee to study matters related to sustainability in the City and provide recommendations to the City Council.

Climate change has had significant and tangible impacts on the city of Yakima and its surrounding region. Climate change is no longer a distant threat but a present reality that the community is grappling with. These impacts include:

1. Deadly Heat Waves: Yakima has experienced more frequent and intense heat waves. Rising temperatures during the summer months can become unbearable and dangerous, especially for vulnerable populations such as the elderly, children, those with pre-existing health conditions, unhoused individuals, and outdoor workers. Heatwaves can lead to heat-related illnesses and, in extreme cases, fatalities.

2. Declining Water Availability and Drought: Yakima is heavily reliant on water resources for agriculture, which is a critical part of the local economy. However, the region's hydrological cycle has been disrupted, leading to reduced snowpack in the nearby mountains and earlier snowmelt. This phenomenon has contributed to water scarcity and more frequent droughts, putting stress on water supplies and agricultural productivity.

3. Increased Wildfires and Smoke: The wildfire season has lengthened and increased the intensity of wildfire events in Yakima and the surrounding forests. Consequently, the city has experienced periods of dense, toxic smoke-filled air, leading to hazardous air quality levels and posing health risks to residents. Wildfires also result in property damage and threaten nearby communities.

4. Impact on Agriculture: Yakima is an important agricultural region, known for producing fruits such as apples, cherries, and hops. However, changing climate has affected the timing of growing seasons

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and the suitability of certain crops in the region. Warmer winters have led to more pests and diseases, impacting crop yields, and posing challenges for local farmers.

5. Threats to Biodiversity: The unique ecosystem of the Yakima region, including the surrounding forests and wildlife, faces disruptions. Changes in temperature and precipitation patterns can alter habitat and affect the distribution and behavior of plant and animal species.

6. Economic Impacts: The combined effects of extreme heat, droughts, wildfires, and challenges in agriculture can result in significant economic losses for Yakima. The disruption of agricultural activities can lead to reduced revenue, job losses, and increased food prices, impacting both local residents and the broader economy.

To address these impacts and build resilience, it is crucial for Yakima to adapt to the changing climate and implement strategies to mitigate further warming. This may include implementing water conservation measures, promoting sustainable land management practices, investing in renewable energy, and creating emergency plans for extreme weather events. Additionally, engaging in regional and global efforts to reduce greenhouse gas emissions is essential to tackle the root causes of climate change and mitigate the effects in the long run.

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BACKGROUND

Yakima's Contribution to Climate Change

- **Transportation:** Like many urban areas, transportation is a significant contributor to GHG emissions in Yakima. This includes emissions from cars, trucks, and other vehicles using fossil fuels for commuting, goods movement, and transportation within the City.
- **Energy Consumption:** The use of electricity and other forms of energy from fossil fuels, such as natural gas, for residential, commercial, and industrial purposes can contribute to GHG emissions in the City.
- **Agriculture:** Yakima is a prominent agricultural region, and agricultural activities can also contribute to GHGs. Emissions can arise from the use of fossil fuels in farming operations, as well as from agricultural waste management practices.
- **Waste Management:** The handling and disposal of waste in landfills can produce methane, a potent GHG. While Yakima may have waste management practices in place, it is essential to manage organic waste to reduce methane emissions effectively.
- **Industrial Processes:** Various industrial processes can contribute to GHG emissions. These emissions might result from energy-intensive manufacturing or chemical processes.

Climate Change Impact on Yakima's Resources

Climate change has had significant impacts on the city of Yakima and its valuable natural resources. As with many regions, Yakima is experiencing changes in temperature, precipitation patterns, and extreme weather events, leading to various environmental and socioeconomic challenges. Some of the notable impacts on the city and its resources include:

- **Heatwaves:** Climate change has led to more frequent and intense heatwaves in Yakima, increasing the risk of heat-related illnesses and deaths, particularly among vulnerable populations.
- **Water Resources:** Yakima heavily relies on water resources for agricultural activities and water supply for its residents. However, climate change has led to changes in the timing and intensity of precipitation, reducing snowpack in the mountains and affecting the availability of water during the dry season. This results in in water scarcity, impacting agricultural productivity and the availability of drinking water.
- **Wildfires:** Climate change has contributed to more frequent and intense wildfires in the region. These wildfires can have devastating effects on communities, ecosystems, and air quality. Smoke from wildfires can also pose health risks to residents, especially vulnerable populations.
- **Agriculture:** Yakima is an essential agricultural region known for producing fruits such as apples, cherries, and hops. However, changes in temperature and precipitation patterns can alter

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growing seasons and affect crop yields. Warmer temperatures and increased risks of pests and diseases can pose significant challenges to agricultural production.

- **Forests and Biodiversity:** Yakima's forests and biodiversity are vulnerable to the impacts of climate change. Rising temperatures and changing precipitation patterns can affect the distribution and behavior of plant and animal species. These changes can lead to shifts in ecosystems, potentially threatening local biodiversity and ecological balance.
- **Infrastructure:** Extreme weather events, such as heavy rainfall and flooding, can strain the city's infrastructure, leading to damage to roads, bridges, and other public facilities.

Economic Impact: The combination of challenges in agriculture, water availability, and natural disasters can have economic implications for the city and its residents. Reduced agricultural productivity and increased firefighting and recovery costs can impact the local economy.

Yakima's Frontline Communities

The term "Frontline communities" is often used in the context of environmental and social justice movements. These communities are typically the most directly impacted by environmental issues, such as pollution, climate change, or natural disasters, as well as other social and economic challenges. They are called "frontline" because they are on the front lines of experiencing the immediate and often disproportionate impacts of these issues. Frontline communities may include low-income neighborhoods, communities of color, indigenous peoples, and other marginalized groups. These groups often face systemic inequalities, limited access to resources, and unequal representation in decision-making processes related to environmental and social issues.

The median household income for Yakima residents is 27% lower than the median for the State of Washington. Similarly, 22.8% of the city's population earns below the federal poverty level. For the City of Yakima, the most vulnerable and susceptible to the harsh effects of climate change includes those who are experiencing homelessness and are exposed to the elements for long periods of time. Yakima County as a whole saw an increase of 15% of residents classified as homeless from 2022 to 2023.

People with disabilities have largely been systematically ignored by government and sustainability planning. The City of Yakima has the most persons with disability in the county, at 13,897. People with disabilities are among the most vulnerable to climate impacts, partly because of the nature of their disabilities and the social disadvantage that often accompany this. They tend to be poorer and have fewer resources. People who use wheelchairs are among the most vulnerable to the climate crisis.

Climate change is a "threat multiplier", meaning it escalates social, political and economic tensions in fragile and conflict-affected settings. As climate change drives conflict across the world, women and girls face increased vulnerabilities to all forms of gender-based violence, including conflict-related sexual violence, human trafficking, child marriage, and other forms of violence. Yakima already has the second highest rate of domestic violence in the state. Women and girls experience the greatest impacts of climate change, which amplifies existing gender inequalities and gender-based violence, and poses unique threats to their livelihood, health, and safety.

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Alignment with Existing Plans & Laws

Relationship to Other City Plans

The Sustainable Yakima Committee considered other City Plans during the development of the Climate Action Plan (Plan). These plans either inform or could be informed by the Plan. Some of these documents already emphasize climate and sustainability solutions outlined in this Plan, while others will need to be updated to integrate sustainability and climate action.

Comprehensive Plan 2040

Goal 2.7

- Equity Study (2016)
- East-West Analysis
- Bicycle Master Plan (2017)
- Pedestrian Master Plan (2021)
- Continue to work with schools on Safe Route to School Plans
- Housing Action Plan (2021)
- Water Use Efficiency Goals and Objectives (2017)
- Community Health and Safety Plan (2018)

Relationship to Regional Plans & Programs

- Yakima County Comprehensive Emergency Management Plan (2019)
- Yakima County Trails Plan (2020)
- 6-Year Transportation Improvement Program 2023-2028 (2023)
- Yakima River Basin Integrated Plan

Related State Code

- 2019 Clean Energy Transformation Act (CETA)
- Revised Code of Washington 70A.45.020 - - Greenhouse Gas Emissions Reductions
- Revised Code of Washington Chapter 19.27A - - Washington State Energy Code

Cities & Organizations

This Sustainability Action Plan was developed using multiple models for guidance, including the following:

- City of Spokane - Spokane Sustainability Action Plan (2021)
- City of Bellingham - Climate Protection Action Plan (2018)
- City of Vancouver - Climate Action Framework (2022)
- Yakama Nation - Climate Action Plan for the Territories of the Yakama Nation (2019)

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AREAS OF FOCUS

Sector 1: Environmental Justice

Environmental justice is a concept that addresses the fair distribution of environmental benefits and burdens, particularly in relation to the impact of environmental hazards on different communities. It emerged in the United States during the 1980s as a response to the recognition that low-income and minority communities often bear a disproportionate burden of environmental pollution and lack access to environmental benefits.

The environmental justice movement aims to rectify historical and systemic environmental injustices, promote environmental equity, and ensure that all individuals and communities have the right to a clean and healthy environment. Efforts include grassroots organizing, legal actions, policy advocacy, and collaboration between communities, environmental organizations, and policymakers. The goal is to create a more inclusive and sustainable approach to environmental protection that prioritizes the well-being of all people, regardless of their socio-economic background or cultural identity.

This plan will focus on two aspects of environmental justice: community resilience and housing.

Community Resilience

Goal: Ensure the community has equitable access to resources such as clean water and air, healthy attainable and affordable housing, nutritious food, and living wage jobs.

- **Strategy 1:** Conduct community outreach to address the concerns and needs of marginalized groups and what resolutions or assistance is needed.
  - **Actions:**
    - Review regional policies and initiatives that support equitable access to resources for all. (1-Year Plan)
    - Recommend policies and initiatives that support equitable access to resources for all. (5-Year Plan)
    - Implement policies and initiatives that support equitable access to resources for all. (5-10 Year Plan)
- **Strategy 2:** Leverage current unused and vacant properties owned by the city for potential sustainable activities.
  - **Actions:** Review current unused and vacant properties owned by the city. (1-Year Plan)
  - **Actions**: Recommend utilizing unused and vacant properties owned by the city. (5-Year Plan)
- **Strategy 3:** Educate the community on ways to keep themselves safe and their homes safe during natural disasters or significant events.
  - **Actions:** Develop workshops and educational tools. (5-Year Plan)
- **Strategy 4:** Address Food Insecurity.
  - **Actions:**
    - Promote local food campaigns/food banks. (1-Year Plan.)

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        - Partner with organizations that serve food-insecure populations to provide access to fresh, healthy food via a community garden space and local produce markets. (1-Year Plan)
        - Support and promote food hubs to distribute locally produced food. (1-YearPlan)
        - Support expansion of businesses that connect customers to restaurants and stores that have unsold surplus food. (5-Year Plan)
- **Strategy 5:** Develop a community garden.
    - **Actions:**
        - Identify current community gardens. (1-Year Plan)
        - Support interested neighborhoods in creating community garden spaces and incentivize developers to include community garden space in new development. (5-Year Plan)
        - Support schools and youth education programs that teach students how to grow and prepare fresh produce. (5-Year Plan)

Housing

Goal: Ensure residents of Yakima are adequately housed in homes and shelters equipped to handle extreme wildfire and weather events and have access to shelters.

- **Strategy 1:** Promote adequate housing to support economic development.
    - **Action:**
        - Incentivize housing developments based on affordability and proximity to active transportation corridors. (10-Year Plan)
- **Strategy 2:** Assist residents to feel comfortable and safe in their homes for future effects of climate change.
    - **Action:** Provide extreme weather shelters. (1-Year Plan)
    - **Action:** Promote and utilize State and Federal programs for weatherization. (1-YearPlan)
- **Strategy 3:** Review single-family zoning to encourage higher-density housing.
    - **Action:** During the next Growth Management Act (GMA) Comprehensive Plan Update, adjust land use designation to promote higher density housing opportunity. (5-Year Plan)
- **Strategy 4:** Support resilience in the event of extreme weather events such as backup energy supplies, water, and shelters.
    - **Action:** Review current Emergency Management Plans. (1-Year Plan)
    - **Action:** Recommend additional measures. (5-Year Plan)
- **Strategy 5:** Promote building codes to encourage green building practices.
    - **Action:** Review current housing codes. (5-Year Plan)

Sector 2: Energy Efficiency and Renewable Energy

Energy efficiency and renewable energy are two key components of sustainable and responsible energy practices. Both play crucial roles in addressing environmental concerns, reducing reliance on fossil fuels, and mitigating the impacts of climate change.

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The interconnection of energy efficiency and renewable energy is common. Combining energy efficiency measures with the use of renewable energy enhances the overall sustainability of energy systems. For example, an energy-efficient building with solar panels can significantly reduce its environmental impact. Energy efficiency measures can help reduce the overall demand for energy, making it easier to meet the remaining energy needs with renewable sources. Both energy efficiency and renewable energy technologies contribute to job creation and economic growth in the clean energy sector.

Energy efficiency and renewable energy are integral components of a sustainable and environmentally friendly energy future. Combining these approaches can contribute to a more resilient and low-carbon energy system while fostering economic growth and addressing climate change.

This plan will focus on two aspects of energy efficiency and renewable energy: reduction of greenhouse gas emissions and buildings and clean energy.

Reduction of greenhouse gas emissions

Goal: Reduce GHG emissions from motorized transportation, including through electrification of all modes.

- **Strategy 1:** Yakima residents will be able to travel safely and reliably to their destinations, and the City will be able to adequately, affordably, and sustainably construct and maintain roads and streets.
  - **Actions:**
    - Review current plans. (1-Year)
    - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
    - Expand lighting and other safety features on pedestrian pathways. (1-10 Year Plans)
    - Identify areas of the city where pedestrian facilities could be prioritized. (1-10 Year Plans)
    - Improve sidewalks, curb ramps, and street crossings near transit stops. (1-10 Year Plans)
    - Dedicate increased local funding to the local Safe Routes to School program. (1-10 Year Plans)
- **Strategy 2**: Encourage land use policies that support navigable, livable, sustainable communities for all.
  - **Actions:**
    - Review current plans. (1-Year Plan)
    - Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs. (5-10 Year Plans)
    - Encourage active transportation and multi-modal uses across the city's parks, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities. (5-10 Year Plans)
- **Strategy 3:** Promote and encourage the use of EVs and low-carbon fuels in transportation.
  - **Actions:**
    - Pursue federal and state funding for efficiency improvements. (1-5 Year Plans)

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        - Offer non-financial incentives to encourage EV adaptation and expand EV infrastructure, such as resident-select EV charging locations and streamlined permitting for developers. (5-Year Plan)
        - Promote education and advocacy to increase awareness and adoption of low-carbon and alternative fuels. (5-Year Plan)
- **Strategy 4:** Promote and encourage public transportation and alternative modes of single-occupancy travel.
    - **Actions:**
        - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
        - Active transportation development to encourage opportunities for biking, walking, and wheelchairs. (1-5 Year Plan)
        - Work with the school district to promote school bus ridership and explore options for increasing services. (1-5 Year Plans)
        - Encourage active transportation through participation in Safe Routes to School program. (1-Year Plan)
        - Incentive the use of public transportation by providing free rides to city workers. (5-Year Plan)
        - Work with schools to educate students on how to use public transportation. (5-Year Plan)
        - Work with third-party programs and businesses to increase the availability, accessibility, and convenience of shared mobility options (e.g., bike and scooter share programs) (5-Year Plans)
- **Strategy 5**: Review current fleet management practices.
    - **Actions:**
        - Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for fossil fuel alternatives for sustainable transportation. (5-10 Year Plans)

Buildings and Clean Energy

Goal: Reduce emissions from all municipal, commercial, industrial, and residential buildings.

- **Strategy 1:** Encourage efficient, renewable energy buildings that meet WA Clean Building Act targets.
    - **Actions:**
        - Provide education and technical support to building owners. (1-5 Year Plans)
        - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
        - In cooperation with environmental groups and solar installers, developing a marketing program to Yakima residents and businesses to encourage installation of solar systems on or at their property. (1-5 Year Plans)
- **Strategy 2:** Increase education on energy-saving strategies.
    - **Actions:**
        - Provide education and technical support to building owners. (1-5 Year Plans)
        - Provide education in schools. (1-5 Year Plans)
- **Strategy 3:** Retrofit existing buildings to be more energy efficient.

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- **Actions**:
  - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
  - Provide education and technical support to building owners. (1-5 Year Plans)
  - Partner with organizations that can assess current energy usage, and recommend efficiency improvements. (1-5 Year Plans)

Sector 3: Water Conservation

Water conservation involves the careful management and responsible use of water resources to reduce waste, ensure sustainability, and address water scarcity issues. It is a critical practice given the increasing global demand for water, coupled with the impact of climate change on water availability.

Water conservation is essential for ensuring sustainable water supplies for current and future generations. It requires a multi-faceted approach involving individuals, communities, businesses, and policymakers working together to manage and use water resources wisely.

Goal: Conserve community water resources and increase water efficiency savings through education, outreach, retrofitting, and rebates that ensure overburdened communities see the benefits of water conservation.

- **Strategy 1**: Educate and engage the community in water resources stewardship.
  - **Actions**
    - Promote and fund City programs encouraging water conservation (5-10 Year Plan)
- **Strategy 2**: Ensure a sustainable water supply.
  - **Actions:**
    - Review current plans/policies. (1-Year Plan)
    - Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. (1-10 Year Plans)
    - Continue to work with and support Yakima River Basin Integrated Plan. (1-10 Year Plans)
- **Strategy 3**: Encourage reduction of irrigation use.
  - **Actions:**
    - Educate homeowners/landscapers on efficient irrigation practices. (1-5 Year Plans)
    - Rainwater capture incentives (5-10 Year Plans)
    - Drought-tolerant landscaping incentives (Heritage Garden) (5-10 Plans)
    - Increase resilience by reducing stressors such as non-native noxious species. (5-10 Year Plans)

Sector 4: Carbon Offsetting

Carbon offsetting is a practice that involves compensating for the greenhouse gas emissions generated

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in one location by investing in projects that reduce or remove an equivalent amount of emissions elsewhere. The goal is to achieve a balance between emissions produced and emissions removed or reduced, ultimately helping to mitigate climate change.

Carbon offsetting is often seen as a temporary solution to address emissions that are challenging to eliminate completely, especially in the short term. It is crucial, however, for entities to prioritize reducing their own emissions through sustainable practices and technologies before relying on offsetting as a sole strategy. Carbon offsetting should complement broader efforts toward achieving a low-carbon and sustainable future.

Goal: Yakima will implement policies to improve air quality.

- **Strategy 1:** Increase tree canopy and climate-adapted plant landscapes.
  - **Actions:**
    - Plant trees throughout the city to help reduce air pollution and reduce urban heat. (1-10 Year Plans)
    - Develop educational programs to promote tree plantings with residents. Tie it to Earth Day, or Arbor Day. (5-Year Plan)
- **Strategy 2:** Utilize City properties to increase canopy for carbon sequestration.
  - Review the current Parks & Recreation plan. (1-Year Plan)
  - Review inventory of City owned, unused and/or vacant properties. (1-Year Plan)

Sector 5: Recycling and Waste Management

Recycling and waste management are critical components of sustainable resource management aimed at minimizing the environmental impact of human activities. Recycling conserves resources, reduces energy consumption, decreases landfill waste, and minimizes pollution. It also helps lower greenhouse gas emissions associated with the extraction and manufacturing of virgin materials. Effective waste management requires a comprehensive and integrated approach that prioritizes waste reduction, encourages recycling and reuse, and ensures safe and environmentally sound disposal practices. Sustainable waste management practices contribute to resource conservation, pollution prevention, and a healthier environment.

Effective recycling and waste management require collaboration among individuals, businesses, communities, and governments. By adopting sustainable practices, reducing waste generation, and promoting responsible resource management, societies can contribute to a more environmentally friendly and resilient future.

Goal: Establish additional drop-off recycling collection location accessible to the entire community and increase the number of public recycling bins throughout the city. Develop clear, positive, and targeted communication campaigns to limit waste.

- **Strategy 1:** Conduct a waste audit. (5 Year Plan)
- **Strategy 2:** Increase Recycling education in schools.

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- **Actions:**
  - Work with schools to create educational campaigns for students and families (5-Year Plan)

- **Strategy 3:** Develop and implement strategies to reduce food waste and increase access to healthy, affordable food for all city residents.
  - **Actions**
    - Maximize composting of inedible food, yard waste, and other organic waste. (5-10 Year Plans)
    - Support & promote Food Hubs to address food scarcity and prevent food waste. (1-Year Plan)
- **Strategy 4:** Educational campaign to reduce food waste.
  - **Actions:**
    - Work with schools to create educational campaigns for students and families. (1-5 Year Plans)
- **Strategy 5:** Set recycling goals.
  - **Actions:**
    - Promote, support, and incentivize a circular economy (a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing, and recycling existing materials) (5-10 Year Plans)
    - Improve recycling infrastructure to recycle more items. (5-10 Year Plan).

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KEY TERMS

TERM	DEFINITION
Adaptation	Actions in response to an event and its effects, that lessen harm or exploit beneficial opportunities. It includes reducing the vulnerability of people, places, and ecosystems to the impacts of climate changes.
Biodigester	A technology in which organic waste material is decomposed by microbial action and typically produces biogas, which can then be used as a renewable fuel or converted to renewable electricity to offset fossil fuel use.
Carbon Dioxide Equivalent (CO_2e)	A measurement that describes how much global warming potential a given type and amount of greenhouse gas may case using the functionally equivalent amount or concentration of carbon dioxide as the reference.
Climate	The average pattern for weather over a period of months, years, decades, or longer in a specific place.
Climate Change	Any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period of time (decades or longer). Climate change may result from natural factors and processes and from human activities that change the atmosphere's composition and land surface.
Climate Change Adaptation	Actions to adjust to actual or expected climate and its effects, which seek to lower the risks posed by the consequences of climate changes.
Climate Change Mitigation	Actions to limit the magnitude or rate of climatic changes and their related effects by reducing greenhouse gas emissions.
Climate Resilient Community	A community that takes proactive steps to prepare for (i.e., reduce the vulnerabilities and risk associated with) climate change impacts.
Emission intensity	The discharge rate of a given pollutant relative to the intensity of a specific activity.
Energy Audit	An assessment and analysis of energy flows for energy conservation in a building.
Energy Efficiency	Energy efficiency refers to using less energy to perform the same tasks or achieve the same level of output. It involves optimizing the use of energy resources to minimize waste and increase overall productivity.
Equity Action	Specific programs, policies, or initiatives that make climate actions more accessible and/or less harmful to underserved communities and increase benefits to traditionally underserved populations.
Equity Outcome	A resulting effect that supports equality through increasing benefits or mitigating harmful impacts to traditionally underserved populations or by making

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	programs more accessible to underserved populations.
Exposure	The nature and degree to which a system is subjected to significant climate variations.
Fossil Fuel	Fuel formed from the remains of living organisms through natural processes that occur in the earth.
Greenhouse Gas (GHG)	Gas that traps heat in the atmosphere by absorbing infrared radiation.
GHG Emissions Inventory	A study that quantifies the greenhouse gas emissions that are generated within a specific boundary. The boundary can be geographic, such as the City of Yakima.
Renewable Energy	Renewable energy comes from sources that are naturally replenished on a human timescale. These sources include sunlight (solar energy), wind, rain, tides, waves, geothermal heat, and biomass. Unlike fossil fuels, these sources do not deplete over time.
Resilience	The ability of a system and its component parts to anticipate, absorb, accommodate, or recover from the effects of a hazardous event in a timely and efficient manner, including through ensuring the preservation, restoration, or improvement of its essential basic structure and functions.
Sensitivity	The degree to which a built, natural, or human system is directly or indirectly affected by changes in conditions.
Stressor	A chemical or biological agent, environmental condition, external stimulus, or an event that causes stress to an organism.
Vulnerability	The degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes. It is a function of the sensitivity of a particular system to climate changes, its exposure to those changes, and its capacity to adapt to those changes.

Committee Members

Jeff Scott	Chair
Ray Paolella	Vice-Chair
Dan Schapiro	Secretary
Jennifer Hickenbottom	
Marcelino Osorio	
Jeremy Leavitt (resigned Nov 2023)	
Ajit Gill	Student representative

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Table: Summary of the Sectors, Components, and Plans

Sector	Component	1-Year Plan	5-Year Plan	10-Year Plan
Environmental Justice	**Community Resilience**			
	Strategy 1 Conduct community outreach to address the concerns and needs of marginalized groups and what resolutions or assistance is needed.	Review regional policies and initiatives that support equitable access to resources for all.	Recommend policies and initiatives that support equitable access to resources for all.	Implement policies and initiatives that support equitable access to resources for all.
	Strategy 2 Leverage current unused and vacant properties owned by the city for potential sustainable activities.	Review current unused and vacant properties owned by the city.	Recommend utilizing unused and vacant properties owned by the city.	
	Strategy 3 Educate the community on ways to keep themselves safe and their homes safe during natural disasters or significant events.		Develop workshops and educational tools.	
	Strategy 4 Address Food Insecurity.	• Promote local food campaigns/food banks. • Partner with organizations that serve food-insecure populations to provide access to fresh, healthy food via a community garden space and local produce markets. • Support and promote food hubs to distribute locally produced food.	Support expansion of businesses that connect customers to restaurants and stores that have unsold surplus food.	
	Strategy 5 Develop a community garden.	Identify current community gardens.	• Support interested neighborhoods in creating community garden spaces and incentivize developers to include community garden space in new development. • Support schools and youth education programs that teach students how to grow and prepare fresh produce.	
	Housing			
	Strategy 1 Promote adequate housing to support economic development.			Incentivize housing developments based on affordability and proximity to active transportation corridors.
	Strategy 2 Assist residents to feel comfortable and safe in their homes for future effects of climate change.	• Provide extreme weather shelters. • Promote and utilize State and Federal programs for weatherization.		
	Strategy 3 Review single-family zoning to encourage higher-density housing.		During the next Growth Management Act (GMA) Comprehensive Plan Update, adjust land use designation to promote higher density housing opportunity.	
	Strategy 4 Support resilience in the event of extreme weather events such as backup energy supplies, water, and shelters.	Review current Emergency Management Plans.	Recommend additional measures.	
	Strategy 5		Review current housing codes.	

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	Promote building codes to encourage green building practices.			
Energy Efficiency and Renewable Energy	**Reduction of Green House Gas Emissions**			
	Strategy 1 Yakima residents will be able to travel safely and reliably to their destinations, and the City will be able to adequately, affordably, and sustainably construct and maintain roads and streets.	• Review current plans. • Pursue federal and state funding for efficiency improvements. • Expand lighting and other safety features on pedestrian pathways. • Identify areas of the city where pedestrian facilities could be prioritized. • Improve sidewalks, curb ramps, and street crossings near transit stops. • Dedicate increased local funding to the local Safe Routes to School program.	• Pursue federal and state funding for efficiency improvements. • Expand lighting and other safety features on pedestrian pathways. • Identify areas of the city where pedestrian facilities could be prioritized. • Improve sidewalks, curb ramps, and street crossings near transit stops. • Dedicate increased local funding to the local Safe Routes to School program.	• Pursue federal and state funding for efficiency improvements. • Expand lighting and other safety features on pedestrian pathways. • Identify areas of the city where pedestrian facilities could be prioritized. • Improve sidewalks, curb ramps, and street crossings near transit stops. • Dedicate increased local funding to the local Safe Routes to School program.
	Strategy 2 Encourage land use policies that support navigable, livable, sustainable communities for all.	Review current plans.	• Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs. • Encourage active transportation and multi-modal uses across the city's parks, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities.	• Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs. • Encourage active transportation and multi-modal uses across the city's parks, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities.
	Strategy 3 Promote and encourage the use of EVs and low-carbon fuels in transportation.	Pursue federal and state funding for efficiency improvements.	• Pursue federal and state funding for efficiency improvements. • Offer non-financial incentives to encourage EV adaptation and expand EV infrastructure, such as resident-select EV charging locations and streamlined permitting for developers. • Promote education and advocacy to increase awareness and adoption of low-carbon and alternative fuels.	
	Strategy 4 Promote and encourage public transportation and alternative modes of single-occupancy travel.	• Pursue federal and state funding for efficiency improvements. • Active transportation development to encourage opportunities for biking, walking, and wheelchairs. • Work with the school district to promote school bus ridership and explore options for increasing services. • Encourage active transportation through participation in Safe Routes to School program.	• Pursue federal and state funding for efficiency improvements. • Active transportation development to encourage opportunities for biking, walking, and wheelchairs. • Work with the school district to promote school bus ridership and explore options for increasing services. • Incentive the use of public transportation by providing free rides to city workers.	Pursue federal and state funding for efficiency improvements.

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			• Work with schools to educate students on how to use public transportation. • Work with third-party programs and businesses to increase the availability, accessibility, and convenience of shared mobility options (e.g., bike and scooter share programs)	
	Strategy 5 Review current fleet management practices.		Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for fossil fuel alternatives for sustainable transportation.	Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for fossil fuel alternatives for sustainable transportation.
	Buildings and Clean Energy			
	Strategy 1 Encourage efficient, renewable energy buildings that meet WA Clean Building Act targets.	• Provide education and technical support to building owners. • Pursue federal and state funding for efficiency improvements. • In cooperation with environmental groups and solar installers, developing a marketing program to Yakima residents and businesses to encourage installation of solar systems on or at their property.	• Provide education and technical support to building owners. • Pursue federal and state funding for efficiency improvements. • In cooperation with environmental groups and solar installers, developing a marketing program to Yakima residents and businesses to encourage installation of solar systems on or at their property.	Pursue federal and state funding for efficiency improvements.
	Strategy 2 Increase education on energy-saving strategies.	• Provide education and technical support to building owners. • Provide education in schools.	• Provide education and technical support to building owners. • Provide education in schools.	
	Strategy 3 Retrofit existing buildings to be more energy efficient.	• Pursue federal and state funding for efficiency improvements. • Provide education and technical support to building owners. • Partner with organizations that can assess current energy usage and recommend efficiency improvements.	• Pursue federal and state funding for efficiency improvements. • Provide education and technical support to building owners. • Partner with organizations that can assess current energy usage and recommend efficiency improvements.	Pursue federal and state funding for efficiency improvements.
Water Conservation	**Water Conservation**			
	Strategy 1 Educate and engage the community in water resources stewardship.		Promote and fund City programs encouraging water conservation	Promote and fund City programs encouraging water conservation
	Strategy 2 Ensure a sustainable water supply.	• Review current plans/policies. • Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. • Continue to work with and support Yakima River Basin Integrated Plan.	• Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. • Continue to work with and support Yakima River Basin Integrated Plan.	• Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. • Continue to work with and support Yakima River Basin Integrated Plan.
	Strategy 3 Encourage reduction of irrigation use.	Educate homeowners/landscapers on efficient irrigation practices.	• Educate homeowners/landscapers on efficient irrigation practices.	• Rainwater capture incentives

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			• Rainwater capture incentives • Drought-tolerant landscaping incentives (Heritage Garden) • Increase resilience by reducing stressors such as non-native noxious species.	• Drought-tolerant landscaping incentives (Heritage Garden) • Increase resilience by reducing stressors such as non-native noxious species.
Carbon Offsetting	**Carbon Offsetting**			
	Strategy 1 Increase tree canopy and climate-adapted plant landscapes.	Plant trees throughout the city to help reduce air pollution and reduce urban heat.	• Plant trees throughout the city to help reduce air pollution and reduce urban heat. • Develop educational programs to promote tree plantings with residents. Tie it to Earth Day, or Arbor Day	Plant trees throughout the city to help reduce air pollution and reduce urban heat.
	Strategy 2 Utilize City properties to increase canopy for carbon sequestration.	• Review the current Parks & Recreation plan. • Review inventory of City owned, unused and/or vacant properties.		
Recycling and Waste Management	**Recycling and Waste Management**			
	Strategy 1 Conduct a waste audit.		Conduct a waste audit.	
	Strategy 2 Increase Recycling education in schools.		Work with schools to create educational campaigns for students and families	
	Strategy 3 Develop and implement strategies to reduce food waste and increase access to healthy, affordable food for all city residents.	Support & promote Food Hubs to address food scarcity and prevent food waste.	Maximize composting of inedible food, yard waste, and other organic waste.	Maximize composting of inedible food, yard waste, and other organic waste.
	Strategy 4 Educational campaign to reduce food waste.	Work with schools to create educational campaigns for students and families.	Work with schools to create educational campaigns for students and families.	
	Strategy 5 Set recycling goals.		• Promote, support, and incentivize a circular economy (a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials) • Improve recycling infrastructure to recycle more items.	• Promote, support, and incentivize a circular economy (a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials) • Improve recycling infrastructure to recycle more items.

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Notification of Award

March 22, 2022

Attn: Raymond L. Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907

Dear Mr. Paolella

Thank you for submitting your Letter of Request for Funding for Building Resilient Inclusive Communities (BRIC) Funds.

I am pleased to inform you that the William O' Douglas Trail Foundation has been awarded its full requested amount of $6,900.00.

Our accounting department requires a W-9 from all awarded applicants. Please submit this to Jessica.vandoren@co.yakima.wa.us. **Please note: All BRIC funds need to be invoiced to the Yakima Health District by June 1, 2022.**

We look forward to seeing how the project evolves with the help of the BRIC funds. We welcome the opportunity to collaborate with any future activities that help engage and increase safe physical activity that results in a healthier future for Yakima County.

Sincerely,

Lilián Bravo
Director of Public Health Partnerships

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Rivera, Eva

From:	350 Yakima Climate Action <350yakimaclimateaction@gmail.com>
Sent:	Wednesday, October 14, 2026 12:46 PM
To:	Ask Planning; Preston, Bill; Martin, Trevor
Cc:	Ray Paolella; Bob Cox; Felipe Rodriguez-Flores
Subject:	Comments on Yakima's draft Comprehensive Plan 2050 by 350 Yakima Climate Action - Part 2 of 2
Attachments:	350 Yakima Comments on Comp Plan 2050 & SEPA Documents.pdf; SEPA ENVIRONMENTAL CHECKLIST.pdf; Naches River Bridge ADA ramp up to Landing Wayside.pdf; YNCRP Letter to City of Yakima 12.3.2025.pdf; Landslide High Risk Info along Railroad Tracks.pdf; UTC & BNSF Approval of Shared Use Trail in RR ROW (2008).pdf

Dear Planning Commission,

Attached is a letter from 350 Yakima Climate Action with comments on the City's draft Comprehensive Plan 2050, along with 10 attachments.
NOTE: Due to the length of attachments, we are sending attachments in two separate emails. This is Part 2 of 2.

Please include these in the public record today.

Thank you,

Coleen Anderson
350 Yakima Climate Action
346 N 24th Avenue
Yakima, WA 98902
360-731-4555

cc: Ray Paolella
Felipe Rodriguez Flores
Bob Cox

Attachments:
SEPA Environmental Checklist
Naches River Bridge ADA Ramp Up
YNCRP Letter to City
Landslide High Risk Info
UTC & BNSF Approval of Shared Use Trail

--
350 Yakima Climate Action acknowledges we live and work on the ancestral lands of the fourteen Confederated Tribes and Bands of the Yakama Nation. The people of the Yakama Nation inhabited more than 12 million acres across Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, and Yakima Counties. We thank the caretakers of this land who have lived here and continue to live here since time immemorial.

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October 13, 2026

City of Yakima Planning Commission
Planning Division
129 N. 2nd Street
Yakima, WA 98901

RE: Yakima Comprehensive Plan 2050 and State Environmental Policy Act (SEPA)

Dear City of Yakima Planning Commission and Planning Division:

City of Yakima's Notice of Public Hearing/Notice of Environmental Review (9/24/2026) requests comments on the: (1) proposed Yakima Comprehensive Plan 2050 and (2) SEPA Environmental Checklist and proposed Determination of Non-Significance (DNS). Please accept these comments from 350 Yakima Climate Action relating to SEPA Review of the GMA-required Climate Resiliency Subelement and the Transportation Element's required Multimodal and Active Transportation provisions since the transportation sector produces about half of all climate-warming greenhouse gas emissions in Washington State. Please include this letter and all the attachments in the October 14, 2026 Public Hearing Record.

Growth Management Act (GMA) Requirements

The City of Yakima must adopt a *resiliency subelement* as part of the City's GMA Comprehensive Plan Update.

The resiliency subelement must equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems, and enhance beneficial opportunities. The resiliency subelement must prioritize actions that benefit overburdened communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change.

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Under state law, the resiliency subelement must have specific goals, policies, and programs to:

(A) Identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;
(B) Identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice; and
(C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.

According to Department of Commerce Guidance, the City of Yakima can meet GMA's "*minimum requirements*" by including in the comprehensive plan "*at least one climate resilience policy for each climate-related hazard (e.g., sea level rise and drought) that is relevant to the jurisdiction.*" Washington Department of Commerce, Climate Element Planning Guidance (Growth Management Services, December 2025): https://deptofcommerce.app.box.com/s/glw5yo8jvfsd40eoa4kdsx0fzde3s9ij

State Environmental Policy Act (SEPA) Requirements

Under RCW Chapter 43.21C and WAC Chapter 197-11, the City of Yakima is required to conduct the SEPA process to analyze direct, indirect, and cumulative impacts of Comprehensive Plan Amendments on public safety, public health, the natural environment, and the built environment. SEPA documents must address probable impacts of future project actions allowed/anticipated by the Comprehensive Plan Amendments. If the proposed Comprehensive Plan Amendments may have a probable significant adverse environmental impact, the SEPA Responsible Official must issue a Determination of Significance (DS) and an Environmental Impact Statement is required.

SEPA Environmental Checklist Inadequate

The SEPA Environmental Checklist (Sept. 24, 2026) is woefully inadequate and should be rewritten to bring it into compliance with state law.

The Environmental Checklist fails to mention the required *Resiliency Subelement.*

The Environmental Checklist fails to discuss efforts to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact

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scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems.

The Environmental Checklist fails to discuss:

- Overburdened Communities -- RCW 36.70A.030(31)
- Environmental Justice -- RCW 36.70A.030(17)
- Highly Impacted Communities – RCW 19.405.020(22)
- Vulnerable Populations disproportionately impacted by environmental harms -- RCW 36.70A.030(52)
- Vital habitat for safe passage/species migration -- RCW 36.70A.070(9)(e)
- Best Available Science -- RCW 36.70A.070(9)(e)

The Environmental Checklist mentions "climate goals and policies" but does not discuss the application of policies to avoid or substantially reduce the adverse impacts of climate change in highly impacted human communities with vulnerable populations.

Probable Significant Adverse Environmental Impacts

1. **Climate Resiliency: East Yakima Overburdened Community Highly Impacted by Air Pollution**

The East Yakima Overburdened Community is delineated in the attached "East Yakima Community 2025 Environmental Justice Report" and "2025 Report: Overburdened Communities Highly Impacted by Air Pollution."

These reports were produced as a collaboration between the State Departments of Health and Ecology, and the reports contain Best Available Science and present scientifically credible climate projections and impact scenarios. Additional Best Available Science and climate impact scenarios are presented in the attached "Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee.

The East Yakima Overburdened Community has the highest estimated number of deaths per population associated with yearly PM 2.5 air pollution exposure in the entire State of Washington: 78 deaths per 100,000 population. The Lower Yakima Valley Overburdened Community Has the next highest estimated number of deaths per population associated with yearly PM 2.5 air pollution exposure: 56 deaths per 100,000 population.

The Environmental Checklist and Draft Comprehensive Plan 2050 contain no discussion of the very significant adverse climate change impacts in Overburdened Communities. The Environmental Checklist and Draft Comprehensive Plan 2050 have

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no goals or policies to identify, protect, and enhance resiliency to climate change impacts on Overburdened Communities. There are no goals or policies to address natural hazards created or aggravated by climate change.

2. Climate Resiliency: Climate-Related Drought

Yakima heavily relies on water resources for agricultural activities and water supply for its residents. However, climate change has led to changes in the timing and intensity of precipitation, reducing snowpack in the mountains, altering the natural water flow regime, and affecting the availability of water during the dry season. This results in water scarcity, impacting agricultural productivity and the availability of drinking water. Drought is a serious hazard arising from climate change that could have profound deleterious impacts on the Yakima Valley economy. Changes in temperature and precipitation patterns due to climate change can alter growing seasons and affect crop yields. Warmer temperatures and increased risks of pests and diseases can pose significant challenges to agricultural production.

3. Community Resiliency: Active Transportation

The East Yakima Overburdened Community currently has inadequate access to green space and outdoor recreation on both sides of the Yakima and Naches River riparian corridors, including access to about 100 acres of public recreational lands at the rivers' confluence and William O. Douglas Hillclimb. The proposed multimodal level of service standards compromise public safety goals by allowing shared uses of City streets lanes by motor vehicles, pedestrians, and bicycles without requiring dedicated space/separation for non-motorized active transportation.

4. Determination of Significance

Due to probable, significant adverse climate impacts, the SEPA Responsible Official is required to issue a Determination of Significance. An environmental impact statement must be prepared for the proposed Comprehensive Plan Amendments. Discussions should include significant direct, indirect, and cumulative environmental impacts, significant irrevocable commitments of natural resources, reasonable alternatives including mitigation measures, and significant environmental impacts which cannot be mitigated. RCW 43.21C.030, RCW 43.21C.031.

Suggested Revisions to Yakima Comprehensive Plan 2050

The proposed Comprehensive Plan 2050 has no identifiable *Resiliency Subelement* and fails to discuss efforts to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available

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science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems.

The proposed Comprehensive Plan 2050 fails to identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice. The proposed plan does not address potential high-risk landslides where the City proposes to operate and maintain abandoned railroad tracks for public use in Selah Gap. The plan does not have a resilience policy for climate-related drought hazards arising from declining mountain snowpacks that alter the natural water flow regime that City residents and the agricultural economy rely on.

To equitably enhance resiliency to the adverse impacts of climate change in human communities and ecological systems and to avoid worsening localized climate impacts in overburdened communities, the Comprehensive Plan should include specific goals and policies to identify, protect, and enhance resiliency to climate change impacts in human communities and ecological systems and address natural hazards created or aggravated by climate change, as recommended in the "Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee based on Best Available Science (Attached).

The Yakima Greenway and William O. Douglas Trail that serve the residents of the East Yakima Overburdened Community should be completed and maintained to provide Vulnerable Populations with access to green space and outdoor recreation on both sides of the Yakima and Naches River riparian corridors, including access to about 100 acres of public recreational lands at the rivers confluence and William O. Douglas Hillclimb. Safe pedestrian and bicycle connections to the City's Lower Cowiche Canyon/William O. Douglas Trail should be prioritized for recreational access and commuting by residents in East Yakima. Consistent with evolving state transportation standards to protect public safety, multimodal levels of service in the Transportation Element should be revised to require spatial separation between active transportation and motorized vehicles. Future transportation projects should have dedicated, protected pedestrian, bicycle, and ADA facilities.

Additional specific policies should be considered in the Comprehensive Plan to address Climate Resiliency:

- Solar panels on every public building.
- Work toward transitioning public transportation to electric.
- Require trees be planted with all new development. For example, in San Antonio, Texas, before any development of property a tree application must be submitted. See Tree Preservation - City of San Antonio

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- The City should plant more trees in overburdened communities. See Health Disparities Map at Environmental Health Disparities (EHD) Map
- The City should plant more trees than currently exist along creeks and rivers and especially along salmon streams and riparian areas
- Build/designate cooling/warming centers and make sure the community knows where they are, especially the houseless. See information here: How to Turn Facilities into Public Cooling Centers During Extreme Heat - Facilities Management Advisor
- Protect and conserve water by putting limits on the amount of irrigation water and restricting specific activities—such as limiting outdoor lawn watering schedules, banning runoff, or adjusting pricing tiers to discourage heavy usage. See what they did in California: CA adopts mandatory water conservation rules - CalMatters
- Build/designate fresh air centers during poor air quality days and make sure the community knows where they are, especially those highly impacted by air pollution such as outdoor workers, unhoused populations and tribes
- Protect workers from wildfire smoke. See: Portal for Protection from Wildfire Smoke
- **Use portable air cleaners:** During poor air quality days, deploy portable HEPA air purifiers in rooms where large numbers of people gather if central HVAC upgrades are not immediately possible.
- Frontline communities may live in homes that aren't properly sealed, don't have access to air purifiers, and often cannot afford to stay inside on poor air quality days due to work that exposes them to the poor air quality. We need to be sure they can access clean air spaces.
- All tribes are considered overburdened communities, so these measures should be in all tribal lands.
- Work with community-based organizations to ensure proper training and education on being prepared for poor air quality and how to use a mask. Ensure that outreach is done in a culturally competent and humble way and in each participant's native language. **Read about Emergency Operations Plans and cultural competence**.
- Maintain a supply of NIOSH-certified N95 respirator masks to be distributed to underserved and vulnerable community members during times of poor air quality. Ozone levels are increased by chemical reaction on hot days.
- Add poor air quality prevention to your **Hazard Mitigation Plan**. Create and or develop a response protocol for poor air quality days in partnership with frontline communities.
- Establish more robust communication to let people know about health hazards from poor air quality. For example, if more people knew the health risks of jogging on poor air quality days, they wouldn't do it.
- The Yakima County Health District does not take responsibility for sharing important health messages. The City should encourage robust communication on poor air quality days.

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- Create clean air centers in frontline communities. Use spaces that are already common gathering spots.
- Create a free air purifier program to distribute air purifiers to frontline communities, **like this program in the City of Ashland**.
- Measures should be taken to protect outdoor workers during poor air quality and excessive heat days. Create model laws to protect frontline communities from poor air quality. For example, **The Farmworker Smoke Protection Act of 2019, which requires the Occupational Safety and Health Administration (OSHA)** to address the exposure of farmworkers to wildfire smoke. OSHA will now require employers to offer protective equipment and offer training on how to use it. This is a good start. However, we need enforcement mechanisms to make sure workers are safe and have ways to take time off if they shouldn't be outside.
- Standards should be adopted to control PM2.5 pollution from industrial dairies and other industrial polluters.
- Farmers should be encouraged to utilize no-till farming practices to keep down the dust from the tilling of fields.
- Adopt measures that will require and help farmers plant cover crops when their fields are fallow. See: The Scientific Case for Paying Farmers to Use Cover Crops and No-Till - National Farmers Union
- The City should consider adopting standards or controls on industrial dairies' unlimited, unmetered use of water
- Apply for grants from the Dept. of Commerce for money available through the Climate Commitment Act to help pay for these measures. See: Climate Planning Grants – Washington State Department of Commerce

The public should have documents to inform review of the Comprehensive Plan Update and Proposed Determination of Nonsignificance (DNS). Critical documents such as the Proposed Determination of Nonsignificance (DNS), six appendices and Planning Commission 10/14/2026 agenda are not available online, including the "Climate Vulnerability Assessment Memo" and "Climate Element Summary" which has not been released to the public.

Thank you for your consideration,

Coleen Anderson
Raymond Paolella
350 Yakima Climate Action

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Attachments:

1. *2025 Report: Overburdened Communities Highly Impacted by Air Pollution* by Washington State Departments of Ecology and Health (December 2025, Ecology Publication 25-02-037): https://apps.ecology.wa.gov/publications/summarypages/2502037.html

2. *East Yakima Community 2025 Environmental Justice Report* (Washington State Departments of Ecology): https://apps.ecology.wa.gov/publications/parts/2502037part15.pdf

3. Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee

4. Yakima Health District BRIC Funding Request

5. Yakima Health District BRIC Award Letter

6. SEPA Environmental Checklist

7. Naches River Bridge ADA ramp up to Landing Wayside

8. Yakama Nation Letter to City of Yakima 12.3.2025

9. Landslide High Risk Info along Railroad Tracks

10. UTC & BNSF Approval of Shared Use Trail in RR ROW

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SEPA[1] Environmental Checklist

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in "Part B: Environmental Elements" that do not contribute meaningfully to the analysis of the proposal.

[1] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance

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A. Background

Find help answering background questions[2]

1. Name of proposed project, if applicable:

City of Yakima Comprehensive Plan 2050 Update, Development Regulation Updates, Revised Critical Areas Ordinance (CAO), and Comprehensive Plan Land Use Amendments (CPA #001-25, CPA #003-25, and CPA #004-25)

2. Name of applicant:

City of Yakima

3. Address and phone number of applicant and contact person:

City of Yakima Community Development
Trevor Martin, Planning Manager
129 N 2nd Street, Yakima, WA 98901
Phone: (509) 576-6754

4. Date checklist prepared:

September 23, 2026

5. Agency requesting checklist:

City of Yakima

6. Proposed timing of schedule (including phasing, if applicable):

Planning Commission Hearing in October and City Council consideration of adoption in November 2026

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The proposal is a non-project action. Future developments and infrastructure implemented by public and private applicants would be subject to their own environmental review. Three additional comprehensive plan land use amendments (CPA #001-25, CPA #003-25, and CPA #004-25) are being reviewed with this proposal.

The City is also planning to review its development regulations for consistency with the proposed Comprehensive Plan amendments, including zoning, building, subdivision, and critical areas regulations.

[2] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background

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8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The City of Yakima Comprehensive Plan 2040 draft Supplemental Environmental Impact Statement (SEIS) March 2017, and final FSEIS June 2017.An DNS will be prepared for subsequent annual updates to the Comprehensive Plan.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Not applicable to this non-project action. Future development activities may submit applications and would be subject to the plans and regulations in place at the time.

10. List any government approvals or permits that will be needed for your proposal, if known.

The City Council will adopt the 2026 Comprehensive Plan Periodic Update materials (plan and individual docketed amendments), zoning and subdivision code updates, and updated Critical Areas Ordinance following a recommendation by the Planning Commission and a 60-day review by the Washington State Department of Commerce. Prior to adoption, the City will also request comments from Yakima County. The City will work to address agency feedback.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Yakima is conducting a periodic review of its Comprehensive Plan consistent with the Growth Management Act (GMA, RCW 36.70A), Yakima County Countywide Planning Policies, and City Guidance. The proposal includes updates to the:

- Comprehensive Plan's vision, goals, policies, background information, and appendices.
- Comprehensive Plan's various chapters with maps, charts, and tables to reflect the updated requirements under the Growth Management Act. This includes an updated Housing Element consistent with new state planning requirements, Future Land Use Map, Capital Facilities Plan to address a range of services and infrastructure, and a new Climate Resilience Element integrated throughout the Plan. No adjustments to the City's Urban Growth Area (UGA) are proposed.
- Comprehensive Plan land use amendments to change land uses for three locations.
- YMC Title 15 Zoning and YMC Title 14 Subdivision for consistency with the Periodic Update and new state requirements, including the following updates to ensure capacity for housing at all income levels:
  - Include unit lot subdivision regulations consistent with state law
  - Include new definitions in the zoning code
  - Update permitted land use sections for consistency with zoning density and emergency housing requirements
  - Update accessory dwelling units code for consistency with state law

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- Include regulations for co-living housing
- Update lot development standards in various sections of the code to reduce minimum lot size and setback, increase lot density, height limits, and lot coverages
- Revise parking standards to be consistent with state law.

- Change of land use designations as follows:
  - CPA #001-25: From Mixed Residential to General Commercial
  - CPA #003-25: From Low Density Residential to Neighborhood Commercial
  - CPA #004-25: From Low Density Residential and Mixed Residential to General Commercial

The City is also updating its CAO concurrent with the Comprehensive Plan Periodic Update. The CAO updates include a review of Best Available Science and other local CAOs, and was prepared in coordination with the Periodic Update to ensure consistency between the CAO and related goals and policies in the Comprehensive Plan. Proposed updates to the CAO include revisions to incorporate Best Available Science for protecting and managing critical areas, adding an updated stream classification system, addressing riparian management zones and buffer requirements, wetland buffer reduction under certain conditions, revising wetland functions that consider climate resiliency, adding clarity for mapping and data sources for critical areas, (e.g. geologically hazardous areas mapping), and adding report requirements for fish and wildlife habitat conservation area.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal includes the entire jurisdiction of the City of Yakima (Exhibit 1). The City of Yakima is in Yakima County in the south-central part of Washington. Being at the center of the Yakima Valley, the city borders Yakima River to the east, along with Interstate I-82.

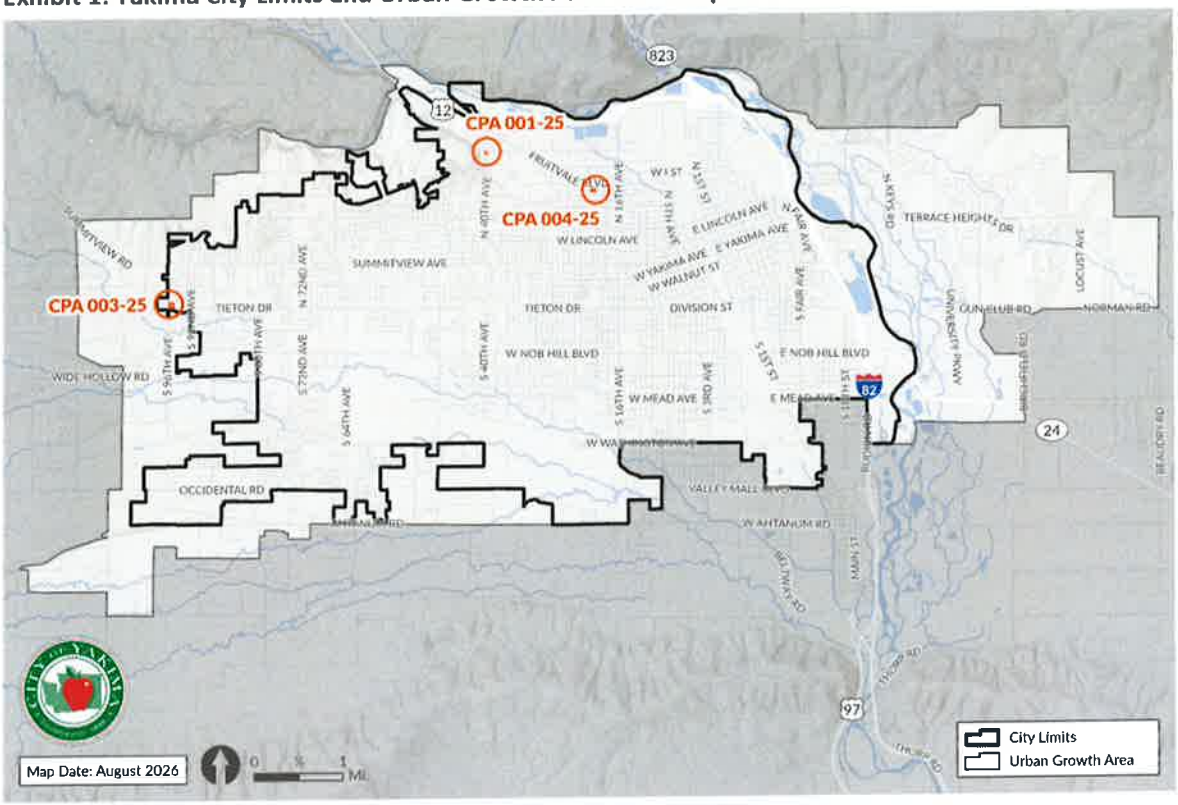
Locations of the Comprehensive Plan Amendments for land use changes are as follows:

- CPA #001-25: 3908 River Road, Yakima
- CPA #003-25: 9503, 9509, 9515 Tieton Drive
- CPA #004-25: 810, 812, 814 N 20th Avenue

Exhibit 1 also shows land use amendment locations within the city.

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Exhibit 1: Yakima City Limits and Urban Growth Area and Comprehensive Plan Amendments



Source: City of Yakima, 2025; BERK, 2025.

B. Environmental Elements

1. Earth

Find help answering earth questions[3]

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

Located in the Yakima Valley, Yakima is mostly flat and the city's average elevation is approximately 1000 ft above sea level. The elevation increases to the south at Ahtanum Ridge to the south side of the city at approximately 2500 ft, and to the north near Naches Heights at approximately 2900 ft. (source: Yakima County GIS, 2026).

b. What is the steepest slope on the site (approximate percent slope)?

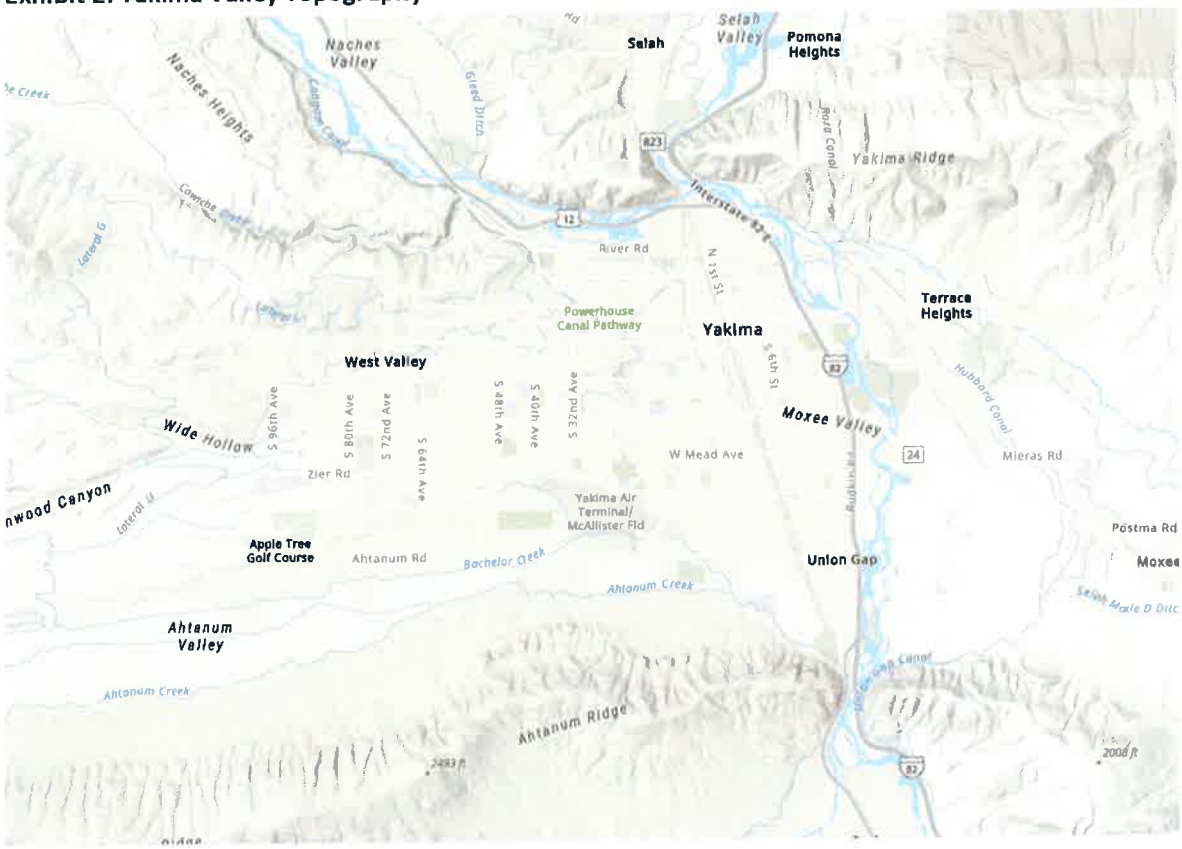
The valley floor is fairly flat with slopes ranging from 0% to 8%. Near the city center area, the slope ranges from 2% to 5% and along the southwest side the slope increases to 5% to 8%. In

[3] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth

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Yakima, high-risk steep slopes are mainly isolated in the city's north and northwestern boundaries along West Powerhouse Road, Prospect Way, and Canyon Creek Road. Moderate risk steep slopes are found near Scenic Drive and Englewood Crest Drive. See Exhibit 2 for the valley topography.

Exhibit 2: Yakima Valley Topography



Source: Yakima County GIS, 2026.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Yakima sits within the semiarid Yakima Valley and features primarily loam, sandy loam, and silt loam soil types according to the USDA Web Soil Survey. These soils are generally well-drained and highly productive when irrigated. The potential exists for siltation where there are Loess soils, particularly during construction. Loess soils are wind-blown and extremely fine. As a result, these soils compact well but may be subject to some erosion, although siltation from runoff after construction is not normally an issue because of low rainfall in the area. Soils transition to very loose silty sand and coarse alluvial gravel close to the Yakima and Naches rivers.

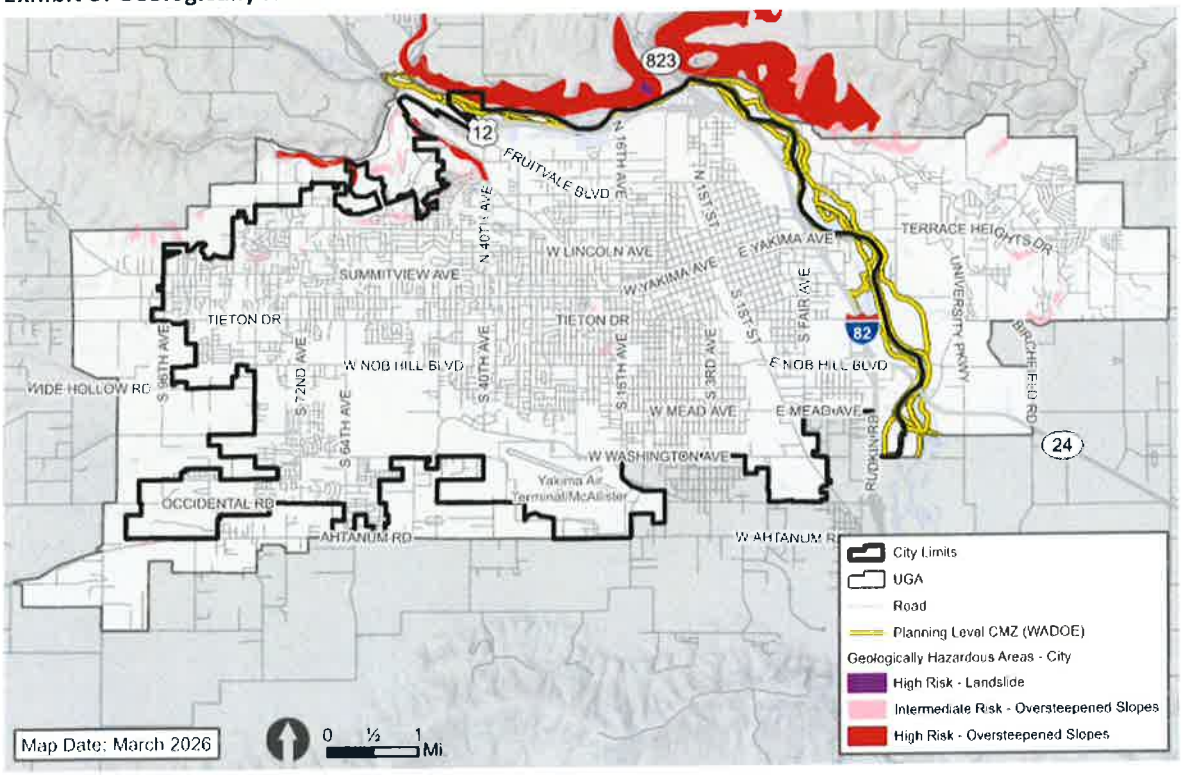
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Agricultural lands of long-term commercial significance are generally not present within the developed urban portions of the City of Yakima. Existing agricultural resource lands are primarily located outside the city's urbanized areas in unincorporated Yakima County.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Geologically hazardous areas include areas of erosion hazard, landslide hazard, seismic hazard, and other hazards, including volcanic hazards, mining hazards and channel migration zones. There are minimal steep slopes and unstable slopes subject to erosion in the northern border of the city. See Exhibit 3.

Exhibit 3: Geologically Hazardous Areas in Yakima



Source: City of Yakima GIS, 2025; WA Dept. of Ecology, 2025.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. No development is proposed; therefore, no filling or grading would occur as part of this non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

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f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Not applicable. No development is proposed; therefore, no erosion would occur because of clearing, construction, or use from this non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. The proposal involves a non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. The proposal involves a non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards. This includes continued application of the City's critical area regulations, stormwater management regulations, and dust control standards. The proposed Land Use Element includes goals and policies to protect geologically hazardous areas, and the new integrated Climate Element includes goals and policies that seek to protect natural resources and ecosystems vulnerable to climate change impacts, such as erosion. In addition, the updated CAO includes revisions to incorporate Best Available Science for protecting and managing critical areas (including geologically hazardous areas to reduce or control erosion).

2. Air

Find help answering air questions[4]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. The proposal involves a non-project legislative action. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action.

[4] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable. No development is proposed; therefore, no new impervious surface will be created as a result of this action. Promoting growth in the centers and other more urban areas of the city as well as local opportunities for workforce and affordable housing could reduce commuting and reduce air emissions. The proposed Land Use Element includes goals and policies to protect the environment (including air quality), and newly integrated climate goals and policies seek to protect natural resources and ecosystems vulnerable to climate change and to improve air quality.

3. Water

Find help answering water questions[5]

a. Surface:

Find help answering surface water questions[6]

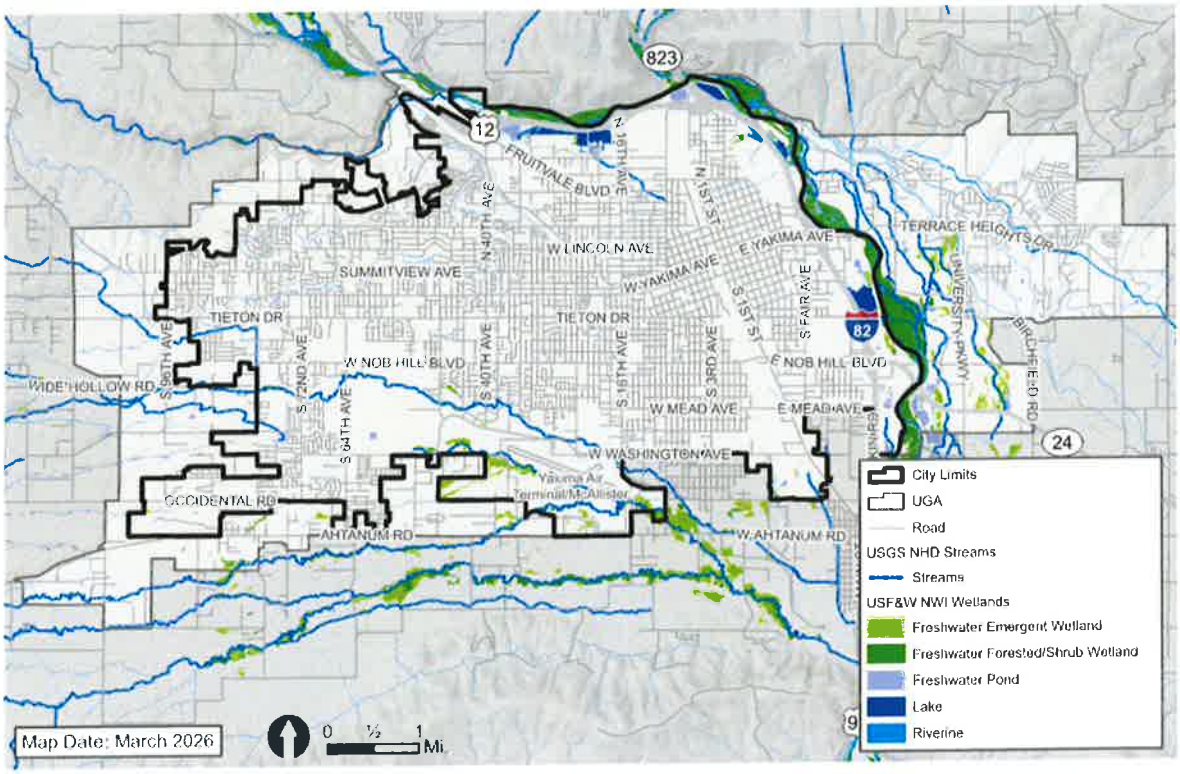
1.Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Most of the city is within the Lower Yakima Watershed, WRIA 37. A portion to the north part of the city abutting the Naches River is included in the Naches Watershed, WRIA 38. The city includes the Yakima and Naches rivers, as well as Wide Hollow, Bachelor, Spring, and Shaw creeks. Surface water is also present in artificial irrigation canals used to transport irrigation water and wetlands are located in the city. Significant wetlands include those associated with the Yakima and Naches rivers and Wide Hollow Creek. Additional small wetlands are associated with the other streams. See Exhibit 4.

[5] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water

[6] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water

Exhibit 4: Wetlands and Streams in Yakima



Source: City of Yakima GIS 2026, and USGS GIS 2025, and US Fish & Wildlife GIS 2025

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable to this non-project legislative action. Future development or activities in the City's shoreline jurisdictions will continue to be subject to the City of Yakima's Shoreline Master Program, and surface waters (including but not limited to rivers, streams, ponds, and wetlands) would continue to be regulated under the proposed CAO updates.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable to this non-project legislative action. Future development projects that require placing or removing fill and dredge material from surface waters or wetlands will be evaluated subject to federal, state, and local regulations and standards, including Yakima's wetland and shoreline regulations designed to avoid impacts to critical areas. The updated CAO also includes updates to incorporate Best Available Science for protecting and managing critical areas to avoid impacts to surface waters and wetlands.

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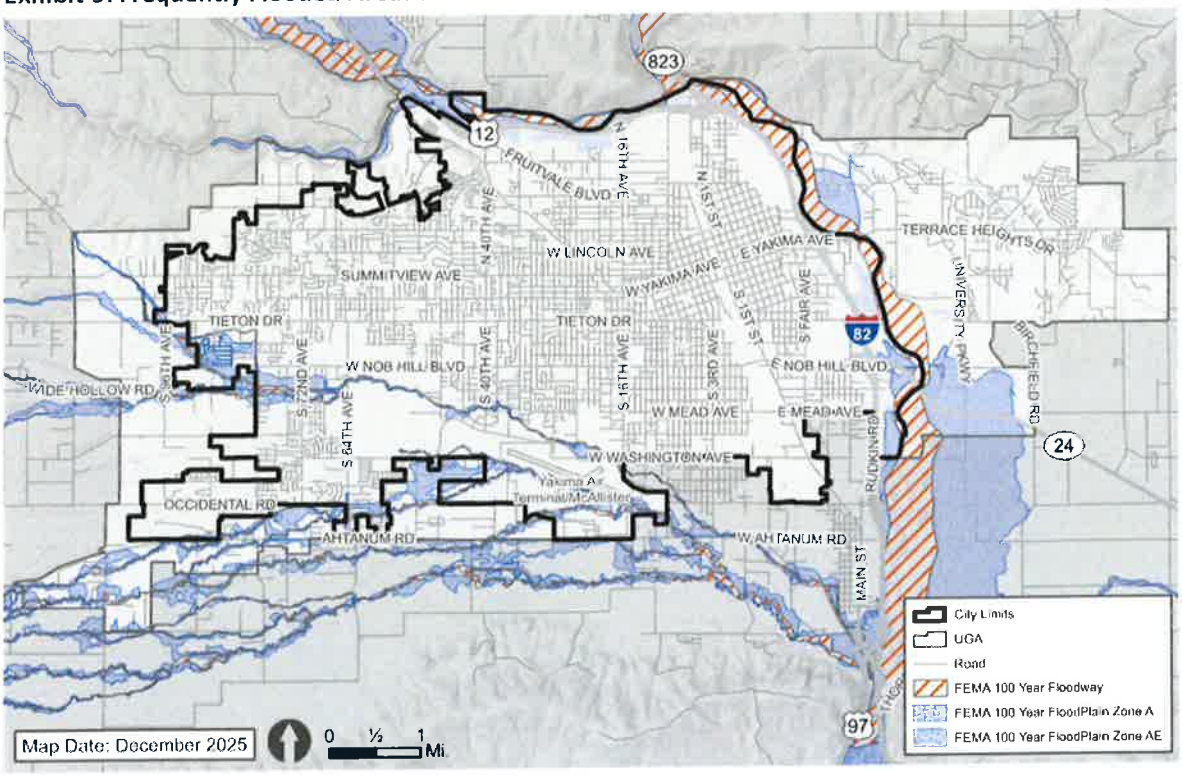
4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

Not applicable. No development is proposed; therefore, no new surface water withdrawals or diversions would occur as part of this non-project legislative action.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

FEMA's mapped 100-year floodplain is shown in Exhibit 5. Within the city, the 100-year floodplain is located along Yakima and Naches rivers, as well as Wide Hollow, Bachelor, Spring, and Shaw creeks.

Exhibit 5: Frequently Flooded Areas in Yakima



Source: City of Yakima GIS, 2025; FEMA Floodplain Map, 2023

Two of the proposed amendments are outside floodplains (CPA #001-25 and CPA #004-25). A portion of land in the proposed land use amendment CPA 003-25 falls within the 100-year floodplain.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable. No development is proposed; therefore, no discharge of waste materials to surface water will be required. The proposal involves a non-project legislative action, any

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future development projects will be evaluated subject to federal, state, and local regulations and standards.

b. Ground:

Find help answering ground water questions[7]

1.Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

Not applicable. No development is proposed; therefore, no groundwater would be withdrawn or discharges made to groundwater as part of this non-project legislative action. Proposed updates to the CAO are intended to protect groundwater while allowing for potable water use for future development.

2.Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable. No development is proposed; therefore, no groundwater will be withdrawn, or discharges made to groundwater. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. Water Runoff (including stormwater):

1.Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable. No development is proposed; therefore, no runoff will be created. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards, especially the City's Stormwater Management Plan.

2.Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. No development is proposed; therefore, no new waste materials would enter ground or surface waters as part of this non-project legislative action. Proposed updates to the CAO are intended to protect ground and surface waters.

[7] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater

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3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. No development is proposed; therefore, no drainage patterns in the vicinity of the site would be affected as part of this non-project legislative action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable. No development is proposed; therefore, no measures to reduce or control surface, ground and runoff impacts are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to federal, state, and local regulations and standards. The proposed Land Use Element and new integrated climate goals and policies preserve water quality and quantity while addressing the challenges posed by climate change, such as drought, reduced snowpack, and increased precipitation and flooding. In addition, updated protection standards in the proposed CAO that incorporate the most recent Best Available Science are intended to avoid impacts to wetlands and to maintain existing drainage patterns. An updated stream classification system and updated riparian management zone buffer requirements will also protect surface and ground water.

4. Plants

Find help answering plants questions

a. Check the types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☒ crop or grain
☒ orchards, vineyards, or other permanent crops
☒ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☒ water plants: water lily, eelgrass, milfoil, other
☒ other types of vegetation: shrub-steppe habitat

b. What kind and amount of vegetation will be removed or altered?

Not applicable. No development is proposed; therefore, no vegetation will be removed or altered. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. List threatened and endangered species known to be on or near the site.

State and federal agencies list threatened and endangered species that have the potential to be present in the City of Yakima. Exhibit 6 summarizes threatened and endangered Vascular plants

and mosses in Yakima County as identified by the Washington State Department of Natural Resources (DNR). According to DNR, Yakima is in the East Cascade ecoregion. The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online database does not list any plant species in Yakima as threatened or endangered.

Exhibit 6: Threatened and Endangered Plants in Yakima County

Species	Federal	State	Lusting Agency
Gray's broomrape		Endangered	DNR
Cascades rockcress		Endangered	DNR
Obscure paintbrush	Sensitive	Endangered	DNR
Washington monkeyflower		Endangered	DNR
Klickitat aster		Threatened	DNR
Diffuse stickseed		Threatened	DNR
Kelogg's rush		Endangered	DNR
Rosy owl's clover	Sensitive	Threatened	DNR
Mt. Rainer lousewort	Sensitive	Threatened	DNR
Obscure pin lichen		Endangered	DNR
Nylander's rocktripe lichen		Endangered	DNR

Source: DNR 2024 Washington Vascular Species and Lichen Species of Conservation Concern Lists, 2024.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

Not applicable. No development is proposed; therefore, no changes are proposed to landscape or vegetation. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

e. List all noxious weeds and invasive species known to be on or near the site.

Yakima County Noxious Weed Control Board identifies a long list of noxious weeds in the county categorized as follows:

- All Class "A" Weeds
- Class "B" Weeds, (all designated & those listed)
- Class "C" Weeds, (listed)

The list is available from the Yakima County Noxious Weed Control Board.

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5. Animals

Find help answering animal questions[8]

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:
☒birds: hawk, heron, eagle, songbirds, other:
☒mammals: deer, bear, elk, beaver, other:
☒fish: bass, salmon, trout, herring, ~~shellfish~~, other:

b. List any threatened and endangered species known to be on or near the site.

A variety of federal and state listed birds, mammals, and aquatic species are known to be or have habitat in the City of Yakima. The list in Exhibit 7 is based on the unofficial species list obtained from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online database, the National Oceanographic and Atmospheric Administration – Fisheries (NOAA) website, and WDFW's Priority Habitat and Species Statewide List and Distribution by County.

Exhibit 7: USFWS Threatened and Endangered Animal Species in Yakima Region

Species	Federal	State	Critical or Priority Habitat	Listing Agency
Yellow-billed Cuckoo	Threatened	Endangered	Designated (proposed)—not present in Yakima	USFWS
Bull Trout	Threatened	Candidate	Critical habitat designated	USFWS
Rainbow Trout/ Steelhead/ Inland Redband Trout	Threatened	Candidate	—	NOAA Fisheries, WDFW
Monarch Butterfly	Proposed Threatened	Candidate	Not present in Yakima	USFWS
Suckley's cuckoo bumble bee	Proposed Endangered	—	No critical habitat has been designated for this species	USFWS
Northern Spotted Owl	Threatened	Endangered	—	WDFW
Wolverine	Threatened	Candidate	—	WDFW
Gray Wolf	Endangered (only in western two-thirds of Washington)	Endangered		WDFW

[8] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals

Source: DNR 2024 Washington Vascular Species and Lichen Species of Conservation Concern Report, 2024.

c. Is the site part of a migration route? If so, explain.

Yakima is part of a major north-south bird migration route known as the Pacific Flyway. The Pacific Flyway is a migratory route that millions of birds use to travel to their nesting grounds. The Pacific Flyway extends from Mexico to Canada and Alaska.

d. Proposed measures to preserve or enhance wildlife, if any.

Not applicable as this is a non-project action. Individual development projects will conduct wildlife surveys as necessary during the environmental review process to determine the presence of federal or state listed species or habitat. The proposed Land Use Element and new climate goals and policies seek to protect ecosystems, including those vulnerable to climate change. The CAO will also continue to regulate fish and wildlife conservation areas, wetlands, and all other critical areas, with proposed updates to incorporate the most recent Best Available Science for protecting and managing critical areas.

e. List any invasive animal species known to be on or near the site.

According to the Washington Invasive Species Council, the following priority invasive animal species are known to occur in the Yakima region:

- Bullfrog: found throughout the lowlands of Washington.
- Nutria: first introduced into Washington for the fur-farming industry in the 1930s, populations are spreading rapidly throughout western Washington and are beginning to appear in central Washington.

Aquatic invasive species in Washington are listed at https://wdfw.wa.gov/species-habitats/invasive and regulated by the WDFW. None of the other aquatic invasive species of greatest concern (the European green crab, northern pike, or zebra and quagga mussels) are known to occur in Yakima.

6. Energy and natural resources

Find help answering energy and natural resource questions[9]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. No development is proposed; therefore, no energy will be used. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

[9] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou

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b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable. No development is proposed; therefore, no energy will be used. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Not applicable. No development is proposed; therefore, no energy conservation features are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to building and energy codes and local regulations and standards. The new integrated climate goals and policies also seek to protect natural resources, increase energy reliability and resilience, and improve building energy efficiency.

7. Environmental health

Health Find help with answering environmental health questions[10]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

Not applicable. No development is proposed; therefore, no environmental health hazards will result as part of this non-project legislative action.

1.Describe any known or possible contamination at the site from present or past uses.

Various cleanup sites in Yakima with low, moderate, and high risks are identified in Exhibit 8 with cleanup status.

Exhibit 8: Yakima Contaminated Sites

Site Name	Address	Status
201 W YAKIMA AVE	201 W YAKIMA AVE	Cleanup Started
Agri-Tech Yakima Steel Fabricators	6 & 10 1/2 E WASHINGTON	Cleanup Started
Barge Lincoln Elementary School	219 E I ST	CC-Perf. Monitoring
Bay Chemical	8 E WASHINGTON AVE	CC-Perf. Monitoring
Bissell Distributing	311 W I ST	Cleanup Started
Bush Property	5412 MORNINGSIDE DR	Cleanup Started
Cameron Yakima Inc	1414 S 1ST ST	CC-Perf. Monitoring
CMX Corp	206 W MEAD AVE	CC-O&M/Monitoring

[10] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health

Site Name	Address	Status
Consolidated Freightways	1105 S 3RD ST	Cleanup Started
Frank Wear Cleaners	106 S 3RD AVE	Cleanup Started
Haas Fruit Whse	711 RUSSELL LN	Cleanup Started
Hoover Elementary School	400 W VIOLA	CC-O&M/Monitoring
Interstate 82 Exit 33A Yakima City Landfill	INTERSTATE 82	Cleanup Started
Kelly Oil	1309 N 1ST ST	Awaiting Cleanup
NU WAY Cleaners Yakima	801 S 3RD ST	CC-O&M/Monitoring
Tiger Oil 24th Ave & W Nob Hill	2312 W NOB HILL BLVD	Cleanup Started
Tiger Oil N 1st St Fmr 6013	1808 N 1ST ST	Cleanup Started
UNOCAL 76	920 N 6TH AVE	Cleanup Started
Valley Junk	403 KEYS RD	Cleanup Started
Whitney Elementary School	4411 W NOB HILL BLVD	Awaiting Cleanup
Wilson Middle School	902 S 44TH AVE	Awaiting Cleanup
Yakima Gull 1614	214 S 5TH AVE	Awaiting Cleanup
Yakima Old City Landfill	S 18TH ST & YAKIMA R MILE 112	Cleanup Started
Yakima Valley Spray	1108-1122 S 1ST ST	Cleanup Started
Zwight Logging	222 Keys Rd	Awaiting Cleanup

Source: WA Dept of Ecology Contaminated Site List, 2026.

2.Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

According to the Department of Transportation Pipeline and Hazardous Materials Safety Administration jurisdiction GIS site, one hazardous gas transmission lines runs on the east side of the City of Yakima city limits within the City's UGA in the Terrace Heights area. There are no hazardous liquid transmission lines in the city.

The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

3.Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. No development is proposed; therefore, no toxic or hazardous chemicals will be stored, used, or produced. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

4.Describe special emergency services that might be required.

Not applicable. No development is proposed; therefore, no toxic or hazardous chemicals will be stored, used, or produced. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

5.Proposed measures to reduce or control environmental health hazards, if any.

Not applicable. No development is proposed; therefore, no measures to reduce or control environmental health hazards are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to federal, state, and local regulations and standards. The new integrated climate goals and policies also seek to prepare the City of Yakima and its residents for hazards exacerbated by climate change, including increased flooding and precipitation, wildfires and wildfire smoke, extreme heat, and more. Washington state's Model Toxics Control Act (MTCA) and federal Toxic Substance Contral Act would apply to future developments for cleanup and prevention of contamination by hazardous substances.

b. Noise

1.What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Several types of noise exist throughout Yakima, including noise from traffic on I-82, SR 12, existing commercial use, and air traffic. No development is proposed with this proposal; therefore, no additional noise would be created. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

2.What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Although this proposal is for a non-project action, it is anticipated that the City's growth and development in surrounding areas will inevitably result in heightened traffic, consequently elevating noise levels along main transportation routes, affecting nearby properties. Potential future developments within the city may further exacerbate background traffic noise, introduce operational noise, or overall increased ambient noise levels. While short-term noise stemming from the construction of individual projects is expected, these effects will be temporary and transient. The city will assess noise impacts arising from individual development and construction as part of the environmental review process for each specific project.

3.Proposed measures to reduce or control noise impacts, if any:

Future site-specific development would be subject to state noise regulations. The City's development regulations also reduce the potential for conflicts such as noise between various

incompatible use types. No additional measures to reduce or control noise impacts are required as the proposal involves non-project legislative actions and no development is proposed.

8. Land and shoreline use

Find help answering land and shoreline use questions[11]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The City of Yakima's current land use is a mix of residential, commercial, industrial, public, and business uses. Commercial uses are concentrated in downtown Yakima and along I-82 and other major arterial corridors. Downtown Yakima is located along Yakima Avenue. The railroad runs parallel to 1st Ave and abuts industrial uses along the north-south stretch of the city. Residential uses are mostly located west of the downtown area.

The proposal will generally maintain Yakima's land use pattern and is not expected to have any major impacts on current land uses. Density of uses is expected to increase over time with infill and redevelopment and changes to development regulations. There is capacity under existing and proposed zoning to accommodate planned growth and the City is not proposing any changes to its Urban Growth Area (UGA) boundary. The City has consolidated and separated some future land use designations, but this will not affect zoning or site specific uses. See Exhibit 9.

Exhibit 9: Existing Land Use within the City Limits and Unincorporated UGA

Existing Land Use	Incorporated City (acres)	Share (%)	City + Unincorporated UGA (acres)	Share (%)
Single-family Residential	5,547	38%	9,787	38.5%
Multi-family Residential	1,009	7%	1,144	4.5%
Professional Offices or Services	1,133	8%	1,487	5.9%
Retail Commercial	1,370	9%	1,760	6.9%
Industrial	1,675	11%	2,024	8.0%
Government, Education, Utility, etc.	766	5%	1,071	4.2%
Parks, Recreation, Cultural	263	2%	265	1.0%
Agricultural	1,298	9%	3,570	14.1%
Vacant	1,629	11%	4,298	16.9%
Total	**14,692**		**25,408**	

Note: Acreages listed here are derived from parcel-level data and do not include right-of-way space. Total existing land use acreage shown here is slightly lower than the total land area of Yakima and its UGA.
Source: City of Yakima, 2025; Yakima County Assessor's Office, 2025; BERK, 2025.

[11] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use

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Three site specific land use amendments are proposed based on existing uses on the sites and surrounding land uses. See Exhibit 10. A change from residential to commercial is generally expected to increase land use intensity and related service requirements. However, two of the locations already have commercial land use next to them, and one is located at the intersection of arterial roads and underdeveloped areas (W Tieton Drive and S 96th Ave). Cumulatively, these are not expected to have major impacts on current land uses.

Exhibit 10: Existing Land Use and Acres of Land Use Amendments

CPA #s	Existing Land Use	Acres
001-25	Single Unit Residential	0.31
003-25	Undeveloped Land	2.03
004-25	Single Unit Residential	0.483
	Mobile Home Park	0.657

Source: City of Yakima, 2025; Yakima County Assessor's Office, 2025; BERK, 2025.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

There are no long-term commercially significant farmlands or forest lands within the city. There are a few "hobby farms" within the city (currently zoned SR - Suburban Residential). No agricultural or forest land of long-term commercial significance will be converted as part of this non-project legislative action.

Yakima County designates mineral resource lands within the county. There are limited sites in the city with long-term commercial significance for mining.

1.Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

See the response in 8b. No development is proposed as part of this non-project legislative action. Future development will continue to be regulated by the Yakima Municipal Code.

c. Describe any structures on the site.

See the response in 8a for the development pattern in the city. Structures in the city are consistent with its land use pattern.

d. Will any structures be demolished? If so, what?

Not applicable. This non-project legislative action does not include demolition of any structures. Current uses could convert to other uses allowed under the zoning code as development occurs consistent with the Comprehensive Plan and implementing regulations. Any future

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development projects will be evaluated subject to federal, state, and local regulations and standards.

e. What is the current zoning classification of the site?

The City's current zoning designations include:

- Residential zones in SR, R-1, R-2, and R-3
- Business zones in B-1, B-2 and HB
- Convenience center type commercial zones in SCC and LCC
- General commercial zone in GC
- Central business district zone in CBD
- Regional development in RD
- Industrial zones in M-1, M-2
- Airport zone in AS zones

The zoning map is also available online.

Exhibit 11 shows zoning of the sites proposed for land use change.

Exhibit 11: Existing Zones of Land Use Amendments

CPA #s	Existing Zone
001-25	R2
003-25	R1
004-25	R3

f. What is the current comprehensive plan designation of the site?

The existing future land use map (FLUM) is available online as part of the 2024 Comprehensive Plan and in the City's open GIS portal.

The City is proposing an updated FLUM map as part of the Comprehensive Plan Periodic Update. This includes simplifying and introducing new land use designations and closely matching densities and uses. Exhibit 12 lists the existing and proposed future land use designations. Proposed designations include new designations for open space and public facilities. The proposed Future Land Use map is shown in Exhibit 13. Exhibit 14 summarizes the proposed land use designation implemented by various zones. Open space and public facilities land use designations are intended to be implemented by all zoning districts except for the AS zone. Exhibit 15 details proposed amendments for the sites with a proposed land use change (CPA #001-25, CPA #003-25, and CPA #004-25).

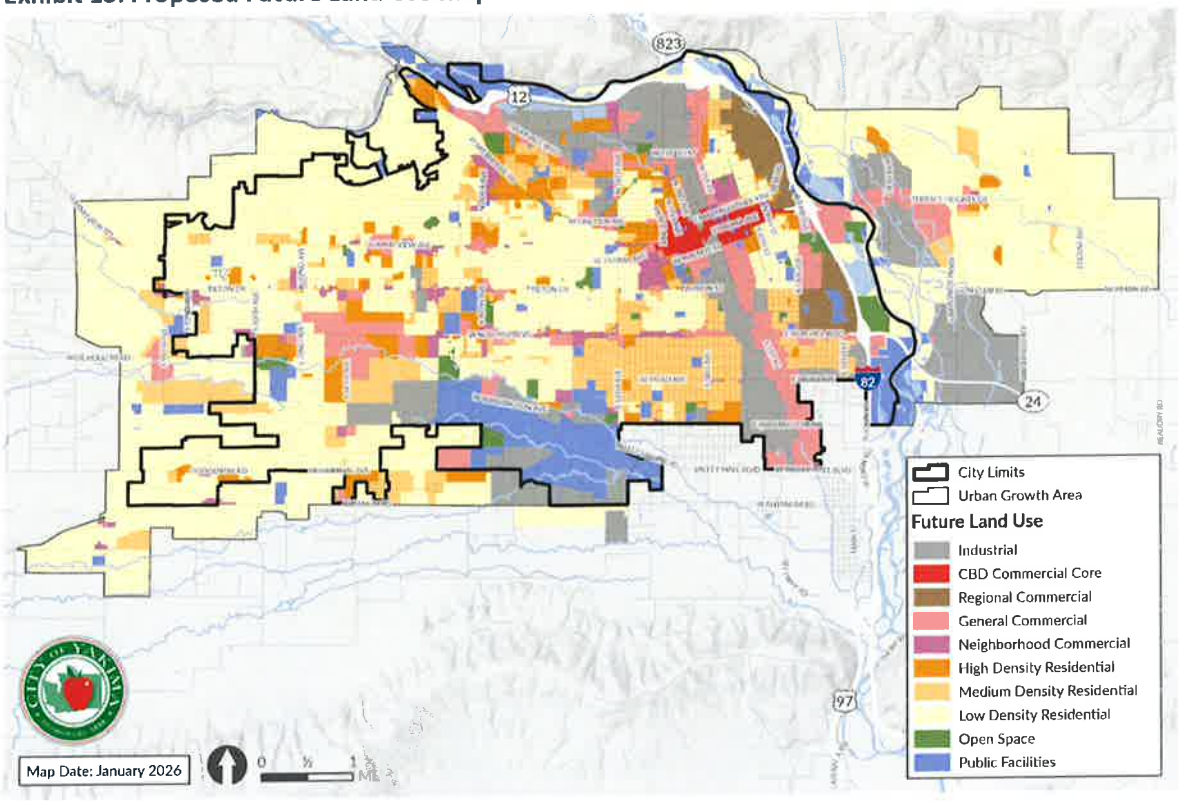
Exhibit 12: Future Land Use Map Existing and Proposed

Existing FLUM Designations	Proposed FLUM Designation
▪ Low Density Residential ▪ Mixed Residential	▪ Low Density Residential ▪ Medium Density Residential

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▪ Community Mixed-Use ▪ Commercial Mixed-Use ▪ CBD Commercial Code ▪ Regional Commercial ▪ Industrial	▪ High Density Residential ▪ Neighborhood Commercial ▪ General Commercial ▪ CBD Commercial Code ▪ Regional Commercial ▪ Industrial ▪ Open Space ▪ Public Facilities

Exhibit 13: Proposed Future Land Use Map



Source: City of Yakima, 2025; BERK, 2025.

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Exhibit 14: Future Land Use and Implementing Zoning Districts

Zoning ↓	Low Density Residential	Medium Density Residential	High Density Residential	Neighborhood Commercial	General Commercial	CBD Commercial Core	Regional Commercial	Industrial	Open Space	Public Facilities
SR	X								X	
R-1	X								X	X
R-2		X							X	X
R-3			X						X	X
B-1				X					X	X
B-2				X					X	X
HB				X					X	X
SCC					X				X	X
LCC					X				X	X
GC					X				X	X
CBD						X			X	X
RD							X		X	X
M-1								X	X	X
M-2								X	X	X
AS								X		

Source: Yakima Municipal Code, 2025; BERK, 2025.

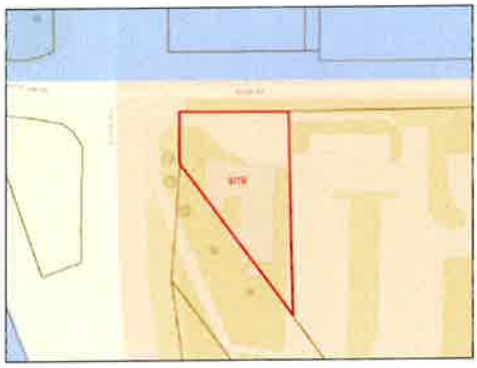
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Exhibit 15: Existing and Proposed Land Use Amendments

	Existing Comprehensive Plan Land Use	Proposed Amendments
CPA 001-25	Mixed Residential	General Commercial

Project Name: DANNY L BIRD
Site Address: 3908 RIVER RD
File Number(s): CPA#001-25

FUTURE LAND USE MAP



CPA 003-25	Low Density Residential	Neighborhood Commercial

Project Name: ROBERTO ARTEAGA
Site Address: 9503, 9509, 9515 TIETON DR
File Number(s): CPA#003-25

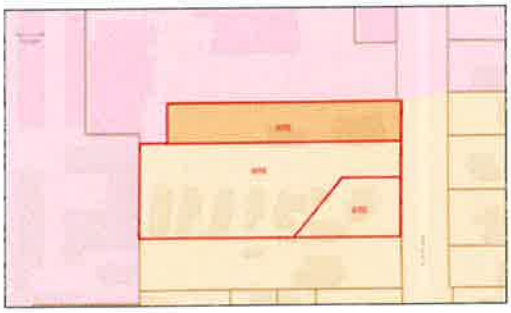
FUTURE LAND USE MAP



CPA 004-25	Low Density Residential and Mixed Residential	General Commercial

Project Name: MENARDS HOLDINGS LLC
Site Address: 810, 812, 814 N 20TH AVE
File Number(s): CPA#004-25

FUTURE LAND USE MAP



g. If applicable, what is the current shoreline master program designation of the site?

The City's Shoreline Master Program is available on the City's open GIS portal. The shoreline regulations are available in the municipal code in YMC Title 17.

Yakima's shoreline includes the following shoreline environment designations:

- Floodway/CMZ
- Urban Conservancy
- High Intensity
- Essential Public Facilities
- Shoreline Residential
- Aquatic

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Critical areas in the City of Yakima are regulated through Yakima's CAO pursuant RCW 36.70A.170. This includes geologically hazardous areas, critical aquifer recharge areas, frequently flooded areas, wildlife habitat conservation areas, and wetlands.

i. Approximately how many people would reside or work in the completed project?

During the countywide allocation process, the City of Yakima had a growth target of total of 107,443 people in the city limits and an additional 16,816 in the UGA by 2046. The City's population in 2025 was 100,000 according to OFM. This would require a total of 10,648 housing units with the city limits and the UGA. The employment target for the city was 4,222 new jobs between 2026 to 246.

j. Approximately how many people would the completed project displace?

The intent of the Comprehensive Plan update is to address how to accommodate Yakima's projected growth by 2046. The plan includes future land use designations to accommodate both existing and future residential and commercial uses. No displacement is expected as a direct result of this non-project legislative proposal.

k. Proposed measures to avoid or reduce displacement impacts, if any.

Not applicable. The intent of the comprehensive plan update is to address how to accommodate Yakima's projected growth by 2046. The plan includes future land use designations to accommodate both existing and future residential and commercial uses. Specific policy language is also proposed to reduce residential and commercial displacement risk.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The City's Comprehensive Plan is designed to be consistent with land use guidance in the GMA and the Yakima County CPPs. The proposed 2026 Comprehensive Plan includes updated future

land use designation definitions and policy language to support land use compatibility (see the Land Use Element).

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

See response to B.8.b. There are no agricultural or forest lands of long-term commercial significance in the city, or major mineral resources in the city.

9. Housing

Find help answering housing questions[12]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No housing units will be constructed as part of this non-project legislative action. However, the GMA requires that Yakima County and the cities within allocate a fair share of housing over a 20-year period through the Yakima County CPPs. The City of Yakima's housing growth targets overall and by income band are summarized in Exhibit 16 as set in the regional allocation process. The greatest need for new units is at the lower end of the affordability spectrum (30% to 50% AMI). In this income band, 2,450 units are needed. A total of 3,661 units are also needed for households earning 30% AMI or less, including 1,750 units of permanent supportive housing that include wrap-around services for people who need support to maintain residency. Emergency housing targets (617 beds) are in addition to permanent supportive housing.

Exhibit 16: City of Yakima and UGA Combined Allocation of Projected Housing Needs, 2020-2046

Total Units Allocated	0-30% Non-PSH	0-30% PSH	30-50% AMI	50-80% AMI	80-100% AMI	100-120% AMI	120%+ AMI	Emergency Housing/ Shelter Beds
10,648	1,750	1,911	2,450	1,286	760	514	1,977	617

Legend: PSH = Permanent Supportive Housing; AMI = Area Median Income.
Source: WA Department of Commerce, 2025; Yakima County 2025; BERK, 2025.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

The intent of the comprehensive plan update is to address how to accommodate Yakima's projected growth by 2046. The plan includes future land use designations to accommodate both existing and future residential and commercial uses. No displacement is expected as a direct result of this legislative proposal.

Proposed land use amendments in CPAs 001-, 003-, and 004-25 will reduce low density housing. Low density housing are generally considered affordable to higher income households. The

[12] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing

proposed changes can increase capacity for higher density housing since proposed commercial land uses also allow high density homes. As mentioned in B.8.c, Yakima already has sufficient housing capacity across all income group needs.

c. Proposed measures to reduce or control housing impacts, if any:

The City's Comprehensive Plan is designed to be consistent with land use guidance in the GMA and the Yakima County Countywide Planning Policies. The land capacity analysis shows the City alone has capacity for over 21,000 net new housing units. Moreover, it shows there is sufficient capacity by assumed income level served to accommodate Yakima's projected housing needs by income level. Yakima has a surplus of:

- 4,560 units capacity for low density housing (>120% AMI)
- 5,220 units in moderate density housing (>80-120% AMI)
- 546 units in ADUS (>50-80% AMI)
- 752 units in low-rise multifamily (0-50% AMI)

Proposed development regulations updates will further remove some barriers to housing developments. This includes reduced lot sizes, higher residential density than currently allowed, reduces setback, and unit lot subdivisions.

The proposed 2026 Comprehensive Plan includes updated future land use designation and policy language to support land use compatibility. Housing goals and related policies also encourage affordable housing, such as:

- Goal 3.1: Encourage diverse and affordable housing choices.
- Goal 3.3: Ensure an adequate supply of housing for all income groups and persons with special needs.
- Goal 3.6: Prevent discrimination and displacement in the development and maintenance of housing.

10.Aesthetics

Find help answering aesthetics questions[13]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposal does not change the City's development regulations for height limits. The City's regulations for height limits are found in Yakima Municipal Code Title 15 Zoning. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to regulations and standards in place at the time.

[13] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics

b. What views in the immediate vicinity would be altered or obstructed?

Not applicable. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable. No development is proposed; therefore, no measures are required to reduce or control aesthetics. The proposal involves a non-project legislative action, any future development projects will be evaluated subject to federal, state, and local regulations and standards.

11.Light and glare

Find help answering light and glare questions[14]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable. No development is proposed; therefore, no light would be produced as part of this non-project legislative action.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable. No development is proposed; therefore, no light would be produced as part of this non-project legislative action.

c. What existing off-site sources of light or glare may affect your proposal?

Not applicable. No development is proposed; therefore, no light would be produced as part of this non-project legislative action.

d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable. No development is proposed; therefore, no measures to reduce or control light and glare impacts are required. The proposal involves non-project legislative actions, and any future development projects will be evaluated subject to federal, state, and local regulations and standards.

12.Recreation

Find help answering recreation questions

a. What designated and informal recreational opportunities are in the immediate vicinity?

There are approximately 756 acres of parks and open space in the city limits and UGA. This includes City, State, and non-profits owned and operated parks. Yakima Parks and Recreation

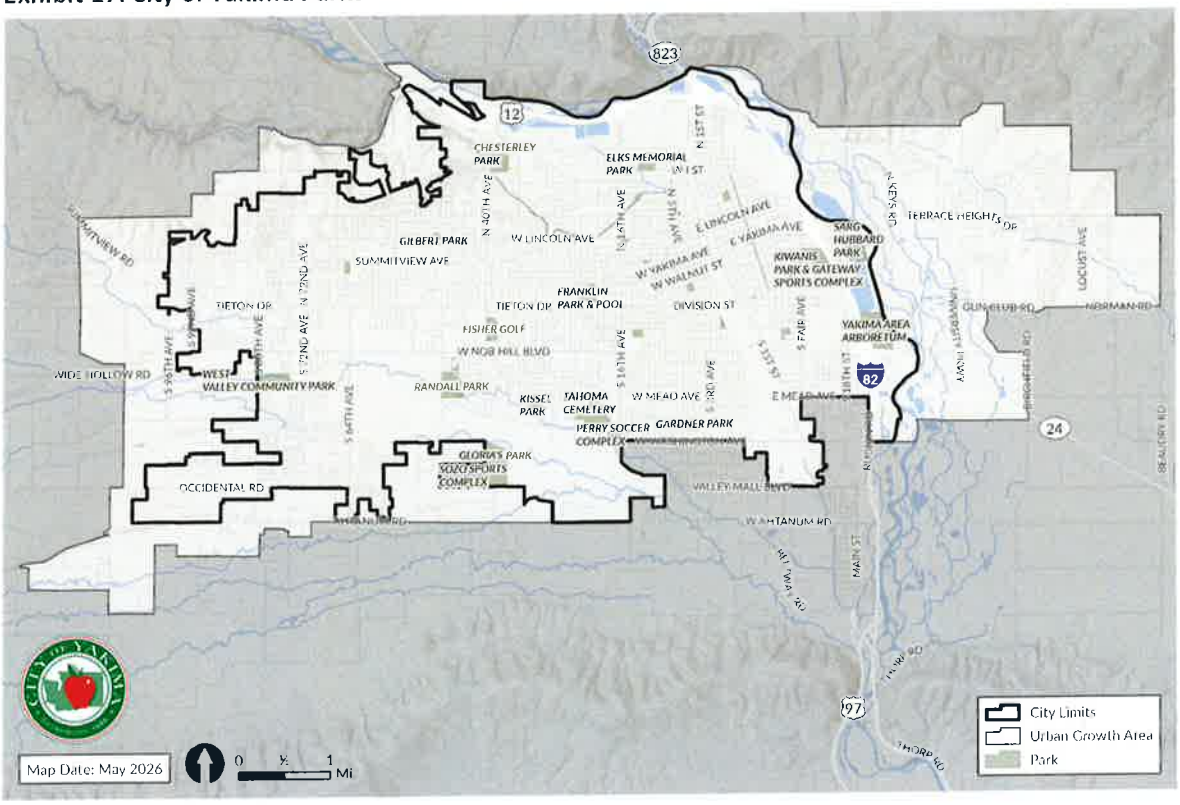
[14] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare

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Division owns and manages approximately 332 acres of parks and recreation facilities. See Exhibit 17.

The City of Yakima Parks & Recreation Division offers a variety of passive and active recreational activities for adults, youth, and seniors through sports programs, the senior center, summer day camps and other special events. Passive recreational activities in Yakima include walking, nature watching, fishing etc. Active recreational activities are provided in various facilities such as sports fields, biking trails etc.

Exhibit 17: City of Yakima Parks



Source: City of Yakima, 2026; BERK, 2026.

b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable. No development is proposed; therefore, no existing recreational uses would be affected as part of this non-project legislative action.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. No development is proposed; therefore, no measures to reduce or control impacts on recreation are required. Future development projects will be evaluated subject to federal, state, and local regulations and standards. The proposed Land Use and Parks and Recreation elements include goals and policies to ensure a healthy and equitable recreational and open space environment for all users in the city. Although the City's facilities fall below the

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acreage standards for Community Parks and Neighborhood Parks/Mini Parks/Parkways as set in the 2022-2027 Yakima Parks and Recreation Comprehensive Master Plan, there are adequate publicly accessible facilities owned and operated by other agencies. The combined inventory of facilities meets the recreational and open space needs of residents.

The new integrated Climate Element also includes discussion on tree canopies, including goals and policies within the Parks and Recreation Element for preservation of open space and tree canopies in the parks.

The City's 2022-2027 Parks Comprehensive Master Plan and future updates will continue to guide acquisition, development, and improvement of park areas and facilities and the provision of recreational service throughout the city. In addition, to offer varied recreational opportunities while providing additional parkland per capita, the City encourages that all new developments address the issue of providing open space. This can be accomplished with parkland dedication, designation of lands for open space, or the availability of open space areas in commercial areas.

13.Historic and cultural preservation

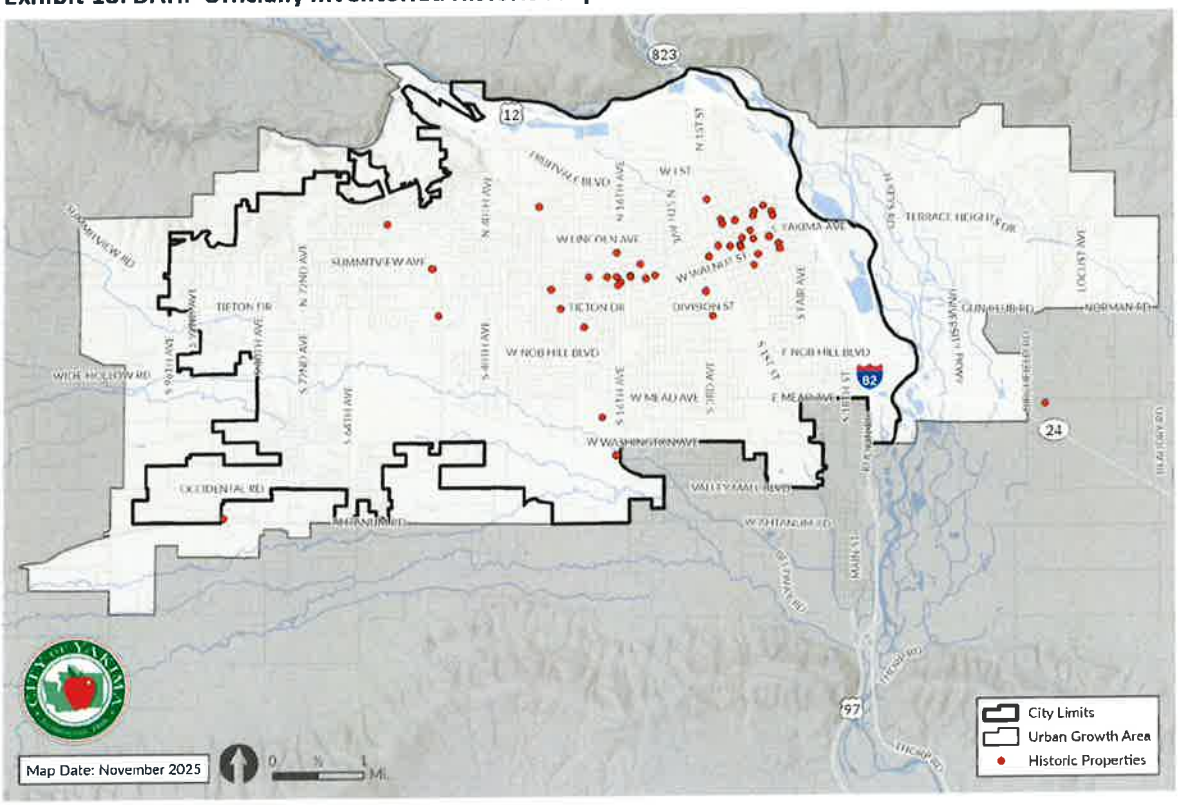
Find help answering historic and cultural preservation questions[15]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Yakima's downtown and surrounding neighborhoods include dozens of properties listed on the National Register of Historic Places (NRHP). The city is also home to the Yakima Valley Museum, one of the premier history museums in the state. Exhibit 18 maps historic properties inventoried by the Department of Archelogy and Historic Preservation (DAHP).

[15] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p

Exhibit 18: DAHP Officially Inventoried Historic Properties



Source: DAHP, 2026; City of Yakima, 2026; BERK, 2026.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

The City of Yakima is located within the ancestral territory of the Yakama Nation (made up of the Kah-milt-pah, Klickitat, Klinquit, Kow-was-say-ee, Li-ay-was, Oche-chotes, Palouse, Pisquose, Se-ap-cat, Shyiks, Skinpah, Wenatshapam, Wishram, and Yakama tribes).[16] The Yakamas and other regional tribes have a long history of making seasonal camps, fishing, gathering, and hunting in the area. Tribal land was ceded in 1855 as part of the Yakama Treaty of Camp Stevens, opening the area to non-Native settlement.[17] Known cultural resources are documented in the Washington Department of Archeology and Historic Preservation's online WISAARD map

[16] Native Land Digital (accessed August 2026); Yakama Nation History (accessed August 2026).
[17] Tribal Lands of Washington Web Map sourced from Ecology's Tribal Lands GIS Layer (accessed August 2026).

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c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

No impact on cultural or historic resources are anticipated as part of this non-project legislative action. The City maintains consistent communication with the Yakama Nation regarding cultural and archeological resources, and the Yakama Nation shares published resources. The City also follows required development notification protocols and discovery procedures, particularly for SEPA notifications or shoreline development permits.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable. No development is proposed; therefore, no measures to avoid, minimize, or compensate for loss, changes to, and disturbance to cultural and historic resources are required. Historic Preservation goals and related policies aim to minimize impacts to cultural and historic resources, such as:

- Goal 4.2: Integrate historic preservation and tribal coordination into Yakima's planning and development strategies.
- Goal 4.3: Identify, register, and protect historic buildings, places, landscape, and trees.
- Goal 4.4: Encourage building and cultural resource rehabilitation in downtown Yakima.

YMC Chapter 11.62 provides for the identification, designation, evaluation, and protection of historic resources. The following state laws also provide protection of archaeological resources:

- Chapter 27.44 RCW provides for the protection of Native American graves and burial grounds, encourages voluntary reporting of said sites when discovered, and mandates a penalty for disturbance or desecration of such sites.
- Chapter 27.53 RCW governs the protection and preservation of archaeological sites and resources and establishes the Department of Archaeology and Historic Preservation (DAHP) as the administering agency for these regulations.
- Section 36.70A.020 RCW includes a goal to identify and encourage "the preservation of lands, sites, and structures that have historical, cultural, and archaeological significance." This goal must be considered and incorporated into comprehensive plans and the implementing development regulations.
- Chapter 68.60 RCW provides for the protection and preservation of abandoned and historic cemeteries and graves.

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14. Transportation

Find help with answering transportation questions[18]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Yakima is primarily served by the City's existing public streets system and by major state highways. See Exhibit 19. Streets are divided into four functional classifications, including Principal Arterials, Minor Arterials, Collectors, and Local Access. Major north-south thoroughfares on the city owned street network include 1st St, 16th Ave, 40th Ave, and 72n Ave. Major east-west streets include Fruitvale Boulevard, Lincoln Ave, and Martin Luther King Jr Boulevard in downtown Yakima, E Yakima Ave and Summit View Ave, Nob Hill Boulevard, and Valley Mall Boulevard. In addition, two roadways owned and operated by WSDOT and identified as highways of statewide significance provide for regional and interregional travel in the city:

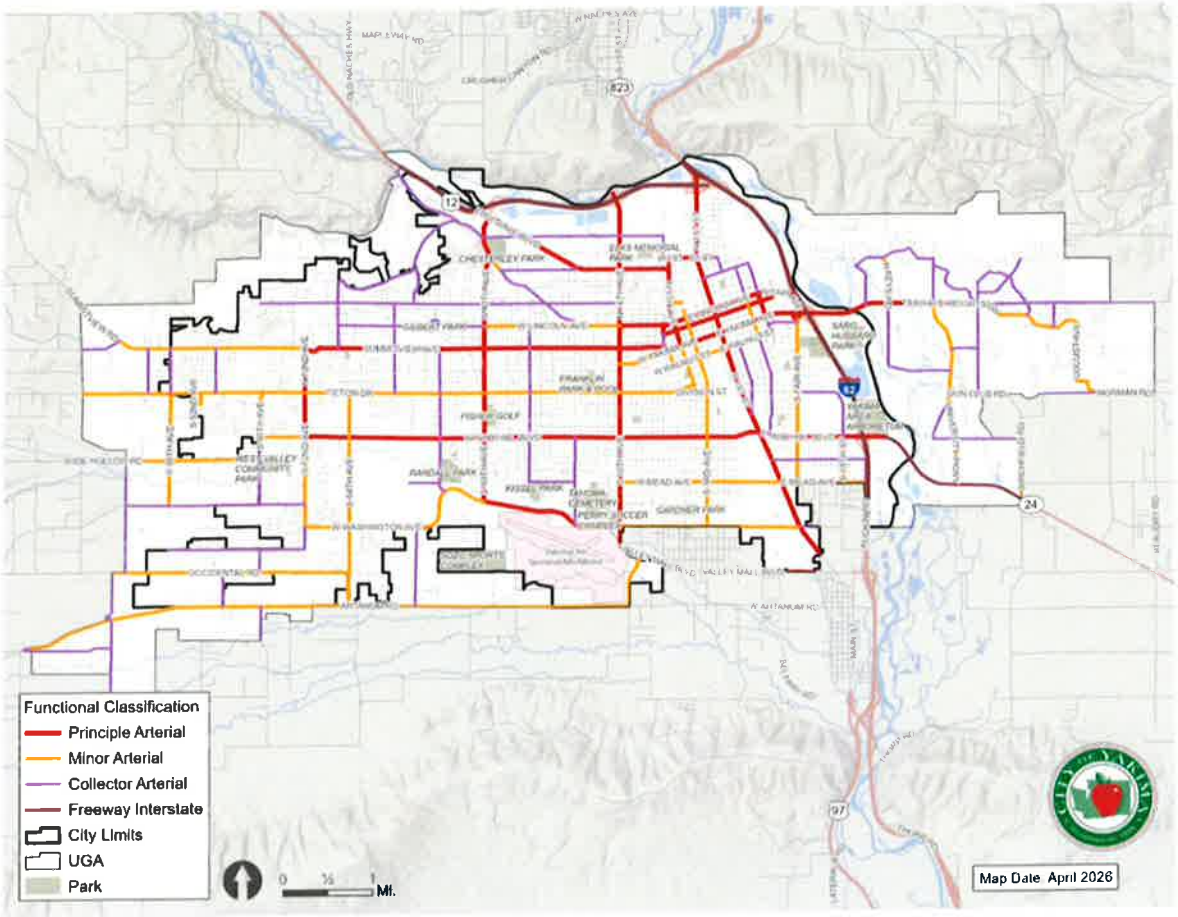
- US-12 from the North Western city limits to the junction with I-82
- I-82 from the junction with US-12 to the southern city limits

The three planned CPAs for upzoning will not have any significant impacts on the existing street system or change local access.

[18] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation

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Exhibit 19: Functional Classification of City Streets



Source: City of Yakima, 2026; Transpo, 2026.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yakima Transit serves the city of Yakima with fixed route and paratransit services. Yakima Transit also provides the Yakima-Ellensburg Commuter service during morning and evening commute periods. As of 2026, Yakima Transit operated Fixed-route bus service along ten different routes that operate between the hours of 6:00am and 7:00pm within the City of Yakima. Weekday routes are operated with one-hour and half-hour headways on most routes, while Saturday and Sunday routes are operated on an hourly basis.

Paratransit service (Dial-a-Ride) is provided by Yakima Transit for patrons who cannot use fixed-route bus services due to a disability and in accordance with ADA. This service provides curb-to-curb paratransit service during the same operating days and hours of local fixed route service. Paratransit services are provided, door-to-door, to eligible clients and serves the areas within the city limits of Yakima and Selah and some trips into the City of Union Gap.

Yakima has one major transit center in its downtown area. The Yakima Transit Center is located along 4th Street between Chestnut Avenue and Walnut Avenue. All Yakima Transit Routes are

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routed through the Yakima Transit Center. The transit center can accommodate up to 12 buses at a time.

The three planned CPAs for upzoning will not have significant impacts on the planned public transit and each are located within close proximity to existing fixed route transit service.

c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No new road, street, pedestrian, bicycle, or state transportation facilities or improvements are proposed or required as part of this non-project legislative action (CPA upzones). The proposed Transportation Element and City's separately maintained six-year Transportation Improvement Program (TIP) include planned improvements to roads and non-motorized infrastructure. The TIP, which is updated annually, is available from the Public Works Department. The proposed Transportation Element identifies long-term updates to the Transportation Systems Plan. Proposed improvements include intersection projects, new roadways, and off-street bicycle routes. Improvement projects are focused on bringing the primary connections into compliance with the City's level of service standards for each travel mode. Any future public or private transportation improvements will be evaluated at the time of a specific proposal and through the City's applicable review process.

d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No new construction or use of air, rail, or water transportation facilities is proposed as part of this non project legislative action. Yakima is near a major air transportation hub, and existing rail lines run through the city. Future development in the immediate vicinity of these facilities will be evaluated subject to federal, state, and local regulations and standards.

- Yakima Air Terminal / McAllister Field is owned by the city of Yakima and is located to the south of downtown Yakima and east of I-82.
- Rail lines in the City of Yakima are exclusively used for freight transportation and do not include passenger service. The double-tracked line through the city's central business district is a Strategic Rail Corridor (WSDOT, 2013) owned by BNSF and one of three statewide east-west rail lines. Additional spur lines within the city and its UGA carry less train traffic, but many remain important connections for the rail community.
- The city borders the Yakima River on its east side; however, the river is not a meaningful freight transportation corridor

The three planned CPAs for upzoning are not planned in the immediate vicinity of water, rail or air transportation.

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e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Planned CPA zoning changes will have no immediate impact on trips generated. As CPAs are developed, the increased density may result in an increase in trips generated. No development is proposed; therefore, no specific number of vehicle trips per day would result because of this non-project legislative action. However, future transportation system needs were analyzed as part of the Comprehensive Plan Periodic Update considering the updated land use designations and projected growth. YVCOG's regional travel demand model supported the transportation planning efforts for this update.

The 2050 Baseline transportation system includes committed transportation system projects – those currently under construction or fully funded. As a conservative assessment of vehicle forecast conditions, the Baseline model did not assume significant changes to the City of Yakima network. The YVCOG model included an additional lane of capacity along I-82 through the urban areas of the county. In addition, the YVCOG model included a new east-west road corridor connecting northeast Yakima to eastern county areas across I-82 and the Yakima River.

The 2050 Baseline model includes roadway capacities that provide an estimated volume-to-capacity (v/c) ratio that is used to identify general areas where weekday PM peak hour volumes approach or exceed the capacity of the roadway. A roadway with a v/c ratio of 1.0 is assumed to be at capacity. As vehicle volumes approach peak roadway capacity, travel times and vehicle delays typically increase. While this does not necessarily mean the roadways would need widening, it does mean that these sections of roadway may need to be monitored closely. No roadway v/c issues were identified within the study area.

See the Transportation Element and supporting appendix for an evaluation of future transportation conditions and needs based on the updated land use designations and projected growth. Any future development projects that could generate measurable traffic impacts will be evaluated when a specific proposal arises, using project-specific information (such as project-level trip generation, peak hour volumes, or truck percentages) and, as applicable, standard transportation analysis methods.

f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable. CPA zoning changes will not impact the movement of agricultural and forest products. As no development is proposed; no specific freight movements, including the movement of agricultural and forest products on roads or streets in the area, would affect this non-project legislative action. Any future development projects that could affect or be affected by freight movement will be evaluated subject to federal, state, and local regulations and standards.

g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable to this non-project legislative action. No development is proposed; therefore, no measures to reduce or control transportation impacts are required. Any future development projects will be evaluated subject to federal, state, and local regulations and standards.

The technical information and policies in the proposed Transportation Element provide guidance for maintaining and improving the City's transportation system to accommodate projected growth and mitigate any transportation impacts over the next 20 years. The element includes LOS standards and goals and policies intended to limit negative environmental impacts and encourage multimodal transportation choices.

An LOS evaluation for the average weekday PM peak hour was also performed for major intersections within the city to identify future vehicle LOS deficiencies. Deficiencies were determined based on the City's vehicle LOS standards. During 2050 Baseline conditions, five intersections would not meet the adopted LOS standard. Projects to address these forecast deficiencies are outlined in the technical analysis appendix to the Comprehensive Plan.

The Transportation Element also includes a recommended long-term list of transportation improvement projects and programs based on an evaluation of existing and forecast traffic volumes, traffic operations, safety, and circulation needs. The long-term project list is organized into the following categories: intersection/spot, major/new roadway, active transportation, other agency improvements, and citywide programs. Guidance includes proposed new roadways and intersection projects to improve traffic flow in areas where travel demand is set to increase, as well as new multimodal connections and support for transit levels of service to provide options and reduce demand for travel by cars and trucks alone within the city and the surrounding communities. Concurrency applies to City owned arterials and collector roads—if any proposed development were to cause the LOS to fall below adopted levels, the proposed development is required to reduce the impact of the development by reducing the size of the development or by constructing appropriate mitigation to restore LOS to acceptable levels.

15.Public services

Find help answering public service questions[19]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Future growth under the proposed 2026 Comprehensive Plan would increase demand for public services as described in Volume II of the Comprehensive Plan. This includes increased demand emergency services (fire, emergency medical, and police), public transit, health care, and schools.

[19] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services

b. Proposed measures to reduce or control direct impacts on public services, if any.

The Capital Facilities and Transportation elements provide a framework for planning for and meeting public service needs over the 20-year planning period. This framework includes adopted level of service standards and capital improvement plans of City and non-City service providers. Implementation of this framework would mitigate impacts to public services associated with future growth.

The proposal involves non-project legislative actions. Future development projects will be evaluated subject to federal, state, and local regulations and standards.

16.Utilities

Find help answering utilities questions[20]

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other: irrigation water

Electricity: Pacific Power provides electricity in the City of Yakima.

Natural Gas: Cascade Natural Gas serves the Yakima region.

Water: Water services in Yakima are provided by the City of Yakima Water/Irrigation Division and Nob Hill Water Association. The Terrace Heights UGA area is served by Yakima County. The City's water system shares boundaries with four other water purveyors in the area, with the non-profit Nob Hill Water Association, as the only other water purveyor located within the city limits. The City's water system generally serves central and eastern Yakima. Water service is extended on request, and new development pays for the extension of infrastructure.

Irrigation water: The City of Yakima operates an irrigation utility that provides irrigation water to users in certain areas within the city. In addition to the City's irrigation utility, some irrigation users within the City of Yakima are served by private irrigation systems or directly from canals.

Wastewater: The Yakima Regional Wastewater Treatment Plant (YRWWTP) processes wastewater from homes and businesses in Yakima, Union Gap, Terrace Heights, and Moxee. There are pockets of land in the city that are not served by sewers due to the land being vacant, challenging physical conditions, or past development allowed on septic systems.

Stormwater: Yakima's stormwater collection area includes the City of Yakima and some of the West Valley area outside of city limits. In accordance with the NPDES Western Washington Phase II Municipal Stormwater Permit, the City requires development to provide on-site stormwater management to mitigate these impacts. The City possesses one stormwater source well, referred to as Naches River WTP, in which water is treated by chlorination, filtration, fluoridation, and other methods.

Solid Waste: All refuse within the city is collected by the Refuse Division of the department of public works, a licensed collector, or taken to the sanitary landfill for disposal. Yakima Waste System offers biweekly curbside recycling for a fee. Annually, around 37,647 tons are collected,

[20] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities

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with around 90% of the tonnage categorized as garbage and around 10% categorized as recycled yard waste.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The proposal involves non-project legislative actions. Future development projects will be evaluated subject to federal, state, and local regulations and standards. Yakima's utility service needs and plans are also described in the Capital Facilities Element in Volume II Appendices.

C. Signature

Find help about who should sign[21]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

9/24/2026

X Trevor Martin

Signed by: Martin, Trevor

Type name of signee: Trevor Martin, AICP
Position and agency/organization: Planning Manager, City of Yakima
Date submitted: September 24, 2026

D. Supplemental sheet for nonproject actions

Find help for the nonproject actions worksheet[22]

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

[21] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature
[22] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
See also parts of B.2, B.3, and B.7.

As a non-project legislative action, the proposal would not directly impact water, air, hazardous substances, or noise. Future development consistent with the Comprehensive Plan and implementing zoning code could result in the following impacts:

- Fill and grade proposals, new impervious surfaces, or vegetation removal could result in altered surface water flows, increased stormwater flow, localized flooding impacts, and generation of non-point source pollution to local surface waters.
- Increased vehicle trips could increase air emissions or result in additional noise. As projects identified in the Transportation Element are implemented, an increase in stormwater may be generated due to the increases in impervious surfaces from future roadway widening. Short-term, minor increases in noise and exhaust emissions may occur. The impacts may occur with each individually proposed project at the time of project construction.
- Project construction activities may temporarily produce toxic or hazardous substances, generate noise from the use of standard construction equipment, or result in additional exhaust and fugitive dust (on site or along hauling routes or nearby local streets).
- Some commercial or industrial uses may handle hazardous materials, though the International Fire Code and state and federal laws would continue to apply.

Proposed measures to avoid or reduce such increases are:

The Comprehensive Plan Periodic Update provides a policy framework intended to protect water and air quality, minimize excessive noise, and prevent pollution such as the release of toxic substances. See specific goals and policies in the Land Use Element. In addition, the adopted Shoreline Master Plan (SMP) and updated Critical Areas Ordinance (CAO) will continue to regulate shorelines and critical areas in the city (including critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, fish and wildlife conservation areas, and wetlands). The new integrated climate goals and policies also seek to improve air quality, protect natural resources and ecosystems vulnerable to climate change, preserve water quality and quantity while addressing the challenges posed by climate change, and prepare the city and its residents for hazards exacerbated by climate change.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
See also parts B.4 and B.5.

Future development allowed by the Comprehensive Plan and development regulations could affect plants and animals in Yakima through land clearing for construction of housing and infrastructure, stormwater runoff, and human disturbance associated with future growth. Environmental resources subject to risk of direct and indirect impacts include numerous species of plants and animals (including federal and state designated threatened or endangered species and their habitat). As projects identified in the Transportation Element are implemented, there may be impacts to roadside vegetation due to widening of existing roadways. Impacts will be analyzed for each individually proposed project at the time of project construction.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The Land Use and Natural Environment elements and the new integrated climate goals and policies support key environmental features in Yakima (including wildlife habitats) and seek to protect ecosystems, including those vulnerable to climate change. Together with local, state, and federal environmental regulations—such as YMC Chapters 15.27 (Critical Areas), storm (YMC Chapters 7.80, 7.82, 7.83 and 7.85 which incorporates the Stormwater Management Manual of Eastern Washington), and SMP (YMC title 17)—these goals and policies would continue to protect plants and wildlife in Yakima as development occurs. The updated CAO also includes minor revisions to incorporate Best Available Science for protecting and managing critical areas. Impacts to plants and wildlife from specific development projects would be further evaluated during individual environmental review.

3. How would the proposal be likely to deplete energy or natural resources?
See also Part B.6.

As a non-project action, the proposal would not directly deplete energy or natural resources. Individual projects will typically require oil and electricity during the construction phase to operate equipment and periodically thereafter for routine maintenance and repair activities. Demands for energy and natural resources (such as heating, light, and electricity for residential units or commercial uses) will increase along with population growth and associated development irrespective of the proposed updates.

Proposed measures to protect or conserve energy and natural resources are:

The proposed update to the Comprehensive Plan supports the natural resource protection principles articulated in the GMA. In particular, goals and policies in the Land Use, Capital Facilities, Utilities, Transportation, and Energy elements emphasize conservation of resources, and efficiency in energy use. These elements and the new integrated climate goals and policies seek to protect and conserve natural resources, increase energy reliability and resilience, and improve building energy efficiency. Other measures in place or proposed as part of the periodic update to avoid or reduce such increases are:

- Concentration of development under these Comprehensive Plan policies will enable existing infrastructure to be more intensely and efficiently utilized.
- Public transportation and non-motorized modes of movement are promoted by plan policies, which may result in a reduction in the use of oil energy used by automobiles.
- Application of existing building and energy codes.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
See also Part D.2 regarding plants and animals and parts B.1, B.2, B.3, B.4, B.5, B.6, B.7, B.8, B.12, and B.13.

No direct impacts to environmentally sensitive areas or areas designated (or eligible or under study) for government protection are expected as a result of this non-project action. Population and employment growth would likely increase demand for parks and place additional pressure on environmentally sensitive areas irrespective of the proposed updates. Future development projects may dredge or fill surface waters or wetlands or affect other environmentally sensitive areas or areas designated for government protection. Known cultural resources and historic structures are documented in the Washington Department of Archeology and Historic Preservation's online WISAARD map and the Yakama Nation shares published resources. Any impacts will be determined with each individually proposed project at the time of project design.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The Land Use and Natural Environment elements and the new integrated climate goals and policies seek to conserve the city's natural resources. These goals and policies work together with local, state, and federal environmental regulations, such as the City's SMP and CAO. The existing and proposed CAO update includes regulations intended to protect city resources, with provisions for no net loss of area and functions, which provides a balance between protecting city resources and allowing development and uses to be approved. The Capital Facilities Element also includes goals and policies to help ensure a diversified recreational and open space system in the City of Yakima.

The Plan elements aim to avoid and minimize losses and changes to historic and cultural resources and include goals and policies to support and protect historic resources. Historic and cultural sites would remain protected by federal, state, and local regulations and policies (including YMC Chapter 11.62 which provides for the identification, designation, evaluation, and protection of historic resources). Historic or cultural sites will be evaluated during the environmental review of individual projects and, if necessary, mitigation measures to avoid or minimize potential impacts will be developed. Any alterations to existing historic or cultural sites would also require evaluation and mitigation during individual development process.

Any roadway projects identified in the Transportation Element will be designed to avoid and reduce impacts wherever possible. Additional measures will be evaluated and proposed during the design phase of each individual project.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
See also parts B.8, B.9, B.10, and B.12.

The City of Yakima currently contains numerous zoning and future land use designations. Citywide, the predominant land use districts are Low Density Residential (LDR) with moderate and higher intensity uses designated in downtown and along the major arterials. Commercial uses are concentrated in downtown, along I-82 and other major arterial corridors. The railroad runs parallel to 1st Ave and abuts industrial uses along the north-south stretch of the city. The Public Facility and Open Space land use designations are applied to City owned and non-City owned public facilities, parks, and open space needed to provide the full range of services to the public.

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Based on the community's vision, land characteristics, and provisions of the GMA, the City is proposing an updated FLUM map as part of the Comprehensive Plan Periodic Update. This includes simplifying and introducing new land use designations and closely matching densities and uses. Exhibit 12 lists the existing and proposed future land use designations. The proposed Future Land Use map is shown in Exhibit 13.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The Comprehensive Plan Update is designed to be consistent with the GMA, the Yakima County CPPs, and new state planning requirements. The Land Use Element includes goals and policies intended to ensure new development is compatible with existing land uses and an analysis of future land use needs and projected growth demands to guide future land development (see also Volume II).

Existing and proposed regulations ensure future development is compatible with existing and projected land uses and plans via zoning standards (e.g., appropriate locations for various land uses as well as height, bulk, setback, and landscaping requirements). Individual development projects will be subject to local, state, and federal regulations and must be consistent with the City's Comprehensive Plan (including the Land Use Element goals and policies), the adopted SMP (YMC Title 17) which protects Shorelines of the State, and the GMA. In addition, the adopted SMP and proposed CAO update will continue to regulate shorelines and critical areas in the city, including critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, fish and wildlife habitat conservation areas, and wetlands. The updated CAO will be incorporated into the SMP by reference (as an appendix) and will continue to support no net loss requirements for development within shoreline jurisdiction. No other changes are proposed to the SMP.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

See also parts B.14, B.15, and B.16.

As a non-project action, the proposal will not directly increase demand on transportation, public services, or utilities. However, the Comprehensive Plan Update would guide the type, location, and intensity of development within the city and demand for transportation, public services, and utilities is likely to increase as new development and growth occur.

Proposed measures to reduce or respond to such demand(s) are:

The proposed Capital Facilities, Transportation, Parks, Recreation, and Open Space, and Utilities elements provide a framework for planning for and meeting demands on transportation, public services, and utilities over the planning period:

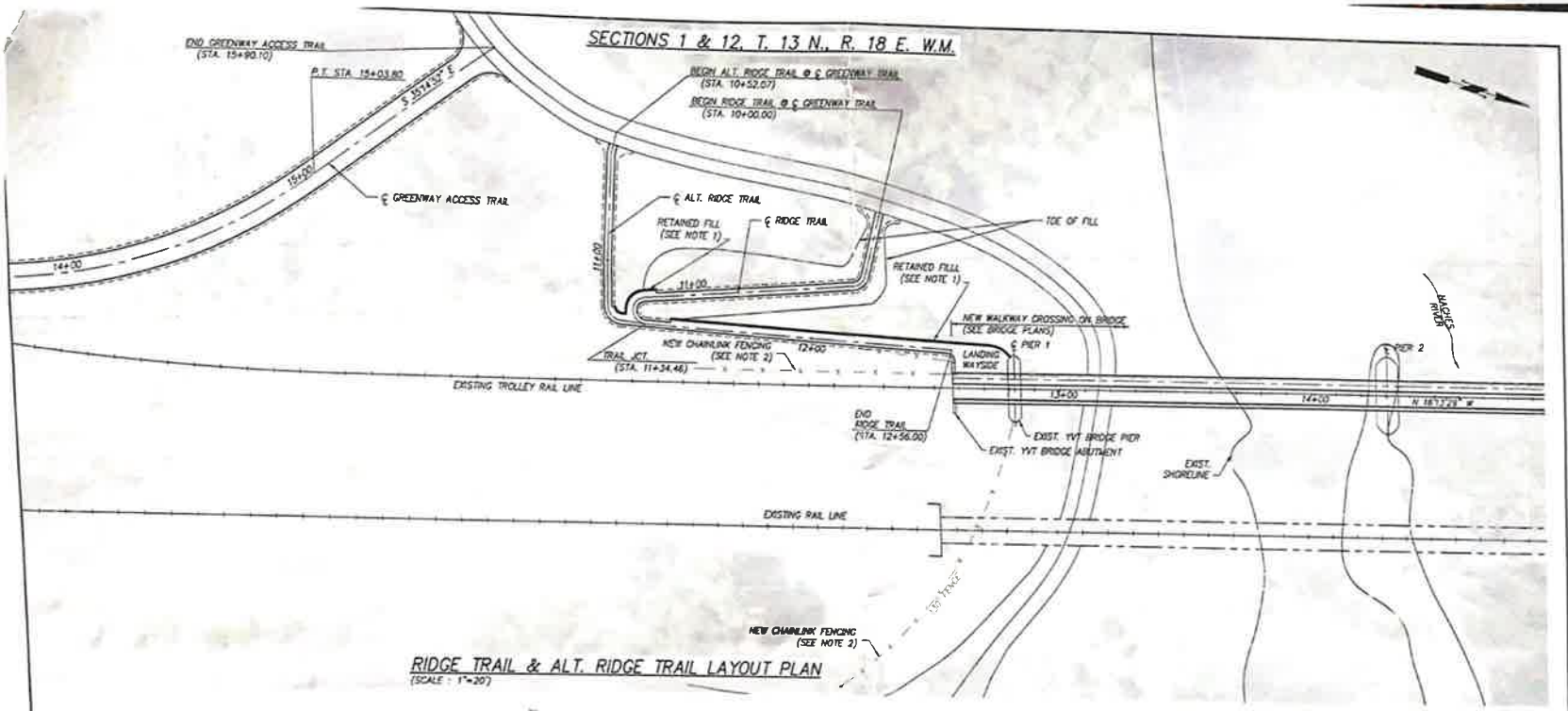
- The Capital Facilities Element details adopted level of service standards and calls for providing adequate capital facilities and public services necessary to support existing development and new growth. Goal 7.1 prioritizes investment in facilities to meet service standards, Goal 7.3 calls for providing facilities in planned and equitable ways, Goal 7.4 aims to protect human and environmental health. The Utilities Element recognizes the

need for collaboration with providers in order to plan for and ensure continued provision of quality services. Other system plans (e.g. Water, Stormwater, etc.) are integrated into the Capital Facilities and Utilities Elements.

- The Transportation Element provides a framework for planning for and meeting transportation demand for the next 20 years. Key policy concepts include supporting multimodal transportation options, meeting level of service standards, and ensuring that adequate funding for transportation systems are in place. Implementation of individual projects included within the Transportation Element will reduce and respond to such demands. In addition to meeting demand for transportation, the Transportation Element also provides guidance for reducing impacts to the environment related to transportation activities, ensuring a safe transportation system, providing options for active transportation such as walking and biking, and maintaining a dynamic relationship between land use and transportation systems in order to support desired land use patterns.
- The level of service standards for parks and open space were developed under the 2022-2027 Parks Comprehensive Master Plan and are incorporated into the Comprehensive Plan. The Parks and Recreation Element includes goals and policies to ensure a healthy and diversified recreational and open space environment in Yakima.
- Goals and policies under these elements support the provision of quality utility services that are reliable, efficient, and financially and environmentally sustainable.
- Implementation of these facilities will comply with regulations during developments under zoning code in Title 15, building and construction code in Title 11, Streets and Sidewalk in Title 8, Public Service and Utilities in Title 7, and Parks and Playgounrds in Title 13.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

In general, the Comprehensive Plan Periodic Update and associated code revisions, and the CAO update seek to protect the environment and would not conflict with any local, state, or federal laws for the protection of the environment. The Comprehensive Plan Update and development regulations have been prepared in accordance with the provisions of the GMA and Yakima County Countywide Planning Policies to ensure coordinated planning. The development regulations and CAO update were prepared concurrent with the Comprehensive Plan Periodic Update to ensure consistency between the documents.



GENERAL NOTES:

1. RETAINED FILLS WILL BE EITHER ROCKERIES, GABION BASKETS, OR MECHANICALLY STABILIZED EARTH WALL CONSTRUCTED FROM GEOGRID WITH A MODULAR BLOCK FACE OR WELDED WIRE FABRIC. SELECTION IS BASED ON HEIGHT OF RETAINED FILL AND GEOTECHNICAL RECOMMENDATIONS.
2. PROPOSED CHAINLINK FENCING WILL FOLLOW TYPICAL FENCING USED BY THE GREENWAY TRAIL. FENCING WILL LIKELY BE VINYL-COATED OF COLOR TO BE SELECTED.

REVISIONS

NO.	DESCRIPTION / DATE	BY

2K consulting
Structural and Civil Engineering Solutions
418 32nd Avenue N.E.
Bremerton, WA 98311
(425) 534-1169

YAKIMA VALLEY TRANSIT TRAIL
NORTH YAKIMA / SOUTH SELAH GAP
TRAIL LAYOUT PLAN

SCALE: AS NOTED
BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES ACCORDINGLY
PROJECT NO. 073
DRAWN BY
DATE
SHEET C3 OF

D-8

Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

December 3, 2025

Sent via electronic mail

Trevor Martin AICP
City of Yakima Community Development Department
Planning Division
129 N. 2nd Street
Yakima, WA 98901

Re: SEPA Application #014-25 - Yakima Valley Trolleys Operation Agreement

Dear Mr. Martin:

The Yakama Nation Cultural Resources Program has reviewed the referenced State Environmental Policy Act (SEPA) checklist for Application #014-25. We find this application fundamentally deficient and unable to support informed environmental and cultural resources review. The application's widespread use of "N/A" responses without explanation, contradictory project descriptions, and absence of basic geographic, environmental, and cultural information render it incomplete under SEPA requirements and inconsistent with the associated responsibilities.

Contradictory Project Description

The application contains conflicting statements about the project scope that prevent meaningful review:

- Question 11 (Brief Description) states this application is *"only analyzing the Yakama Valley Trolleys responsibility for operating and maintaining the existing Trolley System"* and that *"there is no specific project action associated with this SEPA proposal."*
- Question 6 (Timing/Schedule) indicates a 5-year operational period from January 1, 2026 through December 31, 2030.
- Question 8 references a *"Safety Plan (per WAC 468-550-040(4))"* and *"Inventory of assets (Exhibit C)"* that are not included with the application.
- Question 7 acknowledges *"routine operations and maintenance"* of trolley facilities but provides no detail about what these activities entail.

These statements indicate ongoing operational activities with environmental implications, not a purely administrative agreement transfer without a project action. Even non-project

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SEPA reviews under WAC 197-11-442 require analysis of a program's cumulative environmental effects. The application cannot simultaneously claim *"no specific project action"* while describing multi-year operational activities requiring safety plans, asset inventories, and routine maintenance.

Systematic Misuse of 'N/A' Without Justification

The applicant has marked numerous environmental checklist questions as *"N/A"* without providing any explanation for why they do not apply to trolley operations and maintenance. SEPA instructions explicitly state that *"N/A"* should only be used *"when you can explain why it does not apply and not when the answer is unknown."*

The following sections demonstrate either lack of due diligence or deliberate avoidance of required environmental analysis:

Surface Water (Questions 1-5, Pages 4-5)
All surface water questions are marked N/A despite the trolley route crossing multiple waterways and drainage features in the Yakima Valley. Maintenance activities, vegetation management along the right-of-way, and stormwater runoff from rail infrastructure all have potential surface water impacts. Question 2 specifically asks about work *"within 200 feet"* of waters, yet receives an N/A response with the note *"operations and maintenance only, project specific actions will require additional SEPA review."* This circular logic suggests the applicant acknowledges potential impacts but declines to analyze them in this review.

Ground Water (Questions 1-2, Page 6)
Groundwater questions are marked N/A without explaining why infrastructure maintenance, potential chemical use (herbicides for vegetation management), or waste material disposal would not affect groundwater. Historic rail corridors commonly have legacy contamination issues that should be addressed.

Plants and Animals (Questions 3-5, Pages 6-7)
Question 3 (threatened/endangered species) is marked N/A without documentation of Endangered Species Act consultation or biological survey. Question 4 (landscaping/vegetation preservation) is marked N/A despite obvious vegetation management needs along a linear transportation corridor. Question 5 (noxious weeds) is marked N/A without any invasive species assessment or vegetation management plan.

Environmental Health (Questions 2-5, Page 8)
Questions 2 through 5, addressing site contamination, hazardous chemicals, toxic materials, and emergency services, are all marked N/A without acknowledging that historic rail corridors commonly contain contaminated soils from legacy pollutants. No Phase I Environmental Site Assessment or contamination screening appears to have been conducted.

Land and Shoreline Use (Questions 2, 13-14, Pages 8-10)
Question 2 asks about conversion of agricultural or forest lands and receives an N/A response without analyzing whether the trolley route traverses these land use

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categories. Questions 13-14 regarding compatibility with existing land uses and nearby agricultural/forest operations are marked N/A without assessment of potential conflicts.

Complete Avoidance of Supplemental Nonproject Section

Section D (Supplemental Section for Nonproject Actions Only) represents deficiency in this application. WAC 197-11-960 and SEPA guidelines specifically require nonproject proposals to address questions about:

- How the proposal would increase discharges to water, emissions to air, or noise production
- Effects on plants, animals, fish, or marine life
- Depletion of energy or natural resources
- Use or effects on environmentally sensitive areas
- Effects on land and shoreline use
- Increased demands on transportation or public services
- Potential conflicts with environmental laws or requirements

The applicant marked ALL SEVEN questions (Questions 1-7, Pages 13-15) as *"N/A"* without any explanation. This defeats the purpose of completing the supplemental section and fails to satisfy SEPA's requirement for informed decision-making.

Insufficient Location and Geographic Information

Question 12 (Location of Proposal) identifies "306 W Pine Street/404 S. 3rd Ave, Yakima, WA; trolley lines within Yakima and Selah" but provides no:

- Linear footage or mileage of track to be maintained
- Total acreage of right-of-way affected by operations
- Map or geographic coordinates showing the route
- Identification of watercourse crossings
- Proximity analysis to archaeological sites or culturally sensitive areas
- Slope conditions and mass wasting potential along the corridor

The application notes that legal description is *"provided in Exhibit B of the agreement"* but this exhibit is not included. Without basic geographic data defining the project area, it is impossible to assess potential impacts to any environmental or cultural resource. The trolley route is a significant linear feature traversing landscapes occupied by Yakama ancestors for

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thousands of years. We cannot complete meaningful review without knowing where maintenance activities will occur further this SEPA is not a functional.

Inadequate Cultural Resources Analysis

The Historic and Cultural Preservation section (Page 11) presents several concerning deficiencies:

- Question 1 acknowledges the trolley system is listed on national and local registers of historic places, demonstrating the corridor's significance. However, this historic designation applies to the rail infrastructure itself and does not address archaeological resources along the route or traditional cultural properties that may be affected by operations and maintenance activities.

- Question 2 asks about "landmarks, features, or other evidence of Indian or historic use or occupation" and receives the response "None known along trolley route." This statement is inconsistent with the known archaeological sensitivity of the Yakima Valley and the thousands of years of continuous Yakama occupation in this region. The response "none known" suggests no professional cultural resources survey or tribal consultation has been conducted. The Yakima Valley contains numerous recorded archaeological sites, traditional use areas, and culturally significant landscapes.

- Question 3 asks for proposed measures to "avoid, minimize, or compensate for loss, changes to, and disturbance to resources" and receives the response "Continued operations of the Yakima Trolleys for educational and cultural purposes." This response does not address archaeological site protection, inadvertent discovery protocols, or cultural resource management measures that could be helpful.

The linear nature of the trolley corridor presents unique cultural resource concerns. Archaeological sites adjacent to or within the rail right-of-way are susceptible to slope movement and mass wasting, which can have significant upslope and downslope impacts. Vegetation management, track maintenance, drainage work, and visitor access ground-disturbing activities with potential to affect buried archaeological deposits.

Once the scope of the project is defined the applicant could then demonstrate some understanding in order to inform the checklist and the necessary inventory and permitting requirements.

Missing Required Documentation

The checklist references but does not include several pieces of information necessary to understanding project scope and environmental implications:

- Inventory of assets (Exhibit C, referenced in Question 8)

- Yakima Valley Trolleys Operation Agreement
- Legal description (Exhibit B of the agreement, referenced in Question 12)

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These documents are essential for reviewers to understand what activities are authorized, where they will occur, what infrastructure exists, and what safety and operational protocols govern the proposal.

Conclusion and Path Forward

This SEPA checklist does not provide sufficient information to complete environmental and cultural resources review pursuant to the State Environmental Policy Act (RCW 43.21C). The wholesale use of *"N/A"* without explanation, contradictions between claiming "*no project action*" while describing 5-year operational activities, and absence of basic geographic and archaeological data render this application incomplete.

The Yakama Nation is not opposed to trolley operations that preserve this significant historic transportation resource and provide educational and cultural benefits to the community. However, we cannot complete our review or provide informed comment without understanding what this proposal actually entails.

We respectfully request the City of Yakima withdraw this incomplete application and resubmit with the following information:

Clarification of Project Scope
Completion of Section D
Geographic and Location Data
Cultural Resources Assessment
Operational Details and Measures to Avoid or Mitigate
Attachment of Referenced Documents

Provide these documents in complete form via email to the Yakama Nation Tribal Council Chairman, Gerald Lewis via Gerald_Lewis@yakama.com as well as Cultural Resource Program Manager, Casey Barney @ Casey_Barney@Yakama.com.

The Yakama Nation looks forward to meaningful consultation on this project once adequate information is provided. We are committed to working cooperatively with the City of Yakima to ensure trolley operations can proceed in a manner that protects cultural resources, preserves this important historic asset, and honors our shared stewardship responsibilities for the Yakima Valley landscape.

Please contact our office if you have questions about these comments or need clarification on information requirements. Thank you for the opportunity to comment on this project.

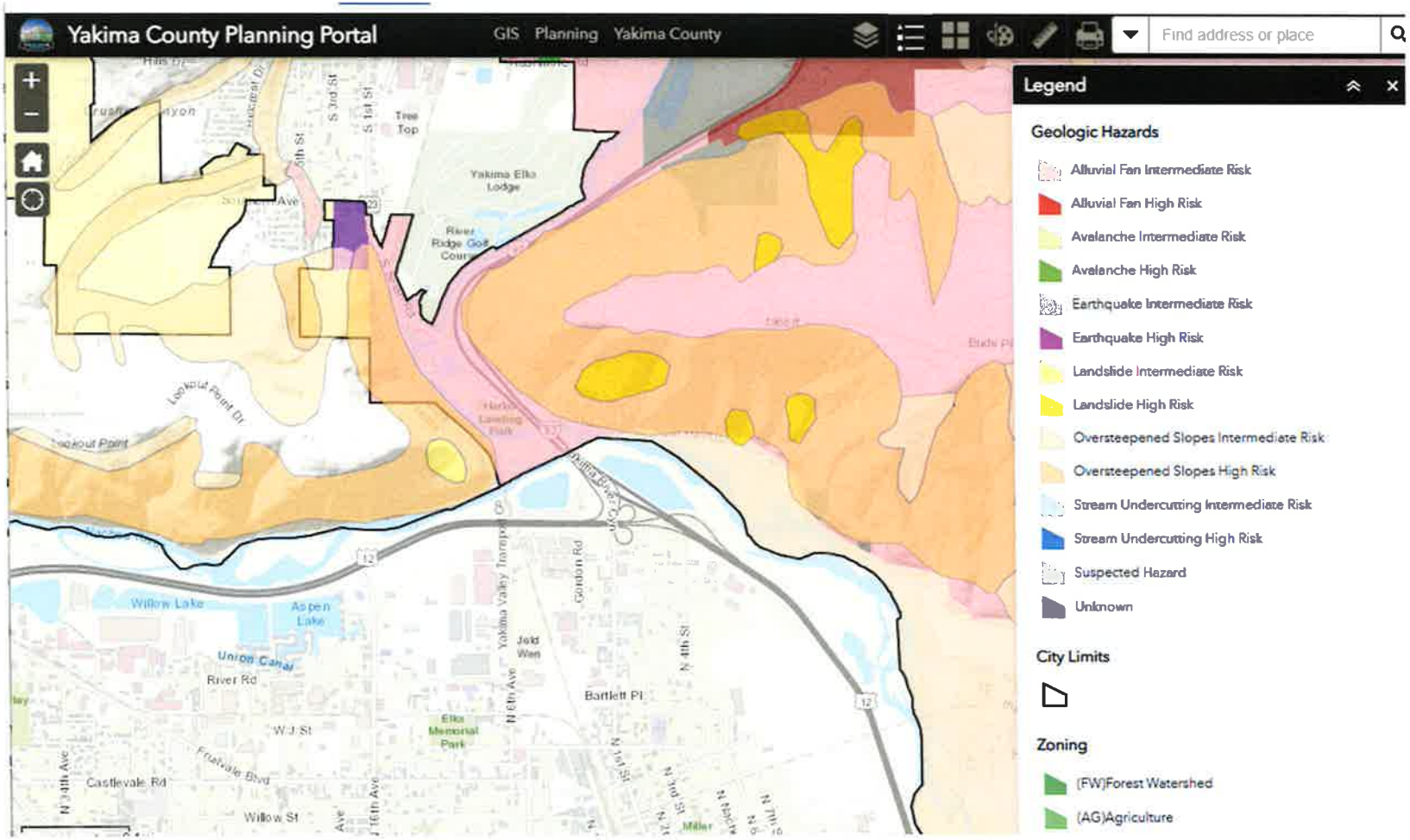
Respectfully,

Noah Oliver

Noah Oliver
YNCRP Geographer and Archaeologist
Yakama Nation Cultural Resource Division

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Landslide High Risk Info along Trolley Route



DOC. INDEX # D-6

TR-072009

WASHINGTON UTC UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250
(360)664-1257 or (360)664-1100
Fax: (360)586-1150
Web: www.wutc.wa.gov
E-mail: records@utc.wa.gov

GRADE CROSSING PROTECTIVE FUND
APPLICATION FOR FUNDING

The Washington Utilities and Transportation Commission (commission), through its Grade Crossing Protective Fund (GCPF), funds projects that eliminate or mitigate public safety hazards at railroad crossings and along railroad rights-of-way in Washington State. Any public, private, or non-profit entity may submit an application to the commission for GCPF monies.

Please complete and submit the following information as part of the application process:

Applicant Information

Applicant Name:	Dick Zais, City Manager
Organization:	City of Yakima
Address:	129 North Second Street, Yakima, WA 98901
Phone:	(509) 575-6040
E-mail:	
Fax:	(509) 576-6335

Please list all other companies, organizations or state or local agencies that may be involved in implementing this proposal and the contact name, address and phone number for each.

Yakima Valley Trolleys
Kenneth G. Johnson
P.O. Box 796
Yakima, WA 98907-0796
yakimavalleytrolleys@hotmail.com

Burlington Northern Santa Fe Railroad Company
Daniel MacDonald, P.E.
Managing Engineer – Seattle
2454 Occidental Avenue South, Suite 1_A
Seattle, WA 98134
(206) 625-6150, Fax (206) 625-6115
daniel.macdonald@bnsf.com

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Grade Crossing Protective Fund Application Form

Project Information

1. *Provide a detailed summary of the hazard being addressed. Include:*
   - *Any information about accidents or incidents at the site.*
   - *Photographs, drawings or other materials that supports the application.*

Currently, there are only two pedestrian crossing facilities for crossing the Naches River at the northern city limits of the City of Yakima. One is located at the eastern city limits (I-82) and the other is at the western city limits (Powerhouse Road). Due to this lack of pedestrian facilities, and despite "No Trespassing" signs, pedestrians occasionally use the BNSF railroad bridge to cross the Naches River. On July 12, 2007, a man and woman who were crossing the Naches River on the railroad bridge were struck by a passing train and seriously injured.

On several occasions recently, railroad police hired by BNSF have had to remove trespassers from the railroad property in this vicinity.

2. *Provide a detailed description of the proposed project and explain how it will eliminate or mitigate the hazard. Include any drawings or construction plans for the proposed project.*

This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

3. *Provide cost estimates. Include:*
   - *Total costs of the project.*
   - *Names of parties contributing to the project and the amount each is contributing.*

Total project costs are estimated to be $37,000. The City is requesting a grant of $20,000 toward this total from WUTC.

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4. *Provide the name of the party responsible for long-term maintenance.*
The City of Yakima and/or the Yakima Greenway Foundation will provide longterm maintenance of the fence.

5. *Provide an estimated timeline of project, if approved.*
Weather permitting; the project will be completed this fall. If not, the project will be completed next spring

6. *Provide a description of how the project's success would be measured.*
Success of this project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF Bridge.

7. *Provide any other information the applicant believes would be useful to the commission in considering the project.*
At several recent meetings, BNSF personnel have expressed their encouragement and approval of our plans to channel pedestrians away from railroad property and to reduce trespass by means of fencing.

8. *If the project involves any construction, modification or demolition on a railroad right-of-way, complete the attached Railroad Commitment form. This includes fencing, gates or other structures located near enough to the tracks to be on the railroad right-of-way, modification to a grade crossing or any other project that involves railroad property or rights-of-way.*
See accompanying email from BNSF engineer Daniel MacDonald expressing the railroad's concurrence with this project.

Submitting the Application

After completing the GCPF application, please send the original to:

Washington Utilities and Transportation Commission
Attention: Grade Crossing Protective Fund
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250

A signed application may be filed electronically at records@utc.wa.gov. When filing electronically, please specify "Grade Crossing Protective Fund" in the subject line.

Assistance

For questions or assistance, please contact:

- Kathy Hunter at (360)664-1257 or by e-mail at khunter@utc.wa.gov.
- David Pratt at (360)664-1100 or by e-mail at dpratt@utc.wa.gov.

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Railroad Commitment
TR-072009

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2008 APR 22 AM 10:06
UTIL. & TRANSP. COMMISSION

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

The City of Yakima has applied for GCPF funds to erect fencing for trespass abatement purposes. The City's trolley bridge and the adjacent BNSF Railway bridge cross the Naches River at the northern end of Yakima City limits. See attached photos for location of fencing. It is believed the BNSF has a 200 ft. right-of-way at this location and much of the fencing would be on that right-of-way. The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

See Notes below.

John Li
Printed name of Railroad Representative

Signature of Railroad Representative

Manager, Public Projects
Title

206 625 6146
Phone

john.li@bnsf.com
E-mail

Date: 4/21/08

Notes: BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. The city will also need to obtain a permit from BNSF with current indemnity language and insurance limits and with a 30-day cancellation clause, if the fencing would be on BNSF's Right-of-Way.

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From: MacDonald, Danniel
To: Wayenberg, Karen
Cc: Polnicky, Bruce K; Agee, David W
Subject: RE: Yakima, WA - UTC Grant Application
Date: Friday, October 05, 2007 3:24:51 PM

Ms. Wayenberg,

Thank you for the opportunity to review the City of Yakima's UTC GCPF application. BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. We look forward to working with the City of Yakima address this safety concern.

Please contact me if you need additional information regarding BNSF's participation. Again, we look forward to working with the City on this issue.

Respectfully,

Dan

Danniel MacDonald, P.E.
Manager Engineering - Seattle
BNSF Railway Company
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134
Office: (206) 625-6150
Fax: (206) 625-6115
danniel.macdonald@bnsf.com

From: Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]
Sent: Friday, October 05, 2007 12:53 PM
To: MacDonald, Danniel
Subject: RE: Yakima, WA - UTC Grant Application

Thanks for reviewing our application and the page requiring BNSF signature. Feel free to call me or reply to this email.

From: MacDonald, Danniel [mailto:Danniel.MacDonald@BNSF.com]
Sent: Friday, October 05, 2007 12:47 PM
To: Wayenberg, Karen
Subject: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

With reference to our conversation this afternoon, my contact information is following. I look forward to reviewing this application.

Respectfully,

Dan

Danniel MacDonald, P.E.

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HOME FRONT
Yakima Herald-Republic
Friday, July 13, 2007



GORDON KING/Yakima Herald-Republic

A woman is placed in an ambulance after nearly being struck by a train near Berglund Lake in Yakima on Thursday. She was injured when she was thrown off the tracks by a companion as the train approached.

Man hit by train after saving companion

He tosses woman from the tracks

By ROB ANTONE
YAKIMA HERALD-REPUBLIC

A man was struck by a train Thursday morning after Yakima police said he saved a woman moments earlier by throwing her from a trestle as the train bore down on them.

The man, who has not been identified, suffered serious injuries and was taken to Seattle's Harborview Medical Center.

The two were among four people attempting to walk across a railroad bridge over the Naches River shortly after 8 a.m.

Although two of the men reached safety, the woman fell on the tracks, police said. She was helped to her feet by the third man, who attempted to get them both to safety. But he ended up throwing her down a 10 to 15 foot embankment moments before being struck, police said.

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two refrigerated boxcars of corn, tried to warn the group by sounding the horn and then applying emergency brakes, said Burlington Northern Santa Fe spokesman Gus Melonas.

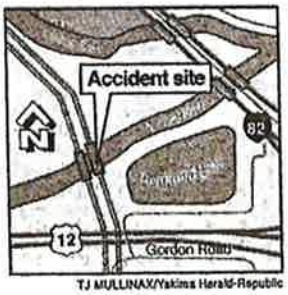
The train had slowed from 35 mph to between 10 and 15 mph when it struck the man, he said.

"This is an unfortunate situation," he said. "But this time of year we see an increase in trespassing situations.

"People take shortcuts and risks often by crossing railroad property and we encourage the public to use designated areas."

Yakima police initially said the man may have suffered back injuries. Authorities initially said it appeared the woman, who was also not identified, broke a leg when she landed on rocks below the trestle.

Melonas later said she suffered only cuts and bruises. There was no immediate word on their conditions. Although Yakima police handled the initial investigation, it has been handed off to BNSF investigators.



TJ MULLINAX/Yakima Herald-Republic

Melonas said nine people have been killed on railroads this year in Washington state.

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Gra

'No doubt he saved my life'

Train encounter broke victim's leg, pelvis

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

As they crossed the bridge over the Naches River, Lisa Boitano was telling her three friends how cool it would be to see a passing train from up close.

That's when they saw the locomotive bearing down.

From her hospital bed Friday, Boitano recalled her friend Mark Brown's reaction.

"He said, 'You might get your chance — run.'"

But as they ran, Boitano fell, and her right leg slipped and became stuck between the wooden ties.

"I was freaking out and tried to pull myself up," she said. "But Mark came up behind me, grabbed both arms and pulled me out.

"No doubt he saved my life."

As the two prepared to leap off the tracks to an embankment about 10 to 15 feet below the tracks, they were struck.

"I felt the train hit my lower back, but he got the full force of it," said 21-year-old Boitano.

The impact threw them about 20 feet into the rocks below. Boitano said she broke her nose and fractured her right leg and pelvis. But then she looked up she saw that Brown, or Green as he is known to his friends, was hurt much worse.

"It was the scariest thing I've ever seen. Blood was everywhere," she said. "I kept saying, 'Green, don't die, Green, don't die. Wake up, wake up.'"

1 Form

She is now at Yakima Memorial Hospital. Brown, 26, was taken to Seattle's Harborview Medical Center, where he was listed in serious condition after undergoing surgery Friday.

Boitano said doctors there told her he suffered multiple injuries, including two broken legs, a shattered pelvis, a broken jaw and a broken arm.

"He would have been okay if he had just jumped, if he hadn't stopped to help me," she said.

Earlier that morning, the four had watched the sunrise from the ridge between Yakima and Selah. They were walking the tracks back to Yakima, and were crossing the bridge shortly after 8 a.m.

Boitano said two of her friends had nearly reached the end of the bridge; she and Brown were only about halfway across.

SEE **TRAIN** PAGE 8A



SARA GETTYS/Yakima Herald-Republic

Lisa Boitano recovers in Yakima Valley Memorial Hospital on Friday, after being hit by a train while she and three others were crossing the trestle over the Naches River.

TRAIN

Continued from Page 1A

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two boxcars, spotted the group and began sounding the horn and applying emergency brakes, which slowed the train from 35 to about 10 to 15 mph, Burlington Northern Santa Fe spokesman Gus Melonas said Thursday.

Boitano said that the horn came too late — the train was almost on them when it sounded. And while braking probably saved their lives, she had no idea at the time that the train had slowed at all.

"It sure as hell didn't feel like it was going 15 mph when it hit us," she said.

Although Melonas said that technically the four were trespassing on railroad property, he did not say whether BNSF would pursue charges.

Boitano said she and her friends did not know they were trespassing.

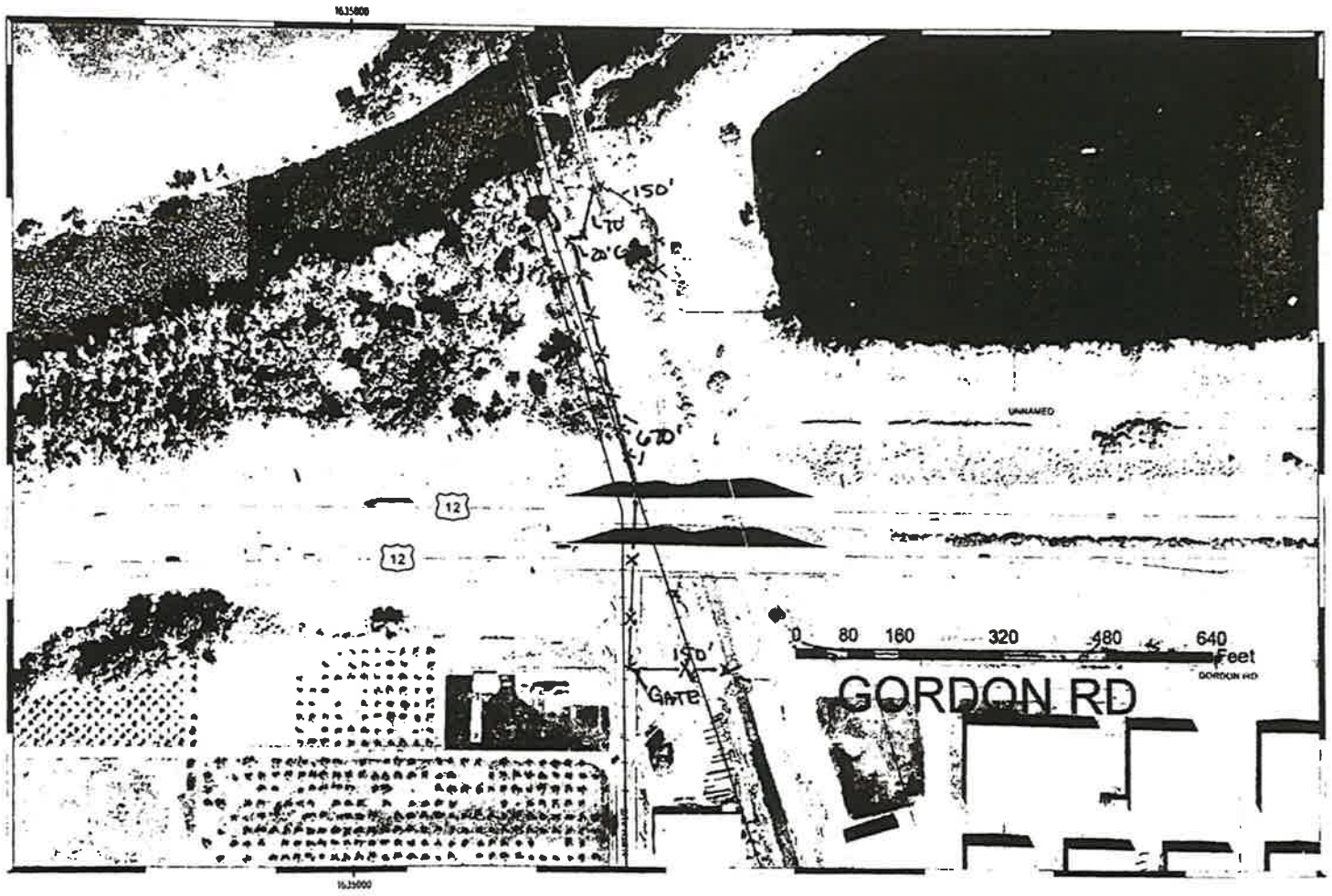
All she does know is that Brown, a man whom she described as being like a brother to her for the past four to five years, was willing to sacrifice himself to save her. The two met while she was a teenager living on the streets and have been close friends ever since.

"I would have been stuck in the tracks if he hadn't helped me out," she said. "He's just a wonderful person."

• *Rod Antone can be reached at 577-7626 or rantone@yakimaherald.com.*

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16.35800
150'
L70
L20'
G70'
UNNAMED
12
12
0 80 160 320 480 640
Feet
GORDON RD
150'
GATE
16.35000

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TR-072009

Boston, Bob (UTC)

From: Sheffield, Brett [bsheffle@ci.yakima.wa.us]
Sent: Tuesday, November 04, 2008 11:59 AM
To: Boston, Bob (UTC)
Subject: Grade Crossing Protective Fund Grant
Attachments: YVT Fence.pdf

Bob,

As we have discussed, part of the William O. Douglas Trail will include a pathway across the Trolley Bridge to allow pedestrians access across the Naches River. I believe that the description in the original application should have been modified to read like the following:

> This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

I have also attached a drawing showing the proposed fencing project. If you have any questions or require additional information, please don't hesitate to contact me. Thanks for your help.

Brett H. Sheffield, P.E.
Chief Engineer
City of Yakima
PH. (509) 576-6797
Fax (509) 576-6305

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Rivera, Eva

From:	350 Yakima Climate Action <350yakimaclimateaction@gmail.com>
Sent:	Wednesday, October 14, 2026 12:54 PM
To:	Ask Planning; Preston, Bill; Martin, Trevor
Cc:	Ray Paolella; Bob Cox; Felipe Rodriguez-Flores
Subject:	PART 3 of 3 -- Comments on Yakima's draft Comprehensive Plan 2050 by 350 Yakima Climate Action
Attachments:	350 Yakima Comments on Comp Plan 2050 & SEPA Documents.pdf; YHD BRIC Funding Request.pdf

Dear Planning Commission,

Attached is a letter from 350 Yakima Climate Action with comments on the City's draft Comprehensive Plan 2050, along with 10 attachments.
NOTE: Due to the length of attachments, we are sending attachments in two separate emails. This is Part 3 of 3! Unfortunately, one attachment fell off. See copy attached.

Please include these in the public record today.

Thank you,

Coleen Anderson
350 Yakima Climate Action
346 N 24th Avenue
Yakima, WA 98902
360-731-4555

cc: Ray Paolella
Felipe Rodriguez Flores
Bob Cox

Attachments:
YHD BRIC Fund Request

--

350 Yakima Climate Action acknowledges we live and work on the ancestral lands of the fourteen Confederated Tribes and Bands of the Yakama Nation. The people of the Yakama Nation inhabited more than 12 million acres across Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, and Yakima Counties. We thank the caretakers of this land who have lived here and continue to live here since time immemorial.

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October 13, 2026

City of Yakima Planning Commission
Planning Division
129 N. 2nd Street
Yakima, WA 98901

RE: Yakima Comprehensive Plan 2050 and State Environmental Policy Act (SEPA)

Dear City of Yakima Planning Commission and Planning Division:

City of Yakima's Notice of Public Hearing/Notice of Environmental Review (9/24/2026) requests comments on the: (1) proposed Yakima Comprehensive Plan 2050 and (2) SEPA Environmental Checklist and proposed Determination of Non-Significance (DNS). Please accept these comments from 350 Yakima Climate Action relating to SEPA Review of the GMA-required Climate Resiliency Subelement and the Transportation Element's required Multimodal and Active Transportation provisions since the transportation sector produces about half of all climate-warming greenhouse gas emissions in Washington State. Please include this letter and all the attachments in the October 14, 2026 Public Hearing Record.

Growth Management Act (GMA) Requirements

The City of Yakima must adopt a *resiliency subelement* as part of the City's GMA Comprehensive Plan Update.

The resiliency subelement must equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems, and enhance beneficial opportunities. The resiliency subelement must prioritize actions that benefit overburdened communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change.

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Under state law, the resiliency subelement must have specific goals, policies, and programs to:

(A) Identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;
(B) Identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice; and
(C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.

According to Department of Commerce Guidance, the City of Yakima can meet GMA's "*minimum requirements*" by including in the comprehensive plan "*at least one climate resilience policy for each climate-related hazard (e.g., sea level rise and drought) that is relevant to the jurisdiction.*" Washington Department of Commerce, Climate Element Planning Guidance (Growth Management Services, December 2025): https://deptofcommerce.app.box.com/s/glw5yo8jvfsd40eoa4kdsx0fzde3s9ij

State Environmental Policy Act (SEPA) Requirements

Under RCW Chapter 43.21C and WAC Chapter 197-11, the City of Yakima is required to conduct the SEPA process to analyze direct, indirect, and cumulative impacts of Comprehensive Plan Amendments on public safety, public health, the natural environment, and the built environment. SEPA documents must address probable impacts of future project actions allowed/anticipated by the Comprehensive Plan Amendments. If the proposed Comprehensive Plan Amendments may have a probable significant adverse environmental impact, the SEPA Responsible Official must issue a Determination of Significance (DS) and an Environmental Impact Statement is required.

SEPA Environmental Checklist Inadequate

The SEPA Environmental Checklist (Sept. 24, 2026) is woefully inadequate and should be rewritten to bring it into compliance with state law.

The Environmental Checklist fails to mention the required *Resiliency Subelement.*

The Environmental Checklist fails to discuss efforts to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact

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scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems.

The Environmental Checklist fails to discuss:

- Overburdened Communities -- RCW 36.70A.030(31)
- Environmental Justice -- RCW 36.70A.030(17)
- Highly Impacted Communities – RCW 19.405.020(22)
- Vulnerable Populations disproportionately impacted by environmental harms -- RCW 36.70A.030(52)
- Vital habitat for safe passage/species migration -- RCW 36.70A.070(9)(e)
- Best Available Science -- RCW 36.70A.070(9)(e)

The Environmental Checklist mentions "climate goals and policies" but does not discuss the application of policies to avoid or substantially reduce the adverse impacts of climate change in highly impacted human communities with vulnerable populations.

Probable Significant Adverse Environmental Impacts

1. **Climate Resiliency: East Yakima Overburdened Community Highly Impacted by Air Pollution**

The East Yakima Overburdened Community is delineated in the attached "East Yakima Community 2025 Environmental Justice Report" and "2025 Report: Overburdened Communities Highly Impacted by Air Pollution."

These reports were produced as a collaboration between the State Departments of Health and Ecology, and the reports contain Best Available Science and present scientifically credible climate projections and impact scenarios. Additional Best Available Science and climate impact scenarios are presented in the attached "Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee.

The East Yakima Overburdened Community has the highest estimated number of deaths per population associated with yearly PM 2.5 air pollution exposure in the entire State of Washington: 78 deaths per 100,000 population. The Lower Yakima Valley Overburdened Community Has the next highest estimated number of deaths per population associated with yearly PM 2.5 air pollution exposure: 56 deaths per 100,000 population.

The Environmental Checklist and Draft Comprehensive Plan 2050 contain no discussion of the very significant adverse climate change impacts in Overburdened Communities. The Environmental Checklist and Draft Comprehensive Plan 2050 have

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no goals or policies to identify, protect, and enhance resiliency to climate change impacts on Overburdened Communities. There are no goals or policies to address natural hazards created or aggravated by climate change.

2. Climate Resiliency: Climate-Related Drought

Yakima heavily relies on water resources for agricultural activities and water supply for its residents. However, climate change has led to changes in the timing and intensity of precipitation, reducing snowpack in the mountains, altering the natural water flow regime, and affecting the availability of water during the dry season. This results in water scarcity, impacting agricultural productivity and the availability of drinking water. Drought is a serious hazard arising from climate change that could have profound deleterious impacts on the Yakima Valley economy. Changes in temperature and precipitation patterns due to climate change can alter growing seasons and affect crop yields. Warmer temperatures and increased risks of pests and diseases can pose significant challenges to agricultural production.

3. Community Resiliency: Active Transportation

The East Yakima Overburdened Community currently has inadequate access to green space and outdoor recreation on both sides of the Yakima and Naches River riparian corridors, including access to about 100 acres of public recreational lands at the rivers' confluence and William O. Douglas Hillclimb. The proposed multimodal level of service standards compromise public safety goals by allowing shared uses of City streets lanes by motor vehicles, pedestrians, and bicycles without requiring dedicated space/separation for non-motorized active transportation.

4. Determination of Significance

Due to probable, significant adverse climate impacts, the SEPA Responsible Official is required to issue a Determination of Significance. An environmental impact statement must be prepared for the proposed Comprehensive Plan Amendments. Discussions should include significant direct, indirect, and cumulative environmental impacts, significant irrevocable commitments of natural resources, reasonable alternatives including mitigation measures, and significant environmental impacts which cannot be mitigated. RCW 43.21C.030, RCW 43.21C.031.

Suggested Revisions to Yakima Comprehensive Plan 2050

The proposed Comprehensive Plan 2050 has no identifiable *Resiliency Subelement* and fails to discuss efforts to equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available

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science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems.

The proposed Comprehensive Plan 2050 fails to identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice. The proposed plan does not address potential high-risk landslides where the City proposes to operate and maintain abandoned railroad tracks for public use in Selah Gap. The plan does not have a resilience policy for climate-related drought hazards arising from declining mountain snowpacks that alter the natural water flow regime that City residents and the agricultural economy rely on.

To equitably enhance resiliency to the adverse impacts of climate change in human communities and ecological systems and to avoid worsening localized climate impacts in overburdened communities, the Comprehensive Plan should include specific goals and policies to identify, protect, and enhance resiliency to climate change impacts in human communities and ecological systems and address natural hazards created or aggravated by climate change, as recommended in the "Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee based on Best Available Science (Attached).

The Yakima Greenway and William O. Douglas Trail that serve the residents of the East Yakima Overburdened Community should be completed and maintained to provide Vulnerable Populations with access to green space and outdoor recreation on both sides of the Yakima and Naches River riparian corridors, including access to about 100 acres of public recreational lands at the rivers confluence and William O. Douglas Hillclimb. Safe pedestrian and bicycle connections to the City's Lower Cowiche Canyon/William O. Douglas Trail should be prioritized for recreational access and commuting by residents in East Yakima. Consistent with evolving state transportation standards to protect public safety, multimodal levels of service in the Transportation Element should be revised to require spatial separation between active transportation and motorized vehicles. Future transportation projects should have dedicated, protected pedestrian, bicycle, and ADA facilities.

Additional specific policies should be considered in the Comprehensive Plan to address Climate Resiliency:

- Solar panels on every public building.
- Work toward transitioning public transportation to electric.
- Require trees be planted with all new development. For example, in San Antonio, Texas, before any development of property a tree application must be submitted. See Tree Preservation - City of San Antonio

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- The City should plant more trees in overburdened communities. See Health Disparities Map at Environmental Health Disparities (EHD) Map
- The City should plant more trees than currently exist along creeks and rivers and especially along salmon streams and riparian areas
- Build/designate cooling/warming centers and make sure the community knows where they are, especially the houseless. See information here: How to Turn Facilities into Public Cooling Centers During Extreme Heat - Facilities Management Advisor
- Protect and conserve water by putting limits on the amount of irrigation water and restricting specific activities—such as limiting outdoor lawn watering schedules, banning runoff, or adjusting pricing tiers to discourage heavy usage. See what they did in California: CA adopts mandatory water conservation rules - CalMatters
- Build/designate fresh air centers during poor air quality days and make sure the community knows where they are, especially those highly impacted by air pollution such as outdoor workers, unhoused populations and tribes
- Protect workers from wildfire smoke. See: Portal for Protection from Wildfire Smoke
- **Use portable air cleaners:** During poor air quality days, deploy portable HEPA air purifiers in rooms where large numbers of people gather if central HVAC upgrades are not immediately possible.
- Frontline communities may live in homes that aren't properly sealed, don't have access to air purifiers, and often cannot afford to stay inside on poor air quality days due to work that exposes them to the poor air quality. We need to be sure they can access clean air spaces.
- All tribes are considered overburdened communities, so these measures should be in all tribal lands.
- Work with community-based organizations to ensure proper training and education on being prepared for poor air quality and how to use a mask. Ensure that outreach is done in a culturally competent and humble way and in each participant's native language. **Read about Emergency Operations Plans and cultural competence**.
- Maintain a supply of NIOSH-certified N95 respirator masks to be distributed to underserved and vulnerable community members during times of poor air quality. Ozone levels are increased by chemical reaction on hot days.
- Add poor air quality prevention to your **Hazard Mitigation Plan**. Create and or develop a response protocol for poor air quality days in partnership with frontline communities.
- Establish more robust communication to let people know about health hazards from poor air quality. For example, if more people knew the health risks of jogging on poor air quality days, they wouldn't do it.
- The Yakima County Health District does not take responsibility for sharing important health messages. The City should encourage robust communication on poor air quality days.

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- Create clean air centers in frontline communities. Use spaces that are already common gathering spots.
- Create a free air purifier program to distribute air purifiers to frontline communities, **like this program in the City of Ashland**.
- Measures should be taken to protect outdoor workers during poor air quality and excessive heat days. Create model laws to protect frontline communities from poor air quality. For example, **The Farmworker Smoke Protection Act of 2019, which requires the Occupational Safety and Health Administration (OSHA)** to address the exposure of farmworkers to wildfire smoke. OSHA will now require employers to offer protective equipment and offer training on how to use it. This is a good start. However, we need enforcement mechanisms to make sure workers are safe and have ways to take time off if they shouldn't be outside.
- Standards should be adopted to control PM2.5 pollution from industrial dairies and other industrial polluters.
- Farmers should be encouraged to utilize no-till farming practices to keep down the dust from the tilling of fields.
- Adopt measures that will require and help farmers plant cover crops when their fields are fallow. See: The Scientific Case for Paying Farmers to Use Cover Crops and No-Till - National Farmers Union
- The City should consider adopting standards or controls on industrial dairies' unlimited, unmetered use of water
- Apply for grants from the Dept. of Commerce for money available through the Climate Commitment Act to help pay for these measures. See: Climate Planning Grants – Washington State Department of Commerce

The public should have documents to inform review of the Comprehensive Plan Update and Proposed Determination of Nonsignificance (DNS). Critical documents such as the Proposed Determination of Nonsignificance (DNS), six appendices and Planning Commission 10/14/2026 agenda are not available online, including the "Climate Vulnerability Assessment Memo" and "Climate Element Summary" which has not been released to the public.

Thank you for your consideration,

Coleen Anderson
Raymond Paolella
350 Yakima Climate Action

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Attachments:

1. *2025 Report: Overburdened Communities Highly Impacted by Air Pollution* by Washington State Departments of Ecology and Health (December 2025, Ecology Publication 25-02-037): https://apps.ecology.wa.gov/publications/summarypages/2502037.html

2. *East Yakima Community 2025 Environmental Justice Report* (Washington State Departments of Ecology): https://apps.ecology.wa.gov/publications/parts/2502037part15.pdf

3. Climate Action Plan for the City of Yakima (November 2023)" developed by the Sustainable Yakima Committee

4. Yakima Health District BRIC Funding Request

5. Yakima Health District BRIC Award Letter

6. SEPA Environmental Checklist

7. Naches River Bridge ADA ramp up to Landing Wayside

8. Yakama Nation Letter to City of Yakima 12.3.2025

9. Landslide High Risk Info along Railroad Tracks

10. UTC & BNSF Approval of Shared Use Trail in RR ROW

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March 1, 2022

Lilian Bravo, Public Health Partnerships Coordinator
Yakima Health District
1210 Ahtanum Ridge Drive
Union Gap, WA 98903

RE: Building Resilient Inclusive Communities Funding Request

Dear Ms. Bravo:

I am writing on behalf of the William O. Douglas Trail Foundation (WODTF), a Washington non-profit 501(c)(3) organization, to request funding under the Building Resilient Inclusive Communities (BRIC) program to increase community access to nature and safe physical activity opportunities.

WODTF would like to request a total of $6,900.00 in BRIC funds. These funds will be used to enhance inclusive and equitable access to safe physical activity areas among disproportionately impacted, low-SES and communities of color in northeast Yakima by designing trail access improvements near 6th Avenue. The strategies to increase community access are described below, and the design tasks are specified in Attachment A: Budget.

The northeastern neighborhoods of Yakima are a significant "Overburdened Community" where vulnerable populations face combined, multiple environmental harms and health impacts. The State Department of Health has designated these overburdened neighborhoods as having high "Environmental Health Disparities," where communities of color and low-income populations are disproportionately affected by lack of access to safe physical activity areas and nature.

"Upstream" social, environmental, and institutional inequities can be the root cause of "downstream" chronic disease and increased rates of morbidity, especially in communities of color and among lower income populations that historically lacked adequate access to parks, green space, and healthy outdoor recreation opportunities. One key strategy for preventing and controlling chronic disease and reducing health inequities resulting from upstream factors can be to increase access to walking, biking, running, and experiencing nature close to home.

WODTF owns 70 acres of open space recreation lands on the north bank of the Naches River, including the William O. Douglas Hill Climb at Selah Gap. This area was used by U. S. Supreme Court Justice William O. Douglas (as a teenager) to strengthen his disease-weakened legs by regularly walking two miles from his northeast Yakima home, crossing the Naches River, and then hiking up Selah Ridge. His health improved greatly. As he grew stronger and matured, Douglas continued with regular physical activities close to his Yakima home, became a brilliant student, a lawyer and judge, and came close to becoming President of the United States.

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WODTF is working with the Cities of Yakima and Selah, and Yakima County, to create healthier neighborhoods by improving access to parks, open space, nature, and outdoor recreation areas close to where people live. Northeast Yakima residents could especially benefit from providing safe access to recreation opportunities along the Naches River and the William O. Douglas Hill Climb recreation lands at Selah Gap (see attached photo of Naches River Bridge with north bank recreation areas in background, together with a second photo of students who accessed this area from the Selah side).

WODTF seeks funding for engineering design and specifications for bridge decking and fencing on the Naches River Multi-Modal Bridge so northeast Yakima residents and students can walk, run, or bike north on the existing 6th Avenue pathway and safely cross the Naches River to access open space recreation areas at Selah Gap without relying on motor vehicle transportation. A licensed bridge and structural engineer will design this bridge walkway to meet and exceed all applicable safety standards and codes.

Thank you for your consideration.

Sincerely,

Raymond L. Paolella

Raymond L. Paolella, President
William O. Douglas Trail Foundation
P.O. Box 2003
Yakima, WA 98907
(509) 594-6999

Attachment A: Budget

Description	Total
Engineering Services, Plans, and Specifications • Design pedestrian walkway on Naches River Bridge that meets and exceeds all applicable safety standards and codes. • Design ADA accessible ramp from existing Greenway Path.	$4,900
Wayfinding/Interpretive Signage • Design, fabricate, and install directional trail signs. • Design, fabricate, and install an informational sign about health benefits of hiking on William O. Douglas Trail.	$2,000

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Attachment B: Support Letters and Supplemental Information



Vision Statement:

"Beginning with the end in mind…"

Mission Statement:

Students, families, and staff working together towards graduation.

2015-2016 School Focus:

Literacy
Relationships
Collaboration

Dave Chaplin
Principal

Rod Bryant
Dean of Students



Stanton Academy

802 River Road • Yakima, WA 98902 • 573-1200

William O. Douglas Trail Foundation
4001 Summitview Avenue, Suite 5-45
Yakima, WA 98908

To whom it may concern:
I am currently the principal at Stanton Academy located on River Road to the west of 6th Avenue. We have direct access to the William O. Douglas Trail. Our students utilize the trail on a daily basis, coming to and departing school. A basic requirement for our students to graduate is the knowledge of United States History. What better opportunity than to explore the early life of one our Supreme Court Justices? The local effort to preserve this important part of history is a movement our students should be involved in.

During the 2015-2016 school year, we had one third of our students participate in an outdoor activity that spanned many content areas. In order to do this transportation, was a large detractor to planning. The activity included history, hiking, natural sciences, and sustaining nature. Having grown up in the area and hiked and biked in the proposed area, I personally support the project. To have access to an area such as the proposed Selah Ridge Area and the William O. Douglas hill climb would be a boon for us.

Our students get most of their experience of the city, state, and federal government through text or multimedia presentations. The opportunity to participate in this effort at whatever level will support their acquisition of local history, local government processes, and the federal court system. Students will have the chance to participate in the improvements in the city infrastructure along the route they travel on a daily basis.

As this effort progresses, I hope that we may participate in some way to help the project succeed. Stanton Academy has a strong sense of family. The values that this project is built upon is to bring a sense of community, history and pride which being a part of a family includes. These are a few of the reasons that I, as principal of Stanton Academy and an educator in the Yakima School District for 34 years can support this effort.

Sincerely,

David Chaplin
Principal

Yakima School District encourages workforce diversity and complies with all state and federal laws prohibiting unlawful discrimination.

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A.C. Davis High School
212 South 6th Avenue
Yakima, Washington 98902
509-573-2700

International Baccalaureate

Leadership Yakima
Greater Yakima Chamber of Commerce
P.O. Box 1490
Yakima, WA 98907

Dear Leadership Yakima Team:

I would like to write in support of the Naches River Bridge Walkway proposed by Leadership Yakima and the William O. Douglas Trail Foundation. The Yakima School District and the staff of A.C. Davis High School endeavor to provide the highest quality educational programs and leaning opportunities for our students. Part of the educational process is teaching students the significance of our heritage.

The William O. Douglas Trail presents an excellent opportunity to teach students about local history and the environment. Davis High School plays an important role at the start of this trail because Douglas attended and served on the faculty of this institution. Several teachers have guided students on interpretive hikes to the Selah Gap area. These treks have enabled us to integrate important aspects of natural history, literature, and social studies in a manner that is not always possible in the classroom. Many students learn best when the theories or concepts acquired in the classroom are linked to "hands on" or "on the ground" learning. The Selah Gap and Naches/Yakima Rivers Confluence Area possesses a rich storehouse of local history, natural history, and landforms within the urban area that enhance such learning.

Installation of a pedestrian walkway on the trolley bridge will enable students, faculty, and community members to access this important resource area at the confluence of the Yakima and Naches Rivers. We hope to see this project completed to promote these unique leaning opportunities and healthy outdoor activities for the community.

Sincerely,

Ben Ramirez, Principal
A.C. Davis High School

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D. B

WILLIAM O. DOUGLAS HERITAGE TRAIL

William O. Douglas grew up in Yakima, WA challenged by poverty and life-threatening illness. In a rags-to-riches story, Douglas overcame severe childhood disabilities, excelled academically, served prominently on the U.S. Supreme Court, and came close to becoming President of the United States.

William O. Douglas (born 1898) served on the U.S. Supreme Court from 1939 to 1975 — longer than any other justice in U.S. history. His father died when Douglas was 6 years old, and he was raised in Yakima by his mother. He graduated from North Yakima High School (valedictorian) in 1916 and attended Whitman College in Walla Walla from 1916-1920. He taught at Yakima High School for two years before jumping a train east to attend law school at Columbia, and thereafter became a law school professor at Columbia and Yale before being appointed in 1936 by President Franklin D. Roosevelt to the new Securities and Exchange Commission. FDR appointed him to the Supreme Court in 1939 to fill the seat of retiring Justice Louis Brandeis.

On the Supreme Court, Douglas became a staunch advocate of Equal Protection for minority people, of First Amendment rights of expression, assembly, and religion, and of privacy rights. His influence on our law continues to be strongly felt. He was an extremely important figure to Native Americans and a very effective champion of preserving wilderness all over the Nation. He was also a prolific author, writing dozens of books and hundreds of magazine articles about his adventure travels and outdoor recreation. Douglas narrowly missed being selected as FDR's Vice-President in 1944, which would have made him President upon FDR's death in April 1945.

As a child, Douglas nearly died after being stricken with polio and was left greatly weakened. In 1912 he decided to strengthen his legs by hiking north from his 5th Avenue house in Yakima up into the hills near Selah Gap. The cure worked -- growing ever bolder during his teenage years, he explored further into the tangled, rugged mountains of the Pacific Northwest, and ultimately journeyed east to New York and Washington, D.C.

Info: www.williamodouglastrail.org Email: williamodouglastrail@gmail.com

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U. S. Supreme Court Justice William O. Douglas on Hiking and Botanizing at Selah Ridge

My love of the mountains, my interest in conservation, my longing for the wilderness - all these were lifetime concerns that were established in my boyhood in the hills around Yakima and in the mountains to the west of it. This is one of the quietest, most peaceful spots on earth. It has special values for me. The Yakima Valley, whose orchards I see by day and lights by night, is the treasure house of my boyhood. It was there I dreamed the dream I lived as a man.

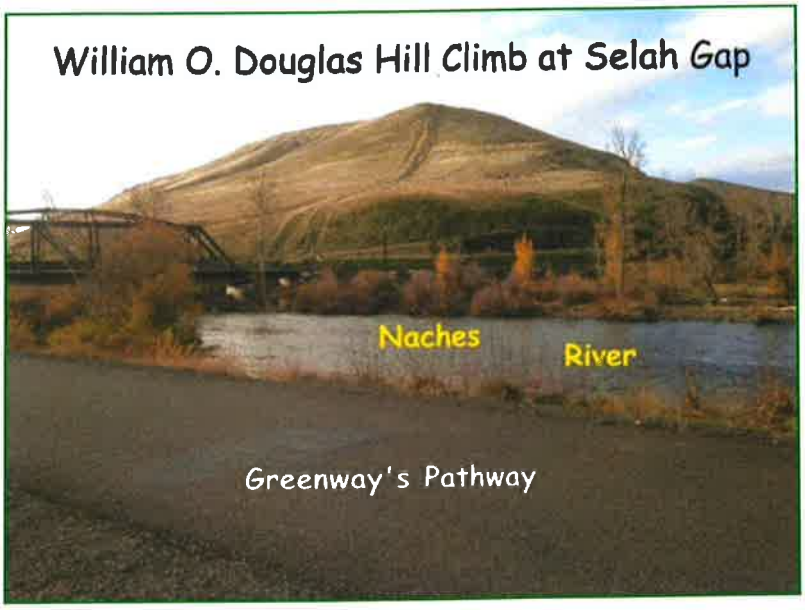
It was infantile paralysis that drove me to the outdoors. By boyhood standards, I was still a cripple, unable to compete physically. . . . I was a failure. If I were to have happiness and success, I must get strong. And so I searched for ways and means to do it. I got myself a set of barbells and practiced day after day, trying to strengthen my legs, back, and arm muscles. Even so, strenuous exercise still made me feel faint. Sometimes I would vomit, sometimes I'd get a severe headache. So I decided to start hiking the sagebrush hills that rim Yakima.

I would leave the town and head to Selah Gap, the point of the hills nearest my home on North Fifth Avenue. . . . The hills to the north of Yakima were only about two miles away. Thus I started my treks, and used the foothills as one uses weights or bars in a gymnasium. First I tried to go up them without stopping. When I conquered that, I tried to go up without a change of pace. When that was achieved, I practiced going up not only without a change of pace but whistling as I went.

That fall and winter the exercise began to work a transformation in me. By the time the next spring arrived, I had found new confidence in myself. My legs were filling out. They were getting stronger. I could go the two miles to Selah Gap at a fast pace and often reach the top of the ridge without losing a step or reducing my speed. My heart filled with joy, for I knew I could accept the invitation to visit the mountains. I would have legs and lungs equal to it.

The desert hills of Yakima had a poverty that sharpened perception – when a lone bitterroot is seen in bloom on scabland between batches of bunchgrass and sage, it can transform the spot as completely as only a whole bank of flowers could do in a more lush environment. It is the old relationship between scarcity and value, one of the botanical lessons which the foothills of Yakima taught me.

DOC. INDEX #
D-8


William O. Douglas Hill Climb at Selah Gap
Naches
River
Greenway's Pathway



DOC. INDEX #
D-8

Rivera, Eva

From: Martin, Trevor
Sent: Wednesday, October 14, 2026 11:36 AM
To: Rivera, Eva
Subject: FW: OFFICIAL COMMENT: Climate Resiliency policies in the comprehensive plan

Eva,

Please add to comment folder.

Thank you,
Trevor

From: Bill Jacobs <billjacobs98908@yahoo.com>
Sent: Wednesday, October 14, 2026 11:33 AM
To: Martin, Trevor <Trevor.Martin@yakimawa.gov>
Subject: OFFICIAL COMMENT: Climate Resiliency policies in the comprehensive plan

OFFICIAL COMMENT: Climate Resiliency policies in the City of Yakima Comprehensive Plan 2050

I would like the new Comprehensive Plan to include some specific actions to ameliorate the effects of climate change on the overburdened community of East Yakima:

GOAL 12.1 SUPPORT RENEWABLE ENERGY SYSTEMS FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND MIXED-USE STRUCTURES AND DEVELOPMENTS.

Goal 12.1a: By 2050 the City will install heat pump HVAC systems, including HEPA air filters, in all residential units in the overburdened community of East Yakima at no cost to owners or renters. These systems will include rooftop solar panels as the source of power. Sources of funding for these installations to include:

1. Grants from the State through the Climate Commitment Act;

2. 50% of utility savings achieved by homeowner/landlord/renter to be applied to cost of installation for a period of 10 years;

3. An income tax on high income residents, and those who work in Yakima but reside elsewhere.

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Also, I would like to suggest some specific actions regarding Transportation that would reduce carbon emissions:

GOAL 6.1 DEVELOP AN INTEGRATED AND BALANCED TRANSPORTATION SYSTEM IN YAKIMA THAT PROVIDES SAFE, EFFICIENT, AND RELIABLE MULTIMODAL TRANSPORTATION.

Goal 6.1a: By 2050 the City will convert all 4 and 5 lane arterials to 3 lanes. The removed lane(s) will be separated by curbs from the main roadway, and will be reserved for bicycles, public transit and other approved uses that reduce carbon emissions.

Goal 6.1b: Effective immediately, no fares will be charged to ride Yakima Transit buses.

These actions will be funded by:

1. ***Grants from the State through the Climate Commitment Act;***

2. ***An income tax on high income residents, and those who work in Yakima but reside elsewhere.***

Please incorporate my suggestions into the Draft of the Comprehensive Plan 2050.

Thank you for your attention.

Bill Jacobs
1207 S 45th Ave.
Yakima WA 98908

DOC. INDEX # D7

Rivera, Eva

From: Martin, Trevor
Sent: Wednesday, October 14, 2026 8:48 AM
To: Rivera, Eva
Subject: FW: comments for tomorrow's meeting

Good morning Eva,

Can you please add to comments folder?

Thank you,
Trevor

From: Kris Hunziker <hunzykris@yahoo.com>
Sent: Tuesday, October 13, 2026 10:54 PM
To: Martin, Trevor <Trevor.Martin@yakimawa.gov>
Subject: comments for tomorrow's meeting

I would attend in person if I could, but I will be working, seeing clients. I work as a therapist.

I support the changes that will be brought up as suggested changes to Yakima's policy on large data centers. I totally agree that data center provider companies/corporations MUST pay all development costs with NO subsidies, and that they are also responsible for ensuring that they don't pull so much power from the grid that the rest of us do not have what we need. I notice in the suggested changes there are no references to noise. I want to add that NO DATA CENTER can be allowed to cause noise and light pollution to our residents. In addition, there must be restrictions on how much water they can pull. We NEED our water for our agriculture. That has to be the bottom line.

I also want to comment that the City needs to stop avoiding take proper care of our residents. Bike lanes, pedestrian walkways, cooling centers, tree plantings and other measures that impact quality of life here in Yakima need to be important! This should be seen as common sense. I do not understand why the City does not want to address these needs. My office is just up the street from downtown Yakima on Yakima Avenue. I, myself, a renter, not even a building owner, have planted small trees and other greenery to support cooling in the downtown Yakima area. This needs to be something the City prioritizes. I am not even a business owner, but I care about the many people who walk up and down Yakima Ave getting to and from work, their homes, taking their dogs for walks, their children out for evening walks. Why the City doesn't value this, makes no sense to me. It costs next to nothing to plant some greenery. Honestly, the small trees I planted were volunteers! That means they grow readily around here. They cost NOTHING to plant. Their care is minimal. Watering three times a week.

I ask the City to do better. It seems to me that they have politicized caring about our built environment and turned it into some kind of black and white polarized thinking rather than simply caring about our city and its residents.

Kristi Hunziker, LICSW

Privacy Notice. This fax, and any attachments, contains information that is, or may be, covered by electronic communications privacy laws, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you for your cooperation.

DOC. INDEX #
D-6

Rivera, Eva

From: Martin, Trevor
Sent: Tuesday, October 13, 2026 8:00 AM
To: Rivera, Eva
Subject: FW: OFFICIAL COMMENT: Climate Resiliency policies in the comprehensive plan

Good morning Eva,

Can you please add to the official file?

Thank you,
Trevor

From: Joye Redfield <joyeredfield@icloud.com>
Sent: Monday, October 12, 2026 5:24 PM
To: Martin, Trevor <Trevor.Martin@yakimawa.gov>
Subject: OFFICIAL COMMENT: Climate Resiliency policies in the comprehensive plan

Please accept my comments concerning the Goals and Policies for the Utilities and Energy sections of the draft comprehensive plan. Overall, the city is missing out on an opportunity to improve utility and energy services and assure the city is adapting to our changing climate. We have ample information related to reduced water supplies, shrinking snowpack and greater demands on natural resources and energy utilities.

It is not a partisan issue to be responsive to the facts and to take advantage of Yakima's abundant sunshine and embrace solar energy. Much of this plan addresses concerns facing housing, low-economic populations and economic growth. In tandem with these concerns should be a robust plan for innovative and bold energy policies and implementation.

REGARDING GOAL 8.1 PROVIDE ALL UTILITIES AT AN ACCEPTABLE LEVEL OF SERVICE TO ACCOMMODATE FUTURE DEMANDS.

This section fails to flesh out what "acceptable" means. Acceptable should be tied to assuring utility services and energy are efficient and affordable and include provisions requiring and at minimum encouraging new energy/green energy sources, given the capacity for solar energy here, in the way of encouraging residential, governmental and industrial/commercial integration of solar panels. Providing incentives to those taking advantage of existing rooftops that don't take out or impact undeveloped lots or existing farmland.

Such policies are an investment in both our families' ability to pay their bills and should be a draw for commercial/industrial industries to cut their power bills. Also, solar panels on city facilities in the long run could save taxpayers money. The potential at minimum should be studied and projected savings considered. The same should be considered for all public buildings/schools within city limits.

The above statement ties in with the policies under the Energy section 12.4

DOC. INDEX # D-5

Regarding Goal 12.3 SEEK OPPORTUNITIES FOR ENERGY EFFICIENCY AT ALL LEVELS OF GOVERNMENT. The city, again, is missing an opportunity to add specific goals and policies beyond the statement: 12.3.1. Incorporate energy efficient facilities in new and rehabilitated government buildings, where feasible.

The term "where feasible" is ambiguous. The city should explore with specificity areas where new or rehabilitated government buildings will be or are anticipated and spell out a robust plan for incorporating energy efficiencies, be they insulations, window updates and alternative energy sources such as solar.

Please consider amending and expanding policies and goals in the Utilities and Energy sections of the new City of Yakima Comprehensive Plan. The Plan should have more information on what energy impacts and needs are anticipated (projections can be made) and provide specific parameters for meeting those needs efficiently and effectively — in support of alternative, green and new energy sources such as solar - over the next 5 years under this plan.

Thank you for your attention to this matter.

Joye Redfield
1116 S 46th Ave
Yakima, WA 98908

GOAL 12.3. SEEK OPPORTUNITIES FOR ENERGY EFFICIENCY AND CONSERVATION AT ALL LEVELS OF GOVERNMENT.
Policies
12.3.1. Incorporate energy efficient facilities in new and rehabilitated government buildings, where feasible.

Utilities 8.3 Goals and Policies
These goals and policies address utility provision in concert with growth. For additional goals and policies addressing conservation and energy see the Energy Element.
GOAL 8.1. PROVIDE ALL UTILITIES AT AN ACCEPTABLE LEVEL OF SERVICE TO ACCOMMODATE FUTURE DEMANDS.

Policies
8.1.1. Ensure adequate communication between the City and utility providers to coordinate growth and development of service capacities.
GOAL 8.2. ENSURE THAT UTILITIES ARE PROVIDED IN A RELIABLE, SUSTAINABLE, AND SAFE MANNER.
Policies
8.2.1. Use land use, design, and construction policies and regulations to manage placement and construction of utilities, encouraging the efficient use of land and co-location of facilities where feasible.
8.2.2. Ensure that utility facilities are designed, built, and maintained to have a minimal impact on surrounding neighborhoods.

Yakima Comprehensive Plan 2040
8.2.3. Educate utility providers and utility consumers on the costs and benefits of emerging technologies that may provide added sustainability and reliability.
8.2.4. Allow Yakima to be competitive for businesses by encouraging provision of high quality telecommunications services.
8.2.5 Support the undergrounding of utility lines in new development and in substantial redevelopme

Energy
12.4 Goals and Policies

DOC. INDEX #
D-5

GOAL 12.1. SUPPORT RENEWABLE ENERGY SYSTEMS FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND MIXED-USE STRUCTURES AND DEVELOPMENTS.

Policies

12.1.1. Allow flexibility in development regulations that promote energy efficiency and conservation.
12.1.2. Protect solar access to use natural heating and lighting opportunities.
12.1.3. Consider development standards that allow small-scale solar and wind energy facilities in new and existing developments.

GOAL 12.2. REDUCE ENERGY USED FOR TRANSPORTATION.

Policies

12.2.1. Promote an efficient transportation system through a compact development pattern.
12.2.2. Review parking standards to promote a parking lot layout that maximizes energy efficiency.
12.2.3. Continue to provide and encourage viable options for multi-modal means of transportation to reduce the amount of single occupant vehicles.
12.2.4. Encourage installation of charging infrastructure for electric vehicles.

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Sent from my iPad

DOC. INDEX #
D-5

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To: Rivera, Eva
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D-5

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Joye Redfield
1116 S 46th Ave
Yakima, WA 98908

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Yakima Comprehensive Plan 2040
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Energy
12.4 Goals and Policies

DOC. INDEX # D-5

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12.1.3. Consider development standards that allow small-scale solar and wind energy facilities in new and existing developments.

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Policies

12.3.1. Incorporate energy efficient facilities in new and rehabilitated government buildings, where feasible.

Sent from my iPad

DOC. INDEX #
D-5

Rivera, Eva

From: Ray Paolella <rlpaolella@gmail.com>
Sent: Thursday, October 8, 2026 5:00 PM
To: Martin, Trevor; Preston, Bill; Ask Planning
Cc: Coleen Anderson
Subject: City of Yakima Comprehensive Plan Amendments – Proposed SEPA DNS
Attachments: ClimateActionPlan_Full_2023.pdf; UTC 2007 Trolley Bridge Pathway Approval by BNSF.pdf

Greetings:

I am writing on behalf of the William O. Douglas Trail Foundation (WODTF) and 350 Yakima Climate Action (350 YCA). The State Environmental Policy Act (SEPA) Register has a September 24, 2026, Notice of Environmental Review of a proposed SEPA Determination of Non-Significance (DNS), which says to submit public comments on the proposed DNS "prior to or at the **October 14, 2026** public hearing before the City of Yakima Planning Commission." This conflicts with a separate Draft DNS document dated September 24, 2026 which provides that comments be submitted by October 8, 2026.

WODTF and 350 YCA respectfully request confirmation that the later comment date of **October 14, 2026** applies for commenting on the proposed SEPA DNS. We respectfully as the City to postpone taking any action on the proposed DNS because it is premature, incomplete, and not supported by the record. WODTF and 350 YCA plan to submit documents under SEPA, including but not limited to the following:

Thank you,

WODTF and 350 YCA
By Raymond Paolella

DOC. INDEX # D-4

TR-072009

WASHINGTON
UTC
UTILITIES AND TRANSPORTATION COMMISSION

RECEIVED
07 OCT -5 PM 4:56

1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250
(360)664-1257 or (360)664-1100
Fax: (360)586-1150
Web: www.wutc.wa.gov
E-mail: records@utc.wa.gov

GRADE CROSSING PROTECTIVE FUND
APPLICATION FOR FUNDING

The Washington Utilities and Transportation Commission (commission), through its Grade Crossing Protective Fund (GCPF), funds projects that eliminate or mitigate public safety hazards at railroad crossings and along railroad rights-of-way in Washington State. Any public, private, or non-profit entity may submit an application to the commission for GCPF monies.

Please complete and submit the following information as part of the application process:

Applicant Information

Applicant Name:	**Dick Zais, City Manager**
Organization:	**City of Yakima**
Address:	**129 North Second Street, Yakima, WA 98901**
Phone:	**(509) 575-6040**
E-mail:	
Fax:	**(509) 576-6335**

Please list all other companies, organizations or state or local agencies that may be involved in implementing this proposal and the contact name, address and phone number for each.

Yakima Valley Trolleys
Kenneth G. Johnsen
P.O. Box 796
Yakima, WA 98907-0796
yakimavalleytrolleys@hotmail.com

Burlington Northern Santa Fe Railway Company
Danniel MacDonald, P.E.
Managing Engineer—Seattle
2454 Occidental Avenue S., Suite 1-A
Seattle, WA 98134
(206) 625-6150, Fax (206) 625-6115
danniel.macdonald@bnsf.com

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Project Information

1. *Provide a detailed summary of the hazard being addressed. Include:*
   - *Any information about accidents or incidents at the site.*
   - *Photographs, drawings or other materials that supports the application.*

There are currently no pedestrian facilities for crossing the Naches River at the City of Yakima's northern city limits. Despite "no trespassing" signs, pedestrians utilize the City's trolley bridge and the adjacent railroad bridge belonging to BNSF to cross the Naches River. On July 12, 2007, a man and a woman, part of a group of four people crossing the Naches River on the railroad trestle, were struck and seriously injured by a train [see attached newspaper articles].

On several recent occasions, railroad police hired by BNSF have had to remove trespassers from railroad and from City property.

2. *Provide a detailed description of the proposed project and explain how it will eliminate or mitigate the hazard. Include any drawings or construction plans for the proposed project.*

Our project will install protective fencing designed to prevent pedestrian and motor vehicle trespass onto the BNSF and trolley bridges and approaches to the bridges.

A pedestrian pathway is planned to be constructed on the trolley bridge within the next couple of years as part of the William O. Douglas Trail. Fencing for our project will coordinate with that pathway and the interconnecting Yakima Greenway by shunting pedestrians away from railroad property, separating pedestrians from the trolley tracks and roadway, and preventing motor vehicle trespass onto the rails and the pathways.

Besides safety, our fencing project may reduce the railroad's policing needs in this area and minimize the tensions involved in such police-citizen interactions.

3. *Provide cost estimates. Include:*
   - *Total costs of the project.*
   - *Names of parties contributing to the project and the amount each is contributing.*

Total costs for the project are estimated to be $35,000. The City is requesting a grant of $20,000 toward this total from WUTC.

4. *Provide the name of the party responsible for long-term maintenance.*

The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

5. *Provide an estimated timeline of project, if approved.*

The project is anticipated to be accomplished in the summer of 2008.

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6. *Provide a description of how the project's success would be measured.*

Success of the project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF and trolley bridges.

7. *Provide any other information the applicant believes would be useful to the commission in considering the project.*

At several recent meetings, BNSF personnel have expressed their encouragement and approval of our plans to channel pedestrians away from railroad property and to reduce trespass by means of fencing.

8. *If the project involves any construction, modification or demolition on a railroad right-of-way, complete the attached Railroad Commitment form. This includes fencing, gates or other structures located near enough to the tracks to be on the railroad right-of-way, modification to a grade crossing or any other project that involves railroad property or rights-of-way.*

See accompanying email from BNSF engineer Daniel McDonald expressing the railroad's concurrence with our project.

Submitting the Application

After completing the GCPF application, please send the original to:

Washington Utilities and Transportation Commission
Attention: Grade Crossing Protective Fund
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250

A signed application may be filed electronically at records@utc.wa.gov. When filing electronically, please specify "Grade Crossing Protective Fund" in the subject line.

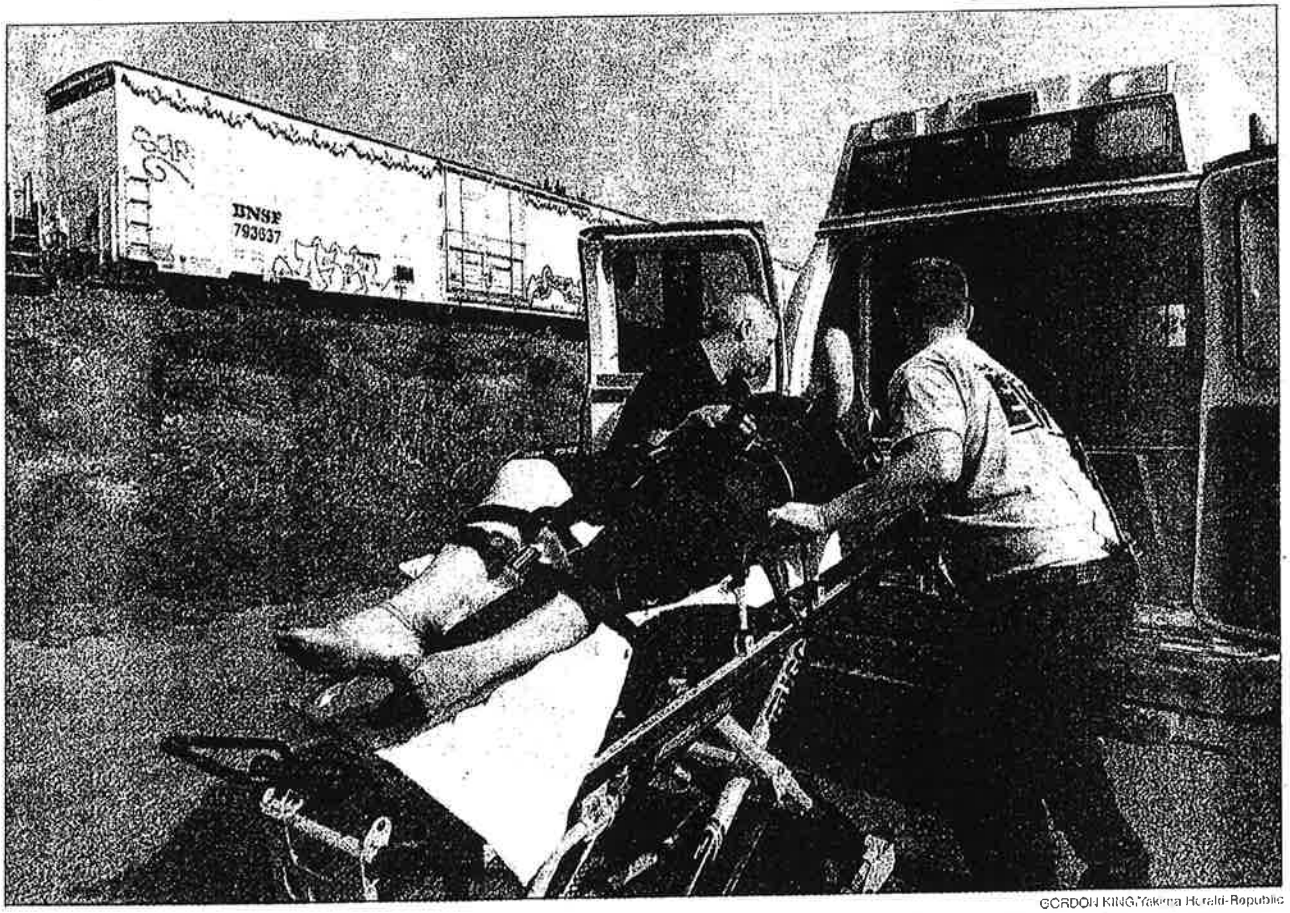
Assistance

For questions or assistance, please contact:

- Kathy Hunter at (360)664-1257 or by e-mail at khunter@utc.wa.gov.
- David Pratt at (360)664-1100 or by e-mail at dpratt@utc.wa.gov.

DOC. INDEX # D-4

HOME FRONT
Yakima Herald-Republic
Friday, July 13, 2007



GORDON KING/Yakima Herald-Republic

A woman is placed in an ambulance after nearly being struck by a train near Berglund Lake in Yakima on Thursday. She was injured when she was thrown off the tracks by a companion as the train approached.

Man hit by train after saving companion

He tosses woman from the tracks

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

A man was struck by a train Thursday morning after Yakima police said he saved a woman moments earlier by throwing her from a trestle as the train bore down on them.

The man, who has not been identified, suffered serious injuries and was taken to Seattle's Harborview Medical Center.

The two were among four people attempting to walk across a railroad bridge over the Naches River shortly after 8 a.m.

Although two of the men reached safety, the woman fell on the tracks, police said. She was helped to her feet by the third man, who attempted to get them both to safety. But he ended up throwing her down a 10 to 15 foot embankment moments before being struck, police said.

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two refrigerated boxcars of corn, tried to warn the group by sounding the horn and then applying emergency brakes, said Burlington Northern Santa Fe spokesman Gus Melonas.

The train had slowed from 35 mph to between 10 and 15 mph when it struck the man, he said.

"This is an unfortunate situation," he said. "But this time of year we see an increase in trespassing situations.

"People take shortcuts and risks often by crossing railroad property and we encourage the public to use designated areas."

Yakima police initially said the man may have suffered back injuries. Authorities initially said it appeared the woman, who was also not identified, broke a leg when she landed on rocks below the trestle.

Melonas later said she suffered only cuts and bruises. There was no immediate word on their conditions. Although Yakima police handled the initial investigation, it has been handed off to BNSF investigators.



TJ MULLINAX/Yakima Herald-Republic

Melonas said nine people have been killed on railroads this year in Washington state.

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Gra

'No doubt he saved my life'

Train encounter broke victim's leg, pelvis

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

As they crossed the bridge over the Naches River, Lisa Boitano was telling her three friends how cool it would be to see a passing train from up close.

That's when they saw the locomotive bearing down.

From her hospital bed Friday, Boitano recalled her friend Mark Brown's reaction.

"He said, 'You might get your chance — run.'"

But as they ran, Boitano fell, and her right leg slipped and became stuck between the wooden ties.

"I was freaking out and tried to pull myself up," she said. "But Mark came up behind me, grabbed both arms and pulled me out.

"No doubt he saved my life."

As the two prepared to leap off the tracks to an embankment about 10 to 15 feet below the tracks, they were struck.

"I felt the train hit my lower back, but he got the full force of it," said 21-year-old Boitano.

The impact threw them about 20 feet into the rocks below. Boitano said she broke her nose and fractured her right leg and pelvis. But then she looked up she saw that Brown, or Green as he is known to his friends, was hurt much worse.

"It was the scariest thing I've ever seen. Blood was everywhere," she said. "I kept saying, 'Green, don't die, Green, don't die. Wake up, wake up.'"

ı Form

She is now at Yakima Memorial Hospital. Brown, 26, was taken to Seattle's Harborview Medical Center, where he was listed in serious condition after undergoing surgery Friday.

Boitano said doctors there told her he suffered multiple injuries, including two broken legs, a shattered pelvis, a broken jaw and a broken arm.

"He would have been okay if he had just jumped, if he hadn't stopped to help me," she said.

Earlier that morning, the four had watched the sunrise from the ridge between Yakima and Selah. They were walking the tracks back to Yakima, and were crossing the bridge shortly after 8 a.m.

Boitano said two of her friends had nearly reached the end of the bridge; she and Brown were only about halfway across.

SEE **TRAIN** PAGE 8A



SARA GETTYS/Yakima Herald-Republic

Lisa Boitano recovers in Yakima Valley Memorial Hospital on Friday, after being hit by a train while she and three others were crossing the trestle over the Naches River.

TRAIN

Continued from Page 1A

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two boxcars, spotted the group and began sounding the horn and applying emergency brakes, which slowed the train from 35 to about 10 to 15 mph, Burlington Northern Santa Fe spokesman Gus Melonas said Thursday.

Boitano said that the horn came too late — the train was almost on them when it sounded. And while braking probably saved their lives, she had no idea at the time that the train had slowed at all.

"It sure as hell didn't feel like it was going 15 mph when it hit us," she said.

Although Melonas said that technically the four were trespassing on railroad property, he did not say whether BNSF would pursue charges.

Boitano said she and her friends did not know they were trespassing.

All she does know is that Brown, a man whom she described as being like a brother to her for the past four to five years, was willing to sacrifice himself to save her. The two met while she was a teenager living on the streets and have been close friends ever since.

"I would have been stuck in the tracks if he hadn't helped me out," she said. "He's just a wonderful person."

• *Rod Antone can be reached at 577-7628 or rantone@yakimaherald.com.*

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Railroad Commitment

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

_____

_____

_____

We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

_____

Printed name of Railroad Representative

_____

Signature of Railroad Representative

_____

Title

_____

Phone

_____

E-mail

Date: _____

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Hudspeth, Catherine (UTC)

From: Wayenberg, Karen [kwayenbe@ci.yakima.wa.us]
Sent: Friday, October 05, 2007 4:35 PM
To: UTC DL Records Center
Cc: Paolella, Ray; Wayenberg, Karen; hagenphoto@nwinfo.net
Subject: Grade Crossing Protective Fund
Attachments: Trolley-pedestrian safety application.doc

From: MacDonald, Danniel [mailto:Danniel.MacDonald@BNSF.com]
Sent: Friday, October 05, 2007 3:25 PM
To: Wayenberg, Karen
Cc: Polnicky, Bruce K; Agee, David W
Subject: RE: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

Thank you for the opportunity to review the City of Yakima's UTC GCPF application. BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. We look forward to working with the City of Yakima address this safety concern.

Please contact me if you need additional information regarding BNSF's participation. Again, we look forward to working with the City on this issue.

Respectfully,

Dan

Danniel MacDonald, P.E.
Manager Engineering - Seattle
BNSF Railway Company
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134
Office: (206) 625-6150
Fax: (206) 625-6115
danniel.macdonald@bnsf.com

From: Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]
Sent: Friday, October 05, 2007 12:53 PM
To: MacDonald, Danniel
Subject: RE: Yakima, WA - UTC Grant Application

Thanks for reviewing our application and the page requiring BNSF signature. Feel free to call me or reply to this email.

From: MacDonald, Danniel [mailto:Danniel.MacDonald@BNSF.com]
Sent: Friday, October 05, 2007 12:47 PM

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To: Wayenberg, Karen
Subject: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

With reference to our conversation this afternoon, my contact information is following. I look forward to reviewing this application.

Respectfully,

Dan

Danniel MacDonald, P.E.
Manager Engineering - Seattle
BNSF Railway Company
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134
Office: (206) 625-6150
Fax: (206) 625-6115
danniel.macdonald@bnsf.com

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Climate Action Plan

For the City of Yakima, WA

Sustainable Yakima Committee

November 2023

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Executive Summary

On May 17, 2022, the Yakima City Council established the Sustainable Yakima Committee to serve as an advisory committee on issues related to sustainability, renewable energy, recycling, and climate change, and to provide advice and/or recommendations to the City Council on reducing the City's energy consumption and greenhouse gas emissions (GHG). The Committee was instructed to draft a climate action plan and implementation strategy document and present it to the City Council for its review and evaluation within one year of the committee's first meeting.

This Plan outlines key steps the City can take to reduce community-wide emissions, support healthy ecosystems that sequester carbon, and ensure that the community is prepared for, and resilient to, climate impacts. These actions will have a wide range of co-benefits for Yakima such as, cleaner air, recycling options, and cost savings from lower utility bills.

Under this plan, the City will achieve science-based targets by reducing greenhouse gas emissions. Other cities in Washington state have adopted 50% by 2030 compared to 2019. The goals, strategies and actions outlined in this plan are organized within five Sectors:

Sector 1: Environmental Justice

Ensure Yakima's diverse communities have the right to be protected from environmental pollution, and to live in and enjoy a clean and healthful environment.

Sector 2: Energy efficiency and renewable energy

Maintain Yakima's quality of life as the economy transitions away from fossil fuels.

Sector 3: Water Conservation

Protect river and aquifer resources as well as aquatic biodiversity.

Sector 4: Carbon Offsetting

Ensure Yakima contributes to State of Washington greenhouse gas emissions goals.

Sector 5: Recycling and Waste Management

Improve collection rates for recycling, reduce food waste, and divert waste from landfills.

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INTRODUCTION

Plan Goals

The goals of this Plan are to:

- Develop and implement a plan that serves as a road map to a 1-year, 5-year, and 10-year Plan and leads to a sustainable future for our community.
- Harness the resources and talents within Yakima's community to take practical actions across a wide range of sectors and activities.

In order to achieve these goals, this Plan needs to address the following climate impacts. There are six major climate issues affecting the community of Yakima.

Why the City Needs a Plan

In 2022, the City of Yakima formalized its commitment to addressing environmental and sustainable issues in Yakima. After endorsing the Energy Innovation and Carbon Dividend Act, supporting the Fossil Fuel Non-Proliferation Treaty, and committing the City to take a SAFE Cities climate change stand, the City Council established the Sustainable Yakima Committee to study matters related to sustainability in the City and provide recommendations to the City Council.

Climate change has had significant and tangible impacts on the city of Yakima and its surrounding region. Climate change is no longer a distant threat but a present reality that the community is grappling with. These impacts include:

1. Deadly Heat Waves: Yakima has experienced more frequent and intense heat waves. Rising temperatures during the summer months can become unbearable and dangerous, especially for vulnerable populations such as the elderly, children, those with pre-existing health conditions, unhoused individuals, and outdoor workers. Heatwaves can lead to heat-related illnesses and, in extreme cases, fatalities.

2. Declining Water Availability and Drought: Yakima is heavily reliant on water resources for agriculture, which is a critical part of the local economy. However, the region's hydrological cycle has been disrupted, leading to reduced snowpack in the nearby mountains and earlier snowmelt. This phenomenon has contributed to water scarcity and more frequent droughts, putting stress on water supplies and agricultural productivity.

3. Increased Wildfires and Smoke: The wildfire season has lengthened and increased the intensity of wildfire events in Yakima and the surrounding forests. Consequently, the city has experienced periods of dense, toxic smoke-filled air, leading to hazardous air quality levels and posing health risks to residents. Wildfires also result in property damage and threaten nearby communities.

4. Impact on Agriculture: Yakima is an important agricultural region, known for producing fruits such as apples, cherries, and hops. However, changing climate has affected the timing of growing seasons

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and the suitability of certain crops in the region. Warmer winters have led to more pests and diseases, impacting crop yields, and posing challenges for local farmers.

5. Threats to Biodiversity: The unique ecosystem of the Yakima region, including the surrounding forests and wildlife, faces disruptions. Changes in temperature and precipitation patterns can alter habitat and affect the distribution and behavior of plant and animal species.

6. Economic Impacts: The combined effects of extreme heat, droughts, wildfires, and challenges in agriculture can result in significant economic losses for Yakima. The disruption of agricultural activities can lead to reduced revenue, job losses, and increased food prices, impacting both local residents and the broader economy.

To address these impacts and build resilience, it is crucial for Yakima to adapt to the changing climate and implement strategies to mitigate further warming. This may include implementing water conservation measures, promoting sustainable land management practices, investing in renewable energy, and creating emergency plans for extreme weather events. Additionally, engaging in regional and global efforts to reduce greenhouse gas emissions is essential to tackle the root causes of climate change and mitigate the effects in the long run.

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BACKGROUND

Yakima's Contribution to Climate Change

- **Transportation:** Like many urban areas, transportation is a significant contributor to GHG emissions in Yakima. This includes emissions from cars, trucks, and other vehicles using fossil fuels for commuting, goods movement, and transportation within the City.
- **Energy Consumption:** The use of electricity and other forms of energy from fossil fuels, such as natural gas, for residential, commercial, and industrial purposes can contribute to GHG emissions in the City.
- **Agriculture:** Yakima is a prominent agricultural region, and agricultural activities can also contribute to GHGs. Emissions can arise from the use of fossil fuels in farming operations, as well as from agricultural waste management practices.
- **Waste Management:** The handling and disposal of waste in landfills can produce methane, a potent GHG. While Yakima may have waste management practices in place, it is essential to manage organic waste to reduce methane emissions effectively.
- **Industrial Processes:** Various industrial processes can contribute to GHG emissions. These emissions might result from energy-intensive manufacturing or chemical processes.

Climate Change Impact on Yakima's Resources

Climate change has had significant impacts on the city of Yakima and its valuable natural resources. As with many regions, Yakima is experiencing changes in temperature, precipitation patterns, and extreme weather events, leading to various environmental and socioeconomic challenges. Some of the notable impacts on the city and its resources include:

- **Heatwaves:** Climate change has led to more frequent and intense heatwaves in Yakima, increasing the risk of heat-related illnesses and deaths, particularly among vulnerable populations.
- **Water Resources:** Yakima heavily relies on water resources for agricultural activities and water supply for its residents. However, climate change has led to changes in the timing and intensity of precipitation, reducing snowpack in the mountains and affecting the availability of water during the dry season. This results in in water scarcity, impacting agricultural productivity and the availability of drinking water.
- **Wildfires:** Climate change has contributed to more frequent and intense wildfires in the region. These wildfires can have devastating effects on communities, ecosystems, and air quality. Smoke from wildfires can also pose health risks to residents, especially vulnerable populations.
- **Agriculture:** Yakima is an essential agricultural region known for producing fruits such as apples, cherries, and hops. However, changes in temperature and precipitation patterns can alter

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growing seasons and affect crop yields. Warmer temperatures and increased risks of pests and diseases can pose significant challenges to agricultural production.

- **Forests and Biodiversity:** Yakima's forests and biodiversity are vulnerable to the impacts of climate change. Rising temperatures and changing precipitation patterns can affect the distribution and behavior of plant and animal species. These changes can lead to shifts in ecosystems, potentially threatening local biodiversity and ecological balance.
- **Infrastructure:** Extreme weather events, such as heavy rainfall and flooding, can strain the city's infrastructure, leading to damage to roads, bridges, and other public facilities.

Economic Impact: The combination of challenges in agriculture, water availability, and natural disasters can have economic implications for the city and its residents. Reduced agricultural productivity and increased firefighting and recovery costs can impact the local economy.

Yakima's Frontline Communities

The term "Frontline communities" is often used in the context of environmental and social justice movements. These communities are typically the most directly impacted by environmental issues, such as pollution, climate change, or natural disasters, as well as other social and economic challenges. They are called "frontline" because they are on the front lines of experiencing the immediate and often disproportionate impacts of these issues. Frontline communities may include low-income neighborhoods, communities of color, indigenous peoples, and other marginalized groups. These groups often face systemic inequalities, limited access to resources, and unequal representation in decision-making processes related to environmental and social issues.

The median household income for Yakima residents is 27% lower than the median for the State of Washington. Similarly, 22.8% of the city's population earns below the federal poverty level. For the City of Yakima, the most vulnerable and susceptible to the harsh effects of climate change includes those who are experiencing homelessness and are exposed to the elements for long periods of time. Yakima County as a whole saw an increase of 15% of residents classified as homeless from 2022 to 2023.

People with disabilities have largely been systematically ignored by government and sustainability planning. The City of Yakima has the most persons with disability in the county, at 13,897. People with disabilities are among the most vulnerable to climate impacts, partly because of the nature of their disabilities and the social disadvantage that often accompany this. They tend to be poorer and have fewer resources. People who use wheelchairs are among the most vulnerable to the climate crisis.

Climate change is a "threat multiplier", meaning it escalates social, political and economic tensions in fragile and conflict-affected settings. As climate change drives conflict across the world, women and girls face increased vulnerabilities to all forms of gender-based violence, including conflict-related sexual violence, human trafficking, child marriage, and other forms of violence. Yakima already has the second highest rate of domestic violence in the state. Women and girls experience the greatest impacts of climate change, which amplifies existing gender inequalities and gender-based violence, and poses unique threats to their livelihood, health, and safety.

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Alignment with Existing Plans & Laws

Relationship to Other City Plans

The Sustainable Yakima Committee considered other City Plans during the development of the Climate Action Plan (Plan). These plans either inform or could be informed by the Plan. Some of these documents already emphasize climate and sustainability solutions outlined in this Plan, while others will need to be updated to integrate sustainability and climate action.

Comprehensive Plan 2040

Goal 2.7

- Equity Study (2016)
- East-West Analysis
- Bicycle Master Plan (2017)
- Pedestrian Master Plan (2021)
- Continue to work with schools on Safe Route to School Plans
- Housing Action Plan (2021)
- Water Use Efficiency Goals and Objectives (2017)
- Community Health and Safety Plan (2018)

Relationship to Regional Plans & Programs

- Yakima County Comprehensive Emergency Management Plan (2019)
- Yakima County Trails Plan (2020)
- 6-Year Transportation Improvement Program 2023-2028 (2023)
- Yakima River Basin Integrated Plan

Related State Code

- 2019 Clean Energy Transformation Act (CETA)
- Revised Code of Washington 70A.45.020 - - Greenhouse Gas Emissions Reductions
- Revised Code of Washington Chapter 19.27A - - Washington State Energy Code

Cities & Organizations

This Sustainability Action Plan was developed using multiple models for guidance, including the following:

- City of Spokane - Spokane Sustainability Action Plan (2021)
- City of Bellingham - Climate Protection Action Plan (2018)
- City of Vancouver - Climate Action Framework (2022)
- Yakama Nation - Climate Action Plan for the Territories of the Yakama Nation (2019)

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AREAS OF FOCUS

Sector 1: Environmental Justice

Environmental justice is a concept that addresses the fair distribution of environmental benefits and burdens, particularly in relation to the impact of environmental hazards on different communities. It emerged in the United States during the 1980s as a response to the recognition that low-income and minority communities often bear a disproportionate burden of environmental pollution and lack access to environmental benefits.

The environmental justice movement aims to rectify historical and systemic environmental injustices, promote environmental equity, and ensure that all individuals and communities have the right to a clean and healthy environment. Efforts include grassroots organizing, legal actions, policy advocacy, and collaboration between communities, environmental organizations, and policymakers. The goal is to create a more inclusive and sustainable approach to environmental protection that prioritizes the well-being of all people, regardless of their socio-economic background or cultural identity.

This plan will focus on two aspects of environmental justice: community resilience and housing.

Community Resilience

Goal: Ensure the community has equitable access to resources such as clean water and air, healthy attainable and affordable housing, nutritious food, and living wage jobs.

- **Strategy 1:** Conduct community outreach to address the concerns and needs of marginalized groups and what resolutions or assistance is needed.
  - **Actions:**
    - Review regional policies and initiatives that support equitable access to resources for all. (1-Year Plan)
    - Recommend policies and initiatives that support equitable access to resources for all. (5-Year Plan)
    - Implement policies and initiatives that support equitable access to resources for all. (5-10 Year Plan)
- **Strategy 2:** Leverage current unused and vacant properties owned by the city for potential sustainable activities.
  - **Actions:** Review current unused and vacant properties owned by the city. (1-Year Plan)
  - **Actions**: Recommend utilizing unused and vacant properties owned by the city. (5-Year Plan)
- **Strategy 3:** Educate the community on ways to keep themselves safe and their homes safe during natural disasters or significant events.
  - **Actions:** Develop workshops and educational tools. (5-Year Plan)
- **Strategy 4:** Address Food Insecurity.
  - **Actions:**
    - Promote local food campaigns/food banks. (1-Year Plan.)

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        - Partner with organizations that serve food-insecure populations to provide access to fresh, healthy food via a community garden space and local produce markets. (1-Year Plan)
        - Support and promote food hubs to distribute locally produced food. (1-YearPlan)
        - Support expansion of businesses that connect customers to restaurants and stores that have unsold surplus food. (5-Year Plan)
- **Strategy 5:** Develop a community garden.
    - **Actions:**
        - Identify current community gardens. (1-Year Plan)
        - Support interested neighborhoods in creating community garden spaces and incentivize developers to include community garden space in new development. (5-Year Plan)
        - Support schools and youth education programs that teach students how to grow and prepare fresh produce. (5-Year Plan)

Housing

Goal: Ensure residents of Yakima are adequately housed in homes and shelters equipped to handle extreme wildfire and weather events and have access to shelters.

- **Strategy 1:** Promote adequate housing to support economic development.
    - **Action:**
        - Incentivize housing developments based on affordability and proximity to active transportation corridors. (10-Year Plan)
- **Strategy 2:** Assist residents to feel comfortable and safe in their homes for future effects of climate change.
    - **Action:** Provide extreme weather shelters. (1-Year Plan)
    - **Action:** Promote and utilize State and Federal programs for weatherization. (1-YearPlan)
- **Strategy 3:** Review single-family zoning to encourage higher-density housing.
    - **Action:** During the next Growth Management Act (GMA) Comprehensive Plan Update, adjust land use designation to promote higher density housing opportunity. (5-Year Plan)
- **Strategy 4:** Support resilience in the event of extreme weather events such as backup energy supplies, water, and shelters.
    - **Action:** Review current Emergency Management Plans. (1-Year Plan)
    - **Action:** Recommend additional measures. (5-Year Plan)
- **Strategy 5:** Promote building codes to encourage green building practices.
    - **Action:** Review current housing codes. (5-Year Plan)

Sector 2: Energy Efficiency and Renewable Energy

Energy efficiency and renewable energy are two key components of sustainable and responsible energy practices. Both play crucial roles in addressing environmental concerns, reducing reliance on fossil fuels, and mitigating the impacts of climate change.

The interconnection of energy efficiency and renewable energy is common. Combining energy efficiency measures with the use of renewable energy enhances the overall sustainability of energy systems. For example, an energy-efficient building with solar panels can significantly reduce its environmental impact. Energy efficiency measures can help reduce the overall demand for energy, making it easier to meet the remaining energy needs with renewable sources. Both energy efficiency and renewable energy technologies contribute to job creation and economic growth in the clean energy sector.

Energy efficiency and renewable energy are integral components of a sustainable and environmentally friendly energy future. Combining these approaches can contribute to a more resilient and low-carbon energy system while fostering economic growth and addressing climate change.

This plan will focus on two aspects of energy efficiency and renewable energy: reduction of greenhouse gas emissions and buildings and clean energy.

Reduction of greenhouse gas emissions

Goal: Reduce GHG emissions from motorized transportation, including through electrification of all modes.

- **Strategy 1:** Yakima residents will be able to travel safely and reliably to their destinations, and the City will be able to adequately, affordably, and sustainably construct and maintain roads and streets.
  - **Actions:**
    - Review current plans. (1-Year)
    - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
    - Expand lighting and other safety features on pedestrian pathways. (1-10 Year Plans)
    - Identify areas of the city where pedestrian facilities could be prioritized. (1-10 Year Plans)
    - Improve sidewalks, curb ramps, and street crossings near transit stops. (1-10 Year Plans)
    - Dedicate increased local funding to the local Safe Routes to School program. (1-10 Year Plans)
- **Strategy 2**: Encourage land use policies that support navigable, livable, sustainable communities for all.
  - **Actions:**
    - Review current plans. (1-Year Plan)
    - Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs. (5-10 Year Plans)
    - Encourage active transportation and multi-modal uses across the city's parks, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities. (5-10 Year Plans)
- **Strategy 3:** Promote and encourage the use of EVs and low-carbon fuels in transportation.
  - **Actions:**
    - Pursue federal and state funding for efficiency improvements. (1-5 Year Plans)

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        - Offer non-financial incentives to encourage EV adaptation and expand EV infrastructure, such as resident-select EV charging locations and streamlined permitting for developers. (5-Year Plan)
        - Promote education and advocacy to increase awareness and adoption of low-carbon and alternative fuels. (5-Year Plan)
- **Strategy 4:** Promote and encourage public transportation and alternative modes of single-occupancy travel.
    - **Actions:**
        - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
        - Active transportation development to encourage opportunities for biking, walking, and wheelchairs. (1-5 Year Plan)
        - Work with the school district to promote school bus ridership and explore options for increasing services. (1-5 Year Plans)
        - Encourage active transportation through participation in Safe Routes to School program. (1-Year Plan)
        - Incentive the use of public transportation by providing free rides to city workers. (5-Year Plan)
        - Work with schools to educate students on how to use public transportation. (5-Year Plan)
        - Work with third-party programs and businesses to increase the availability, accessibility, and convenience of shared mobility options (e.g., bike and scooter share programs) (5-Year Plans)
- **Strategy 5**: Review current fleet management practices.
    - **Actions:**
        - Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for fossil fuel alternatives for sustainable transportation. (5-10 Year Plans)

Buildings and Clean Energy

Goal: Reduce emissions from all municipal, commercial, industrial, and residential buildings.

- **Strategy 1:** Encourage efficient, renewable energy buildings that meet WA Clean Building Act targets.
    - **Actions:**
        - Provide education and technical support to building owners. (1-5 Year Plans)
        - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
        - In cooperation with environmental groups and solar installers, developing a marketing program to Yakima residents and businesses to encourage installation of solar systems on or at their property. (1-5 Year Plans)
- **Strategy 2:** Increase education on energy-saving strategies.
    - **Actions:**
        - Provide education and technical support to building owners. (1-5 Year Plans)
        - Provide education in schools. (1-5 Year Plans)
- **Strategy 3:** Retrofit existing buildings to be more energy efficient.

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- **Actions**:
  - Pursue federal and state funding for efficiency improvements. (1-10 Year Plans)
  - Provide education and technical support to building owners. (1-5 Year Plans)
  - Partner with organizations that can assess current energy usage, and recommend efficiency improvements. (1-5 Year Plans)

Sector 3: Water Conservation

Water conservation involves the careful management and responsible use of water resources to reduce waste, ensure sustainability, and address water scarcity issues. It is a critical practice given the increasing global demand for water, coupled with the impact of climate change on water availability.

Water conservation is essential for ensuring sustainable water supplies for current and future generations. It requires a multi-faceted approach involving individuals, communities, businesses, and policymakers working together to manage and use water resources wisely.

Goal: Conserve community water resources and increase water efficiency savings through education, outreach, retrofitting, and rebates that ensure overburdened communities see the benefits of water conservation.

- **Strategy 1**: Educate and engage the community in water resources stewardship.
  - **Actions**
    - Promote and fund City programs encouraging water conservation (5-10 Year Plan)
- **Strategy 2**: Ensure a sustainable water supply.
  - **Actions:**
    - Review current plans/policies. (1-Year Plan)
    - Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. (1-10 Year Plans)
    - Continue to work with and support Yakima River Basin Integrated Plan. (1-10 Year Plans)
- **Strategy 3**: Encourage reduction of irrigation use.
  - **Actions:**
    - Educate homeowners/landscapers on efficient irrigation practices. (1-5 Year Plans)
    - Rainwater capture incentives (5-10 Year Plans)
    - Drought-tolerant landscaping incentives (Heritage Garden) (5-10 Plans)
    - Increase resilience by reducing stressors such as non-native noxious species. (5-10 Year Plans)

Sector 4: Carbon Offsetting

Carbon offsetting is a practice that involves compensating for the greenhouse gas emissions generated

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in one location by investing in projects that reduce or remove an equivalent amount of emissions elsewhere. The goal is to achieve a balance between emissions produced and emissions removed or reduced, ultimately helping to mitigate climate change.

Carbon offsetting is often seen as a temporary solution to address emissions that are challenging to eliminate completely, especially in the short term. It is crucial, however, for entities to prioritize reducing their own emissions through sustainable practices and technologies before relying on offsetting as a sole strategy. Carbon offsetting should complement broader efforts toward achieving a low-carbon and sustainable future.

Goal: Yakima will implement policies to improve air quality.

- **Strategy 1:** Increase tree canopy and climate-adapted plant landscapes.
  - **Actions:**
    - Plant trees throughout the city to help reduce air pollution and reduce urban heat. (1-10 Year Plans)
    - Develop educational programs to promote tree plantings with residents. Tie it to Earth Day, or Arbor Day. (5-Year Plan)
- **Strategy 2:** Utilize City properties to increase canopy for carbon sequestration.
  - Review the current Parks & Recreation plan. (1-Year Plan)
  - Review inventory of City owned, unused and/or vacant properties. (1-Year Plan)

Sector 5: Recycling and Waste Management

Recycling and waste management are critical components of sustainable resource management aimed at minimizing the environmental impact of human activities. Recycling conserves resources, reduces energy consumption, decreases landfill waste, and minimizes pollution. It also helps lower greenhouse gas emissions associated with the extraction and manufacturing of virgin materials. Effective waste management requires a comprehensive and integrated approach that prioritizes waste reduction, encourages recycling and reuse, and ensures safe and environmentally sound disposal practices. Sustainable waste management practices contribute to resource conservation, pollution prevention, and a healthier environment.

Effective recycling and waste management require collaboration among individuals, businesses, communities, and governments. By adopting sustainable practices, reducing waste generation, and promoting responsible resource management, societies can contribute to a more environmentally friendly and resilient future.

Goal: Establish additional drop-off recycling collection location accessible to the entire community and increase the number of public recycling bins throughout the city. Develop clear, positive, and targeted communication campaigns to limit waste.

- **Strategy 1:** Conduct a waste audit. (5 Year Plan)
- **Strategy 2:** Increase Recycling education in schools.

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- **Actions:**
  - Work with schools to create educational campaigns for students and families (5-Year Plan)

- **Strategy 3:** Develop and implement strategies to reduce food waste and increase access to healthy, affordable food for all city residents.
  - **Actions**
    - Maximize composting of inedible food, yard waste, and other organic waste. (5-10 Year Plans)
    - Support & promote Food Hubs to address food scarcity and prevent food waste. (1-Year Plan)
- **Strategy 4:** Educational campaign to reduce food waste.
  - **Actions:**
    - Work with schools to create educational campaigns for students and families. (1-5 Year Plans)
- **Strategy 5:** Set recycling goals.
  - **Actions:**
    - Promote, support, and incentivize a circular economy (a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing, and recycling existing materials) (5-10 Year Plans)
    - Improve recycling infrastructure to recycle more items. (5-10 Year Plan).

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KEY TERMS

TERM	DEFINITION
Adaptation	Actions in response to an event and its effects, that lessen harm or exploit beneficial opportunities. It includes reducing the vulnerability of people, places, and ecosystems to the impacts of climate changes.
Biodigester	A technology in which organic waste material is decomposed by microbial action and typically produces biogas, which can then be used as a renewable fuel or converted to renewable electricity to offset fossil fuel use.
Carbon Dioxide Equivalent (CO_2e)	A measurement that describes how much global warming potential a given type and amount of greenhouse gas may case using the functionally equivalent amount or concentration of carbon dioxide as the reference.
Climate	The average pattern for weather over a period of months, years, decades, or longer in a specific place.
Climate Change	Any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period of time (decades or longer). Climate change may result from natural factors and processes and from human activities that change the atmosphere's composition and land surface.
Climate Change Adaptation	Actions to adjust to actual or expected climate and its effects, which seek to lower the risks posed by the consequences of climate changes.
Climate Change Mitigation	Actions to limit the magnitude or rate of climatic changes and their related effects by reducing greenhouse gas emissions.
Climate Resilient Community	A community that takes proactive steps to prepare for (i.e., reduce the vulnerabilities and risk associated with) climate change impacts.
Emission intensity	The discharge rate of a given pollutant relative to the intensity of a specific activity.
Energy Audit	An assessment and analysis of energy flows for energy conservation in a building.
Energy Efficiency	Energy efficiency refers to using less energy to perform the same tasks or achieve the same level of output. It involves optimizing the use of energy resources to minimize waste and increase overall productivity.
Equity Action	Specific programs, policies, or initiatives that make climate actions more accessible and/or less harmful to underserved communities and increase benefits to traditionally underserved populations.
Equity Outcome	A resulting effect that supports equality through increasing benefits or mitigating harmful impacts to traditionally underserved populations or by making

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	programs more accessible to underserved populations.
Exposure	The nature and degree to which a system is subjected to significant climate variations.
Fossil Fuel	Fuel formed from the remains of living organisms through natural processes that occur in the earth.
Greenhouse Gas (GHG)	Gas that traps heat in the atmosphere by absorbing infrared radiation.
GHG Emissions Inventory	A study that quantifies the greenhouse gas emissions that are generated within a specific boundary. The boundary can be geographic, such as the City of Yakima.
Renewable Energy	Renewable energy comes from sources that are naturally replenished on a human timescale. These sources include sunlight (solar energy), wind, rain, tides, waves, geothermal heat, and biomass. Unlike fossil fuels, these sources do not deplete over time.
Resilience	The ability of a system and its component parts to anticipate, absorb, accommodate, or recover from the effects of a hazardous event in a timely and efficient manner, including through ensuring the preservation, restoration, or improvement of its essential basic structure and functions.
Sensitivity	The degree to which a built, natural, or human system is directly or indirectly affected by changes in conditions.
Stressor	A chemical or biological agent, environmental condition, external stimulus, or an event that causes stress to an organism.
Vulnerability	The degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes. It is a function of the sensitivity of a particular system to climate changes, its exposure to those changes, and its capacity to adapt to those changes.

Committee Members

Jeff Scott	Chair
Ray Paolella	Vice-Chair
Dan Schapiro	Secretary
Jennifer Hickenbottom	
Marcelino Osorio	
Jeremy Leavitt (resigned Nov 2023)	
Ajit Gill	Student representative

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Table: Summary of the Sectors, Components, and Plans

Sector	Component	1-Year Plan	5-Year Plan	10-Year Plan
Environmental Justice	**Community Resilience**			
	Strategy 1 Conduct community outreach to address the concerns and needs of marginalized groups and what resolutions or assistance is needed.	Review regional policies and initiatives that support equitable access to resources for all.	Recommend policies and initiatives that support equitable access to resources for all.	Implement policies and initiatives that support equitable access to resources for all.
	Strategy 2 Leverage current unused and vacant properties owned by the city for potential sustainable activities.	Review current unused and vacant properties owned by the city.	Recommend utilizing unused and vacant properties owned by the city.	
	Strategy 3 Educate the community on ways to keep themselves safe and their homes safe during natural disasters or significant events.		Develop workshops and educational tools.	
	Strategy 4 Address Food Insecurity.	• Promote local food campaigns/food banks. • Partner with organizations that serve food-insecure populations to provide access to fresh, healthy food via a community garden space and local produce markets. • Support and promote food hubs to distribute locally produced food.	Support expansion of businesses that connect customers to restaurants and stores that have unsold surplus food.	
	Strategy 5 Develop a community garden.	Identify current community gardens.	• Support interested neighborhoods in creating community garden spaces and incentivize developers to include community garden space in new development. • Support schools and youth education programs that teach students how to grow and prepare fresh produce.	
	Housing			
	Strategy 1 Promote adequate housing to support economic development.			Incentivize housing developments based on affordability and proximity to active transportation corridors.
	Strategy 2 Assist residents to feel comfortable and safe in their homes for future effects of climate change.	• Provide extreme weather shelters. • Promote and utilize State and Federal programs for weatherization.		
	Strategy 3 Review single-family zoning to encourage higher-density housing.		During the next Growth Management Act (GMA) Comprehensive Plan Update, adjust land use designation to promote higher density housing opportunity.	
	Strategy 4 Support resilience in the event of extreme weather events such as backup energy supplies, water, and shelters.	Review current Emergency Management Plans.	Recommend additional measures.	
	Strategy 5		Review current housing codes.	

	Promote building codes to encourage green building practices.			
Energy Efficiency and Renewable Energy	**Reduction of Green House Gas Emissions**			
	Strategy 1 Yakima residents will be able to travel safely and reliably to their destinations, and the City will be able to adequately, affordably, and sustainably construct and maintain roads and streets.	• Review current plans. • Pursue federal and state funding for efficiency improvements. • Expand lighting and other safety features on pedestrian pathways. • Identify areas of the city where pedestrian facilities could be prioritized. • Improve sidewalks, curb ramps, and street crossings near transit stops. • Dedicate increased local funding to the local Safe Routes to School program.	• Pursue federal and state funding for efficiency improvements. • Expand lighting and other safety features on pedestrian pathways. • Identify areas of the city where pedestrian facilities could be prioritized. • Improve sidewalks, curb ramps, and street crossings near transit stops. • Dedicate increased local funding to the local Safe Routes to School program.	• Pursue federal and state funding for efficiency improvements. • Expand lighting and other safety features on pedestrian pathways. • Identify areas of the city where pedestrian facilities could be prioritized. • Improve sidewalks, curb ramps, and street crossings near transit stops. • Dedicate increased local funding to the local Safe Routes to School program.
	Strategy 2 Encourage land use policies that support navigable, livable, sustainable communities for all.	Review current plans.	• Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs. • Encourage active transportation and multi-modal uses across the city's parks, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities.	• Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs. • Encourage active transportation and multi-modal uses across the city's parks, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities.
	Strategy 3 Promote and encourage the use of EVs and low-carbon fuels in transportation.	Pursue federal and state funding for efficiency improvements.	• Pursue federal and state funding for efficiency improvements. • Offer non-financial incentives to encourage EV adaptation and expand EV infrastructure, such as resident-select EV charging locations and streamlined permitting for developers. • Promote education and advocacy to increase awareness and adoption of low-carbon and alternative fuels.	
	Strategy 4 Promote and encourage public transportation and alternative modes of single-occupancy travel.	• Pursue federal and state funding for efficiency improvements. • Active transportation development to encourage opportunities for biking, walking, and wheelchairs. • Work with the school district to promote school bus ridership and explore options for increasing services. • Encourage active transportation through participation in Safe Routes to School program.	• Pursue federal and state funding for efficiency improvements. • Active transportation development to encourage opportunities for biking, walking, and wheelchairs. • Work with the school district to promote school bus ridership and explore options for increasing services. • Incentive the use of public transportation by providing free rides to city workers.	Pursue federal and state funding for efficiency improvements.

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			• Work with schools to educate students on how to use public transportation. • Work with third-party programs and businesses to increase the availability, accessibility, and convenience of shared mobility options (e.g., bike and scooter share programs)	
	Strategy 5 Review current fleet management practices.		Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for fossil fuel alternatives for sustainable transportation.	Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for fossil fuel alternatives for sustainable transportation.
	Buildings and Clean Energy			
	Strategy 1 Encourage efficient, renewable energy buildings that meet WA Clean Building Act targets.	• Provide education and technical support to building owners. • Pursue federal and state funding for efficiency improvements. • In cooperation with environmental groups and solar installers, developing a marketing program to Yakima residents and businesses to encourage installation of solar systems on or at their property.	• Provide education and technical support to building owners. • Pursue federal and state funding for efficiency improvements. • In cooperation with environmental groups and solar installers, developing a marketing program to Yakima residents and businesses to encourage installation of solar systems on or at their property.	Pursue federal and state funding for efficiency improvements.
	Strategy 2 Increase education on energy-saving strategies.	• Provide education and technical support to building owners. • Provide education in schools.	• Provide education and technical support to building owners. • Provide education in schools.	
	Strategy 3 Retrofit existing buildings to be more energy efficient.	• Pursue federal and state funding for efficiency improvements. • Provide education and technical support to building owners. • Partner with organizations that can assess current energy usage and recommend efficiency improvements.	• Pursue federal and state funding for efficiency improvements. • Provide education and technical support to building owners. • Partner with organizations that can assess current energy usage and recommend efficiency improvements.	Pursue federal and state funding for efficiency improvements.
Water Conservation	**Water Conservation**			
	Strategy 1 Educate and engage the community in water resources stewardship.		Promote and fund City programs encouraging water conservation	Promote and fund City programs encouraging water conservation
	Strategy 2 Ensure a sustainable water supply.	• Review current plans/policies. • Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. • Continue to work with and support Yakima River Basin Integrated Plan.	• Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. • Continue to work with and support Yakima River Basin Integrated Plan.	• Create clear processes and policies for assessing and approving land use and development that will impact future aquifer pumping volumes. • Continue to work with and support Yakima River Basin Integrated Plan.
	Strategy 3 Encourage reduction of irrigation use.	Educate homeowners/landscapers on efficient irrigation practices.	• Educate homeowners/landscapers on efficient irrigation practices.	• Rainwater capture incentives

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			• Rainwater capture incentives • Drought-tolerant landscaping incentives (Heritage Garden) • Increase resilience by reducing stressors such as non-native noxious species.	• Drought-tolerant landscaping incentives (Heritage Garden) • Increase resilience by reducing stressors such as non-native noxious species.
Carbon Offsetting	**Carbon Offsetting**			
	Strategy 1 Increase tree canopy and climate-adapted plant landscapes.	Plant trees throughout the city to help reduce air pollution and reduce urban heat.	• Plant trees throughout the city to help reduce air pollution and reduce urban heat. • Develop educational programs to promote tree plantings with residents. Tie it to Earth Day, or Arbor Day	Plant trees throughout the city to help reduce air pollution and reduce urban heat.
	Strategy 2 Utilize City properties to increase canopy for carbon sequestration.	• Review the current Parks & Recreation plan. • Review inventory of City owned, unused and/or vacant properties.		
Recycling and Waste Management	**Recycling and Waste Management**			
	Strategy 1 Conduct a waste audit.		Conduct a waste audit.	
	Strategy 2 Increase Recycling education in schools.		Work with schools to create educational campaigns for students and families	
	Strategy 3 Develop and implement strategies to reduce food waste and increase access to healthy, affordable food for all city residents.	Support & promote Food Hubs to address food scarcity and prevent food waste.	Maximize composting of inedible food, yard waste, and other organic waste.	Maximize composting of inedible food, yard waste, and other organic waste.
	Strategy 4 Educational campaign to reduce food waste.	Work with schools to create educational campaigns for students and families.	Work with schools to create educational campaigns for students and families.	
	Strategy 5 Set recycling goals.		• Promote, support, and incentivize a circular economy (a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials) • Improve recycling infrastructure to recycle more items.	• Promote, support, and incentivize a circular economy (a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials) • Improve recycling infrastructure to recycle more items.

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Rivera, Eva

From: Yakima Taxpayer <yaktaxfiscalresp@yahoo.com>
Sent: Thursday, October 8, 2026 4:57 PM
To: Martin, Trevor; Ask Planning; Preston, Bill
Subject: SEPA # 202604074, PRJ 001-25 and PRJ 001-26

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for the opportunity to comment.

SEPA # 202604074
Document Type: DNS
Date Issued: 09/24/2026
Comments Due: 10/08/2026

NTC OF HEARING & DNS_PRJ#001-26 (6).pdf
October 14, 2026 deadline.

Within this SEPA notice and Notice of Hearing and DNS, comments due dates differ:

Proposal Description

The City of Yakima Planning Division is proposing minor amendments to the City of Yakima's Comprehensive Plan, specifically amending policy and goal language for the following: Implementing language regarding climate resiliency throughout the plan; updating goals and policies in the Housing Element; updating the transportation elements; and updating statistical background information in the Housing, Land Use, and Transportation in the Technical Analysis.

Concerns:
1. Project #s differ. The Notice of Hearing says PRJ#001-26. The DNS says PRJ#001-25. Please reissue the DNS, Notice of Hearing, and SEPA checklist with a new issue date and deadline for comments.

2. Date differ. The latest dates should be honored.

3. "Minor amendments" seems unclear. Other elements of the Comp Plan are proposed for amendments.

4. Includes the James Carmody letter, found on the City's website as an initial comment. It is too big to email.

07/07/2026 08.A.. Distributed at the Meeting

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07/07/2026 08.A.. Distributed at the Meeting

Agendas - 69 pages

Show more information...

Regards,

Yakima Taxpayers for Fiscal Responsibility

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Meyer,
Fluegge &
Tenney

Distributed at Meeting:
07-07-2026 Item# 8A

230 S. 2nd Street, Suite 101
Yakima, WA 98901
(509) 575-8500

www.mftlaw.com

YAKIMA CITY CLERK
'26 JUL 7 PM2:56

July 7, 2026

Rosalinda Ibarra, City Clerk
City of Yakima
129 N. 2nd Street
Yakima, WA 98901

Re: City Council Public Hearing – Item 8A – July 7, 2026
Public Hearing to Consider: (A) Resolution adopting the Six-Year Transportation Improvement Program for the period of 2027 through 2032, and to amend the 2040 Transportation System Plan; and (B) Resolution amending the Yakima Comprehensive Plan Capital Facilities Element

Dear Ms. Ibarra:

We represent Yakima Taxpayers for Fiscal Responsibility and submit this correspondence, comments, and attachments for consideration by Yakima City Council during Public Hearing regarding the above referenced matter on July 7, 2026. The attached comments specifically address Item 8A regarding (A) resolution adopting the Six-Year Transportation Improvement Program (TIP) for the period 2027 through 2032, and to amend the 2040 Transportation System Plan; and (B) Resolution amending the Yakima Comprehensive Plan Capital Facilities Element. Our client's specific request is set forth in the attached comments.

Please add and provide to the City Council this correspondence together with the attached comments and attachments.

Thank you for your consideration.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

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FILED
APR 3 1987
BETTY McGILLEN
YAKIMA COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR YAKIMA COUNTY

CONGDON ORCHARDS, INC., a Delaware corporation, Plaintiff, vs. YAKIMA VALLEY TRANSPORTATION COMPANY, a Washington corporation, THE CITY OF YAKIMA, a municipal corporation, and YAKIMA INTERURBAN LINES ASSOCIATION, Defendants.	NO. 86-2-00503-9 MEMORANDUM OPINION

The Yakima Valley Transportation Company, hereinafter referred to as YVTC, obtained the right to build and operate a railroad line upon property owned by plaintiff's predecessors in interest, said grant by document dated August 2, 1909. (Exhibit D to plaintiff's memorandum). In said document the terms "railroad" and "railway" are used interchangeably and the Court concludes that both terms as used in this document have the same generic meaning.

On page 11 of said grant are found certain express conditions including

> "(1). That said Transportation Company shall complete the construction of said railroad on said right-of-way and have the same in regular and permanent operation in connection with the rest of its line to North Yakima, Washington, by April 1st, A.D., 1910, and that thereafter it shall regularly operate the same between the west end of the granted right-of-way and said North Yakima . . ."

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main line." While that portion of the decision is based upon such different facts as to be of little aid to this Court, its ruling on interpreting such grants is very helpful. The Court, in this regard stated:

> "The purport and intent of the parties to a written instrument must be gathered, where possible, from the language of the instrument itself, considered with reference to the subject matter to which it relates and with reference to the surrounding conditions and circumstances, not by what either party thereto may aver to be its purport and intent. If the language of the instrument is plain and unambiguous, and the subject matter does not indicate that the words used therein are employed in a technical or restricted sense, the instrument will be given the interpretation its language ordinarily implies."

The Court finds no ambiguity in the language of this grant. It is obvious that the agreement contemplated a railroad that would primarily serve for transporting fruit from orchards to the distribution center in the city of Yakima

As pointed out in Johnsen's History of the Yakima Valley Transportation Company, supra, passenger service over those routes was merely incidental.

The Trolley Operating and Indemnification Agreement, Exhibit L, plaintiff's memorandum, referred to the operation of two trolley cars and their use was restricted thereby "to the operation of the trolley cars for the transporting of passengers only, as a tourist attraction and promotional activity ..."

Its operation has been restricted to operation on weekends during warmer weather and at other times for special charter trips.

The use of the railway exclusively for the operation of trolleys as a tourist attraction and for promotional activity was not within the contemplation of the parties to the grant and could not be considered as authorized use under the grant. Under the terms of

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TO: YAKIMA CITY COUNCIL
FR: YAKIMA TAXPAYERS FOR FISCAL RESPONSIBILITY
DA: July 7, 2026
RE: Comments on Six-Year TIP, Transportation System Plan, and Capital Facilities Element

On July 7, 2026, the Yakima City Council will hold a Public Hearing regarding: A) Resolution adopting the Six-Year Transportation Improvement Program (TIP) for the period of 2027 through 2032, and to amend the 2040 Transportation System Plan; and B) Resolution amending the Yakima Comprehensive Plan Capital Facilities Element. Yakima Taxpayers for Fiscal Responsibility ("Yakima Taxpayers") submits these Public Hearing comments and respectfully requests City Council make two motions to revise pages 4 and 14 of the TIP as follows:

> TIP page 4: Delete the three words "including trolley provisions" from the Project Description for "6th Avenue Roadway Improvements" and change the "Total Funds and Expenditures" from $17,350,000 TO $10,000,000.
>
> TIP page 14: Delete the word "Trolley" and substitute the word "Transportation" in the Project Description for "Naches River Bridge Repair."

The trolley is Not Eligible for inclusion in the TIP because: (1) Yakima County Superior Court ruled the trolley is not a railroad but instead is a "tourist attraction"; (2) Under state and federal laws, the seasonal tourist trolley is not "public transportation" and is not a "transportation improvement"; (3) On 2/17/2026, City Council removed the trolley tracks from the 6th Avenue Roadway Project amid concerns the trolley was not an eligible "transportation improvement." SEPA Review must be completed before amending the Capital Facilities Element.

Attachments:

1. City Council Motion # 1 revising TIP page 4
2. City Council Motion # 2 revising TIP page 14
3. Yakima Ordinance No. 2026-005
4. Yakima City Council Meeting Minutes (2/17/2026)
5. Letter from Attorney James C. Carmody (1/20/2026)
6. WSDOT: Naches River Bridge not eligible for Transportation Alt. funds (1/20/2026)
7. Congdon Orchards v. City of Yakima Court Decision (Excerpt 4/8/1987)
8. Letter from Attorney James C. Carmody (12/18/2025)
9. Yakama Nation Request for Formal Consultation (12/3/2025)
10. Letter from Attorney James C. Carmody (12/3/2025)
11. Letter from Attorney James C. Carmody (9/15/2025)
12. Yakima County "High Risk" Geologic Hazard GMA Critical Areas Map
13. Utilities and Transportation Commission Public Safety Order
14. National Historic Preservation Act § 106 Consultation
15. Trolley Operation License Agreement (Page 2 excerpt 1/20/2026)
16. Memorandum: Sightseeing Tourist Trolley not Eligible (STIP ID WA-15913)

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Motion # 1

I MOVE TO DELETE THE THREE WORDS "INCLUDING TROLLEY PROVISIONS" FROM THE PROJECT DESCRIPTION FOR "6TH AVENUE ROADWAY IMPROVEMENTS" ON PAGE 4 OF THE TIP AND CHANGE THE TOTAL FUNDS AND EXPENDITURES FROM $17,350,000 TO $10,000,000.

REASONS: THE TROLLEY IS **NOT ELIGIBLE** FOR INCLUSION IN THE TIP

City Council Resolution 2024-095 originally contemplated the use of Yakima's Transportation Benefit District (TBD) funds to rebuild tracks and overhead electric wires on a 1.5-mile segment of the 4-mile Yakima to Selah rail line. However, that 2024 Resolution was superseded by a 2026 **"No Tracks"** City Ordinance and accompanying Motion to *"remove the trolley tracks from the TBD list."* (Yakima Ordinance 2026-005 and City Council Meeting Minutes--Feb. 17, 2026). HLA Engineering 2024 estimate of $7.4 Million to build 6th Avenue tracks and overhead electric power system should be deducted from the total costs of the 6th Avenue Roadway Project.

In a Legal Opinion on TBD transportation improvements sent to the City January 20, 2026, Yakima Attorney Jamie Carmody stated: *"The inclusion of funding for trolleys would violate state law."* On February 17, 2026, the City Council voted to not use any TBD funds for the 6th Avenue tracks and overhead electric wires. City Council member Juliet Potrykus explained the City Council's decision to not spend City funds on the trolley: *"I would just like to draw a very hard line about the responsibility of paying for anything having to do with the trolley going forward being in the hands of the trolley not the taxpayers"* (Yakima City Council meeting transcription, 2/17/2026 at 1:33:30 minutes).

Yakima County Superior Court ruled the tourist trolley used for scenic excursions is not a "*railroad*" but instead is a "*tourist attraction.*" The seasonal, non-ADA-accessible tourist trolley that operates on summer weekends and holidays does not provide continuous or functional mobility and therefore does not qualify as "*transportation*" or "*public transportation*" under various state and federal laws, e.g., RCW 81.104.015(4). Federal law says sightseeing tourist trolleys and charters are not "*public transportation.*" For many years, Yakima trolley operating agreements have restricted trolley use to "*tourist attraction.*" Yakima does not own any land with railroad tracks to Selah. Passenger rail service was legally abandoned in 1935 by Order of Washington State Transportation Division, and there is nothing in the record documenting established railway use rights or authority for operations in Selah. The 1935 abandonment of passenger rail operations caused an automatic reversion of the passenger rail easement to private landowners.

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Motion # 2

I MOVE TO DELETE THE WORD "TROLLEY" AND SUBSTITUTE THE WORD "TRANSPORTATION" IN THE PROJECT DESCRIPTION FOR "NACHES RIVER BRIDGE REPAIR" ON PAGE 14 OF THE TIP.

REASONS: THE TROLLEY IS **NOT ELIGIBLE** FOR INCLUSION IN THE TIP

The trolley is **Not Eligible** for inclusion on the TIP because the Yakima trolley is not a "railroad" and does not qualify as "*transportation*" or "*public transportation*" under various state and federal laws. Under Supreme Court case law, the abandonment of passenger rail service to Selah in 1935 and abandonment of freight service in 1985 triggered an automatic reversion of the railroad easement back to the adjacent private landowners. In Washington, when an easement is granted to a railroad by private conveyance, the easement is not a "perpetual public easement." *Lawson v. State of Washington*, 107 Wn.2d 444 (1986). Sightseeing tourist trolley excursions are not railroad operations and therefore trigger reversion of land possession back to the underlying private property owners.

Another example of the trolley not being eligible for transportation funding was a January 20, 2026 email from the Washington State Department of Transportation informing the City that the Naches River Bridge was not eligible for transportation alternative funding as a non-motorized facility because the bridge does not allow pedestrians. Tourist attractions do not qualify for transportation funding.

The historically accurate name for the bridge over the Naches River is "Yakima Valley Transportation Company Bridge" not "Yakima Valley Trolley Bridge." Yakima Valley Transportation Company is listed in the National Register of Historic Places; Yakima Valley Trolleys is not on the National Historic Register. If the TIP is not changed from "trolley" to "transportation," the capital facilities amendment will enable ground disturbance and operations in "High Risk" geologic hazard Critical Areas where the Yakama Nation requested formal consultation. This would also be inconsistent with a UTC Public Safety Order.

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ORDINANCE NO. 2026-005

AN ORDINANCE of the City of Yakima, Washington, relating to a Transportation Benefit District; updating project costs for the transportation improvements to be funded by the district.

WHEREAS, on January 10, 2017 the City Council created a Transportation Benefit District (TBD); and,

WHEREAS, the City Council approved Ordinance No. 2017-002 and identified projects within the City that constituted transportation improvement needs; and,

WHEREAS, the TBD project list has previously been updated on Ordinances 2017-011 and 2023-035; 2025-021, and,

WHEREAS, the City of Yakima wishes to modify and update the TBD project list; and,

WHEREAS, a public hearing must be held prior to modifying the project list; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. The City Council finds it is in the public interest, following a public hearing and using the criteria listed in RCW 36.73.020(1) and City Ordinance 2017-002, to modify the project list and adopts the Amended Transportation Benefit District Project List (Attached as Exhibit A) as the transportation improvements to be funded through the TBD. The amended list replaces all prior project lists.

Section 2. This ordinance shall become effective and shall be in full force and effect 30 days after its passage and publication in accordance with law.

PASSED BY THE CITY COUNCIL, signed and approved this 17th day of February 2026.

Matt Brown, Mayor

ATTEST:

YAKIMA SEAL WASHINGTON

Rosalinda Ibarra, CMC, City Clerk

Publication Date: February 21, 2026

Effective Date: March 23, 2026

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Exhibit A

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0.1% Sales Tax (No tracks)

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	
88th Avenue Sidewalk: Tieton Drive to Summitview Ave	x											$ -
Fair Avenue Sidewalk: Pacific Avenue to Nob Hill Blvd	x	x										$ 331,900
Nob Hill & Fair Ave Intersection	x											$ 345,000
Mead Avenue Pedestrian Signal at 10th Avenue	x											$ 400,000
N. 16th Avenue Sidewalk: Fruitvale Blvd to River Road	x	x										$ -
6th Ave. Roadway (No tracks)	x	x	x									$ 8,300,000
Washington & Longfibre I/S		x										$ 1,956,500
Browne Avenue Sidewalk: 7th Ave. to 15th Ave		x										$ 936,000
4th Street: 'G' Street to MLK			x									$ 1,783,200
2nd Street: 'G' Street to MLK				x								$ 1,917,400
44th Avenue Sidewalk: Viola to Randall Park					x							$ 1,899,400
3rd Street: 'G' Street to MLK					x							$ 791,300
6th Street: 'G' Street to MLK						x						$ 1,817,400
7th Street: 'G'Street to MLK							x					$ 1,869,700
Powerhouse Rd & Englewood I/S						x						$ 1,325,700
3rd Avenue Sidewalk: Nob Hill to Walnut				x								$ 1,523,100
Nob Hill Boulevard Sidewalk: 12th Street to 14th Street								x				$ 300,000
16th & Fruitvale I/S											x	$ 2,285,100
1st Street & Washington I/S									x			$ 2,897,500
Chestnut Avenue Sidewalk: 56th Ave. to 70th Ave.										x		$ 3,452,900
3rd & Division I/S - Signal	x	x	x									$ 325,000
												$ 34,457,100

Estimated $2,700,000/yr revenue

BUSINESS OF THE CITY COUNCIL
YAKIMA, WASHINGTON
AGENDA STATEMENT

Item No. 8.A.
For Meeting of: February 17, 2026

ITEM TITLE: Public Hearing and Ordinance relating to Material Changes for the Transportation Benefit District (TBD) project list

SUBMITTED BY: Bill Preston, Community Development Director

SUMMARY EXPLANATION:

Public Hearing on the TBD list of projects presented on February 3, 2026. Council can take the action of adopting the list of projects as provided on February 3 and provided in the attached presentation.

ITEM BUDGETED: Yes

STRATEGIC PRIORITY 24-25: A Resilient Yakima

RECOMMENDATION: Hold a public hearing and pass an Ordinance accepting TBD list including the proposed scope, schedule and budget.

ATTACHMENTS:
Ordinance for 2026 TBD project list_draft
2026_TBD_Material_Change_options.pptx
Public Hearing Notice_amend TBD material changes

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YAKIMA CITY COUNCIL MINUTES
February 17, 2026
City Hall - Council Chambers - 129 N 2nd Street, Yakima WA
5:30 PM City Council Regular Meeting - Conducted in person and virtually via Zoom

1) **Roll Call**

The meeting was called to order at 5:32 p.m.

Present: Mayor Matt Brown, presiding; Assistant Mayor Reedy Berg and Councilmembers Patricia Byers, Rick Glenn, Felisa Gonzalez, Juliet Potrykus and Leo Roy

Staff: City Manager Vicki Baker, City Attorney Sara Watkins and City Clerk Rosalinda Ibarra

2) **Pledge of Allegiance**

Mayor Brown led the Pledge of Allegiance.

3) **Interpreter Services**

Mayor Brown introduced Jorge Villaseñor who announced interpreter services are available in Spanish.

4) **Public Comment**

Joan Walsh, City resident; and Lulu Dufault, non-City resident; spoke in support of the Yakima Valley Trolleys.

Michelle Hotchko, City resident, spoke in favor of Lions Pool.

Joseph Kopsick (via Zoom), City resident, spoke about tax revenue collection.

5) **Open Discussion for the Good of the Order**

None.

6) **Council Reports**

None.

7) **Consent Agenda**

Mayor Brown referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. Item J was removed from the Consent Agenda. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion-see motion directly below.)

MOTION: Berg moved and Byers seconded to approve the consent agenda (as amended). The motion carried by a 7-0 roll call vote.

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7.A Approval of minutes from the February 3, 2026 Council regular meeting and February 10, 2026 Council study session

7.B Approve payment of disbursements for the period January 1-31, 2026

7.C January 2026 Investment Transaction Report

7.D Project Completion and Contract Acceptance with Washington Roofing Solutions LLC for Fire Station 94 Re-Roofing Project 2851

7.E Project Completion and Contract Acceptance with Central Washington Asphalt for 2024 Northside Alley Paving Project 2759

7.F Project Completion and Contract Acceptance with Iron Horse LLC for Project SC2819 2025 Wastewater Collection System Rehabilitation

7.G Project Completion and Contract Acceptance with Interwest Construction Inc for Project SC2783 Maclaren Vicinity Wastewater Improvements

7.H Resolution accepting and approving 4th Quarter 2025 Claim Report

RESOLUTION NO. R-2026-024, A RESOLUTION accepting and approving the 4th Quarter 2025 Claim Report for the City of Yakima.

7.I Resolution approving an agreement with the Yakima Herald-Republic for legal advertising services

RESOLUTION NO. R-2026-025, A RESOLUTION approving an annual agreement with the Yakima Herald-Republic for legal advertising services.

7.J *This item was removed from the Consent Agenda*

7.K Resolution authorizing an Interlocal Agreement between SunComm and Yakima County Technology Services for network equipment maintenance and repair

RESOLUTION NO. R-2026-027, A RESOLUTION authorizing an interlocal agreement with Yakima County Technology Services for network equipment maintenance and repair on the Spillman Computer Aided Dispatch workstations.

7.L Resolution authorizing an Equitable Sharing Agreement and Certification with the United States Department of Justice

RESOLUTION NO. R-2026-028, A RESOLUTION authorizing an Equitable Sharing Agreement and Certification with the United States Department of Justice.

7.M Ordinance amending the Yakima Municipal Code Section 1.06.010 Meetings of the City Council

ORDINANCE NO. 2026 004, AN ORDINANCE amending the City of Yakima Municipal Code Section 1.06.010 Meetings of the city council.

Item Removed from the Consent Agenda

7.J Resolution authorizing an Interlocal Agreement with Washington Traffic Safety Commission to provide funding for a law enforcement liaison program

Lt. Ira Cavin briefed Council on the proposed resolution. The City Clerk read the resolution by title only.

MOTION: Byers moved and Berg seconded to approve the resolution for Item J. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-026, A RESOLUTION authorizing an Interlocal Agreement with the Washington Traffic Safety Commission for funding a Law Enforcement Liaison.

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8) Public Hearings

8.A Public Hearing and Ordinance relating to Material Changes for the Transportation Benefit District (TBD) project list

Community Development Director Bill Preston briefed Council on the proposed ordinance related to material changes affecting the Transportation Benefit District project list. He described funding options and proposed schedule for consideration.

Mayor Brown opened the public hearing.

The following individuals provided comments and testimony: Josh Zeigler, Aileen Kane, Barry Bernfeld, Pattie Graffe (Selah Downtown Association), Nancy Davis, Greg Johnsen, Joan Walsh, Dave Cox (Northern Pacific Railway Museum), Maria Ramos, Stephen Rechtlen, David Foster, Badger Wentworth, and Brian Korst.

With no one else coming forward or calling in to speak, Mayor Brown closed the public hearing.

After extensive Council discussion,
MOTION: Potrykus moved and Glenn seconded that no Transportation Benefit District (TBD) funds shall be used for the repair, replacement, relocation, installation, or re-installation of trolley rail infrastructure as part of the 6th Avenue project. The motion carried by a 5-2 roll call vote; with Byers and Gonzalez voting no.

After further Council discussion, the City Clerk read the ordinance by title only and Council took the following action related to passage of the ordinance:
MOTION: Byers moved and Berg seconded to choose the option that removes the trolley tracks from the TBD list and move forward with the .01% sales tax. The motion carried by a 6-1 roll call vote; with Gonzalez voting no.

ORDINANCE NO. 2026-005, AN ORDINANCE of the City of Yakima, Washington, relating to a Transportation Benefit District; updating project costs for the transportation improvements to be funded by the district.

MOTION: Brown moved and Berg seconded to place on a April Council meeting agenda a discussion regarding a proposed charter amendment to permanently prohibit City Council members from imposing a car tab fee, in any form, and direct the City Attorney to prepare proposed Charter language for that meeting. The motion carried by unanimous vote.

9) Department Items

9.A Ordinance establishing a 0.1% sales tax for the Transportation Benefit District

Community Development Director Bill Preston briefed the Council on the proposed ordinance to establish a 0.1% sales tax for the Transportation Benefit District.

The City Clerk read the ordinance by title only.

MOTION: Byers moved and Berg seconded to approve the ordinance. The motion carried by a 7-0 roll call vote.

ORDINANCE NO. 2026-006, AN ORDINANCE of the City of Yakima, Washington, adding a new Section, 3.78.062 to the Yakima Municipal Code imposing an additional sales and use tax of one-tenth of one percent within the boundaries of the City of Yakima Transportation Benefit District for the purpose

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of financing the costs associated with transportation improvements in the district as authorized by the Revised Code of Washington.

9.B Ordinance repealing the $20 car tab fee

Community Development Director Bill Preston briefed the Council on the proposed ordinance to repeal the $20 car tab fee.

The City Clerk read the ordinance by title only.

MOTION: Byers moved and Berg seconded to pass the ordinance. The motion carried by a 7-0 roll call vote.

ORDINANCE NO. 2026-007, AN ORDINANCE of the City of Yakima, Washington repealing Ordinance No. 2017-033 which established an annual vehicle license fee.

9.C Resolution authorizing an Interlocal Agreement with Yakima County Fire District #4, East Valley Fire Dept. for temporary access and use of City Knox Box Master Keys

Yakima Fire Chief Aaron Markham briefed Council on the proposed resolution that will allow Yakima County Fire District #4 to utilize the city's master key during emergencies to gain access to Knox boxes located within the City of Union Gap.

The City Clerk read the resolution by title only.

MOTION: Berg moved and Byers seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-029, A RESOLUTION authorizing an Interlocal Agreement with Yakima County Fire District #4 for temporary use of City Knox Box master keys.

9.D Resolution authorizing application for grants from the Washington State Department of Transportation (WSDOT) and the Federal Aviation Administration (FAA)

Director of Yakima Air Terminal Christopher Hopkins briefed Council on the proposed resolution authorizing the City to apply for grant funding for improvements to the crosswind runway at the Yakima Air Terminal.

The City Clerk read the resolution by title only.

MOTION: Berg moved and Byers seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2026-030, A RESOLUTION authorizing application for grants from the Washington State Department of Transportation (WSDOT) and the Federal Aviation Administration (FAA) for construction of the crosswind runway, a capital improvement project at the Yakima Air Terminal-McAllister Field.

9.E Discussion regarding the Request For Interest (RFI) letters for the operation of Washington Fruit Community Center and Harman Senior Center

Parks & Recreation Manager Ken Wilkinson briefed Council on the proposed draft Letters of Interest to solicit interest from organizations to manage and operate the Washington Fruit Community Center and Harman Senior Center. The Washington Fruit Community Center is budgeted until June 30, 2026, and

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the Harman Senior Center is budgeted until December 31, 2026. The letters of interest would be used to initiate the Request for Proposal (RFP) bid process. No action from the Council was required to move forward at this time.

10) City Manager Update

10.A Preview of upcoming topics

City Manager Vicki Baker provided updates to Council regarding fundraising efforts for Lions Pool and noted that currently no sales tax funds are available to fund park maintenance and Lions Pool. State Representative Chris Corry submitted a budget proviso for Lions Pool. The city has been in ongoing discussions with the YMCA to help fill the community needs. Further updates will be provided in March when the pool has closed and maintenance costs are better determined.

Mrs. Baker mentioned that the three-business meeting format change approved by Council will be implemented in April and will include an open discussion section.

She also provided a brief preview of upcoming topics related to Council's Principles of Conduct and Code of Ethics, engineering and licensing fees, capital improvements projects, and infrastructure updates.

11) Other Business

MOTION: Byers moved and Berg seconded to bring to some future Council meetings, over the next two or three months, a discussion about the Charter and suggested changes for Council. The motion carried by unanimous vote.

MOTION: Berg moved and Brown seconded to add to a business meeting in March or April a discussion regarding enforcement of YMC Chapter 6.91 (Unlawful Camping Ordinance) on all public property. The motion carried by unanimous vote.

12) Adjournment

MOTION: Byers moved and Berg seconded to adjourn to the next City Council regular meeting on March 3, 2026, at 5:30 p.m. in the City Hall Council Chambers. The motion carried by unanimous vote.

The meeting adjourned at 7:46 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

/s/ Signature on File
COUNCIL MEMBER DATE

/s/ Signature on File
COUNCIL MEMBER DATE

ATTEST:

/s/ Signature on File
CITY CLERK

/s/ Signature on File
MAYOR

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MEYER, FLUEGGE & TENNEY, P.S.

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January 20, 2026

Mayor Matt Brown
City of Yakima – City Hall
129 North Second Street
Yakima, WA 98901
matt.brown@yakimawa.gov

Deputy Mayor Reedy Berg
City of Yakima – City Hall
129 North Second Street
Yakima, WA 98901
reedy.berg@yakimawa.gov

RE: Transportation Benefit District Project List – Agenda Item 9B – Jan. 20, 2026 Meeting

Dear Mayor Brown and Deputy Mayor Berg:

We represent Yakima Taxpayers for Fiscal Responsibility (YTFR) and have previously corresponded with respect to use of Transportation Benefit District (TBD) funds for trolley tourist attractions. In the City Council packet for January 20, 2026 - Agenda Item 9B, City Staff present options to raise taxes on Yakima residents to pay for transportation system improvements through increased vehicle license fees or added sales tax. We are concerned about both a tax increase as well as the use of TBD funds. One option includes an expenditure of $7 million on trolleys.

The City may establish a transportation benefit district for the purpose of acquiring, constructing, improving, providing, and funding a transportation improvement within the district that is consistent with any existing state, regional or local transportation plan and necessitated by existing or reasonable foreseeable congestion levels. RCW 36.73.020(1). In selecting transportation improvements, the district should consider to the extent practicable the criteria set forth in RCW 36.73.020(1). Under state law, city ordinances, and case law, it is *not* legal to use Transportation Benefit District (TBD) funds to pay for trolley tourist attractions. The inclusion of funding for trolleys would violate state law. As we have previously requested, City Council should obtain a formal written legal opinion from the City Attorney on the legal restrictions for use of TBD funds.

In a lawsuit against the City of Yakima and the trolley association, the court ruled in 1987 that Yakima's trolleys are "*not a railroad*" but instead are a "*tourist attraction,*" and a streetcar line is not a railroad.[1]

[1] Memorandum Opinion, *Congdon Orchards, Inc. v. City of Yakima, Yakima Valley Transportation Co., and Yakima Interurban Lines Association* (86-2-00503-9, April 8, 1987)

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State law also says streetcars like the trolleys are not a "railroad," and are not "Public Transportation."[2]

Under state law, the trolley is *not* eligible for TBD funds: (1) the trolley is not a railroad, (2) the trolley is a seasonal tourist attraction, (3) the trolley is not "Public Transportation," (4) the trolley is not a "Transportation Improvement," (5) building trolley tracks is not "necessitated by existing or reasonably foreseeable congestion levels," (6) the seasonal trolley will not "alleviate congestion," and (7) the trolley does not satisfy the criteria in RCW 36.73.020(1).[3]

Moreover, there is no evidence that new trolley tracks on 6th Avenue between Walnut and River Road will be "Regionally Significant" as required under state law. There is no evidence that 6th Avenue trolley tracks are part of a regional plan nor is there evidence of regional coordination with Selah, Yakima County, and the State of Washington.

In 2024, HLA Engineering estimated the cost to build trolley tracks & electric wires is about $5 million per mile; and the cost to build the 4-mile Selah Line could be $15 Million to $20 Million. The current proposal to build only 1.5 mile of the proposed 4-mile Selah tracks will result in unusable "tracks to nowhere." City Council should request an updated Engineer's Estimate in 2026 Dollars to build the full 4-mile line.

The City of Yakima has invested taxpayer dollars in the Trolley for many years. The City should not invest additional funds in Tourist Trolleys that do not qualify for transportation funding. The City should not assume responsibility for environmental, cultural resource, and other financial risks and liabilities rightly held by the trolleys. The Trolleys should be self-funded and self-insured and should fully address all legal concerns and financial responsibilities and contributions to their enterprise.

In times of financial stress, the use of available funds should be focused on maintenance and repair of existing streets and roads. The Council should also be cognizant of ever-increasing tax burdens and costs on taxpayers.

Thank you for consideration of our concerns.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

[2] *See, e.g.*, RCW 36.75.010(12) and RCW 81.104.015(4).
[3] RCW 81.104.015(4); RCW Chapter 36.73; City of Yakima Ordinance 2017-002

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MEYER, FLUEGGE & TENNEY, P.S.

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December 18, 2025

Bill Preston, P.E.
Director of Community Development
SEPA Responsible Official
City of Yakima
129 N. 2nd Street
Yakima, WA 98901

Re: SEPA Determination of Nonsignificance
SEPA #104-25

Dear Mr. Preston:

We represent Yakima Taxpayers for Fiscal Responsibility (YTFR) and are writing with respect to your issuance a *Determination of Nonsignificance* related to Operation License Agreement between City of Yakima and Yakima Valley Trolleys – SEPA #104-25. The *Determination of Nonsignificance (DNS)* concluded that the City of Yakima, as lead agency [and also applicant], has determined that the proposal "...does not have a probable significant adverse impact on the environment."[1] It honestly looks like little consideration was given to comments.

In your decision, you state that parties "...may appeal this determination" to you no later than December 18, 2025. The DNS does not provide or identify the ordinance or statutory basis for administrative appeal. In fact, it does not appear that there is an administrative appeal process for the DNS under the Yakima Municipal Code.

Appellate procedures for review of SEPA determinations are set forth in YMC 6.88.170. The rules recognize as a beginning proposition that "...any appeal brought under this chapter shall be linked to a specific governmental action." YMC 6.88.170(A). The governmental action involved in this matter is the granting of an Operating License to Yakima Valley Trolleys. The specific governmental action was taken by the City Council prior to the expiration of the appeal period. That made it impossible to combine the matters in a single hearing process.

While the SEPA ordinance provides limited administrative appeals under SEPA, there is no appeal for the DNS issued in this case. PMC 6.88.170(D) specifically provides:

[1] The DNS indicates that the "...decision was made after review of a completed environmental checklist and other information on file with the lead agency." It is not credible that a DNS would be issued based upon the very significant environmental issues raised by parties providing comment on the proposal. In particular, Yakama Nation articulated significant concerns with respect to cultural resource impacts and need for appropriate and timely environmental review. It is not necessary for purposes of this letter to go through all of the serious issues that should have been considered in the process.

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> Except as provided in subsection E of this section, an appeal under this section shall consolidate any available SEPA appeal with a hearing or appeal on the underlying governmental action in a single simultaneous hearing before one hearing officer or body. The hearing or appeal shall be one at which the hearing officer or body will consider either the agency's decision or recommendation on the proposed underlying governmental action. *If no hearing or appeal on the underlying governmental action is otherwise provided, then no SEPA appeal is allowed under this section, except as allowed under subsection E of this section.*

An appeal of an environmental threshold determination "...shall consolidate available SEPA appeal with a hearing or appeal on the underlying governmental action in a simultaneous hearing before one hearing officer or body." YMC 6.88.170(D). The appropriate process would have been to consolidate an environmental appeal with the underlying governmental action which was the review and determination on the Operating License for Yakima Valley Trolleys. The City did not allow appropriate time or opportunity for appeal as required under the ordinance.

Second, and more importantly, if there is no hearing or appeal on the underlying governmental action which is provided, "...then no SEPA appeal is allowed under this section, except as allowed under subsection E of this section." There is no administrative appeal allowed with respect to the process implemented by the City with respect to the DNS. That creates a problem – what is the proper appeal process?

In its DNS, the City failed to provide accurate and clear appeal instructions. Where there has been a failure to give appropriate notice of appeal rights, the filing of an appeal is tolled until proper notice is provided to the parties. See e.g. *Gardner v. Pierce County,* 27 Wn.App. 241, 243, 617 P.2d 743 (1980) (holding that "...[t]o require a petitioner to file an appeal ten days before the hearing under these circumstances would be unreasonable and violative of due process."; *Prekeges v. King County,* 98 Wn.App. 275, 281, 990 P.2d 405 (1999). The City should withdraw the DNS and reissue the determination with proper and accurate appeal instructions.

As a final point, the City should withdraw the SEPA DNS for Trolley Operating Agreement based on the significant information and identification of probable significant adverse environmental impacts set forth in the record. WAC 197-11-340(3)(a). Among the considerations are the following:

- Yakama Nation Letter (12/3/2025): SEPA Checklist was "*fundamentally deficient*" and requires a "*proximity analysis to archaeological sites or culturally sensitive areas*" affected by trolley operations
- Trolley attorney said County-designated "High Risk" rockslide hazard area in Selah Gap is "*dangerous*" for trolley operations
- Legal authority from Yakima County and State to operate passenger rail service to Selah ended 90 years ago (see State Order April 11, 1935)
- No evidence of land use approvals to operate in Selah or Yakima County

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- 1985 Quit Claim Deed did not include land in Selah Gap owned by BNSF
- 1985 Bill of Donation excluded railroad structures and fixtures
- Congdon Orchards Decision: Trolley is "*not a railroad*" but instead is a "*Tourist Attraction,*" and 1985 ICC abandonment triggered reversion of private railroad easements to underlying private landowners
- No evidence of underlying private landowner consent to trolley operations
- Yakima lacks statutory authority to operate tourist trolley outside of Yakima
- City-owned trolley cars are not on the National Historic Register

We request that the SEPA DNS be withdrawn and reissued with proper appeal instructions. More importantly, we request that the City reevaluate the DNS and impose mitigation requiring survey and preparation of cultural resource assessments, critical area evaluations and reports, and compliance with multi-jurisdictional permit processes.

I would be happy to discuss these issues with you or legal counsel at your convenience.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

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Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

December 3, 2025

Sent via electronic mail

Trevor Martin AICP
City of Yakima Community Development Department
Planning Division
129 N. 2nd Street
Yakima, WA 98901

Re: SEPA Application #014-25 - Yakima Valley Trolleys Operation Agreement

Dear Mr. Martin:

The Yakama Nation Cultural Resources Program has reviewed the referenced State Environmental Policy Act (SEPA) checklist for Application #014-25. We find this application fundamentally deficient and unable to support informed environmental and cultural resources review. The application's widespread use of "N/A" responses without explanation, contradictory project descriptions, and absence of basic geographic, environmental, and cultural information render it incomplete under SEPA requirements and inconsistent with the associated responsibilities.

Contradictory Project Description

The application contains conflicting statements about the project scope that prevent meaningful review:

- Question 11 (Brief Description) states this application is *"only analyzing the Yakama Valley Trolleys responsibility for operating and maintaining the existing Trolley System"* and that *"there is no specific project action associated with this SEPA proposal."*
- Question 6 (Timing/Schedule) indicates a 5-year operational period from January 1, 2026 through December 31, 2030.
- Question 8 references a *"Safety Plan (per WAC 468-550-040(4))"* and *"Inventory of assets (Exhibit C)"* that are not included with the application.
- Question 7 acknowledges *"routine operations and maintenance"* of trolley facilities but provides no detail about what these activities entail.

These statements indicate ongoing operational activities with environmental implications, not a purely administrative agreement transfer without a project action. Even non-project

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SEPA reviews under WAC 197-11-442 require analysis of a program's cumulative environmental effects. The application cannot simultaneously claim *"no specific project action"* while describing multi-year operational activities requiring safety plans, asset inventories, and routine maintenance.

Systematic Misuse of 'N/A' Without Justification

The applicant has marked numerous environmental checklist questions as *"N/A"* without providing any explanation for why they do not apply to trolley operations and maintenance. SEPA instructions explicitly state that *"N/A"* should only be used *"when you can explain why it does not apply and not when the answer is unknown."*

The following sections demonstrate either lack of due diligence or deliberate avoidance of required environmental analysis:

Surface Water (Questions 1-5, Pages 4-5)
All surface water questions are marked N/A despite the trolley route crossing multiple waterways and drainage features in the Yakima Valley. Maintenance activities, vegetation management along the right-of-way, and stormwater runoff from rail infrastructure all have potential surface water impacts. Question 2 specifically asks about work *"within 200 feet"* of waters, yet receives an N/A response with the note *"operations and maintenance only, project specific actions will require additional SEPA review."* This circular logic suggests the applicant acknowledges potential impacts but declines to analyze them in this review.

Ground Water (Questions 1-2, Page 6)
Groundwater questions are marked N/A without explaining why infrastructure maintenance, potential chemical use (herbicides for vegetation management), or waste material disposal would not affect groundwater. Historic rail corridors commonly have legacy contamination issues that should be addressed.

Plants and Animals (Questions 3-5, Pages 6-7)
Question 3 (threatened/endangered species) is marked N/A without documentation of Endangered Species Act consultation or biological survey. Question 4 (landscaping/vegetation preservation) is marked N/A despite obvious vegetation management needs along a linear transportation corridor. Question 5 (noxious weeds) is marked N/A without any invasive species assessment or vegetation management plan.

Environmental Health (Questions 2-5, Page 8)
Questions 2 through 5, addressing site contamination, hazardous chemicals, toxic materials, and emergency services, are all marked N/A without acknowledging that historic rail corridors commonly contain contaminated soils from legacy pollutants. No Phase I Environmental Site Assessment or contamination screening appears to have been conducted.

Land and Shoreline Use (Questions 2, 13-14, Pages 8-10)
Question 2 asks about conversion of agricultural or forest lands and receives an N/A response without analyzing whether the trolley route traverses these land use

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categories. Questions 13-14 regarding compatibility with existing land uses and nearby agricultural/forest operations are marked N/A without assessment of potential conflicts.

Complete Avoidance of Supplemental Nonproject Section

Section D (Supplemental Section for Nonproject Actions Only) represents deficiency in this application. WAC 197-11-960 and SEPA guidelines specifically require nonproject proposals to address questions about:

- How the proposal would increase discharges to water, emissions to air, or noise production
- Effects on plants, animals, fish, or marine life
- Depletion of energy or natural resources
- Use or effects on environmentally sensitive areas
- Effects on land and shoreline use
- Increased demands on transportation or public services
- Potential conflicts with environmental laws or requirements

The applicant marked ALL SEVEN questions (Questions 1-7, Pages 13-15) as *"N/A"* without any explanation. This defeats the purpose of completing the supplemental section and fails to satisfy SEPA's requirement for informed decision-making.

Insufficient Location and Geographic Information

Question 12 (Location of Proposal) identifies "306 W Pine Street/404 S. 3rd Ave. Yakima, WA; trolley lines within Yakima and Selah" but provides no:

- Linear footage or mileage of track to be maintained
- Total acreage of right-of-way affected by operations
- Map or geographic coordinates showing the route
- Identification of watercourse crossings
- Proximity analysis to archaeological sites or culturally sensitive areas
- Slope conditions and mass wasting potential along the corridor

The application notes that legal description is *"provided in Exhibit B of the agreement"* but this exhibit is not included. Without basic geographic data defining the project area, it is impossible to assess potential impacts to any environmental or cultural resource. The trolley route is a significant linear feature traversing landscapes occupied by Yakama ancestors for

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thousands of years. We cannot complete meaningful review without knowing where maintenance activities will occur further this SEPA is not a functional.

Inadequate Cultural Resources Analysis

The Historic and Cultural Preservation section (Page 11) presents several concerning deficiencies:

- Question 1 acknowledges the trolley system is listed on national and local registers of historic places, demonstrating the corridor's significance. However, this historic designation applies to the rail infrastructure itself and does not address archaeological resources along the route or traditional cultural properties that may be affected by operations and maintenance activities.

- Question 2 asks about "landmarks, features, or other evidence of Indian or historic use or occupation" and receives the response "None known along trolley route." This statement is inconsistent with the known archaeological sensitivity of the Yakima Valley and the thousands of years of continuous Yakama occupation in this region. The response "none known" suggests no professional cultural resources survey or tribal consultation has been conducted. The Yakima Valley contains numerous recorded archaeological sites, traditional use areas, and culturally significant landscapes.

- Question 3 asks for proposed measures to "avoid, minimize, or compensate for loss, changes to, and disturbance to resources" and receives the response "Continued operations of the Yakima Trolleys for educational and cultural purposes." This response does not address archaeological site protection, inadvertent discovery protocols, or cultural resource management measures that could be helpful.

The linear nature of the trolley corridor presents unique cultural resource concerns. Archaeological sites adjacent to or within the rail right-of-way are susceptible to slope movement and mass wasting, which can have significant upslope and downslope impacts. Vegetation management, track maintenance, drainage work, and visitor access ground-disturbing activities with potential to affect buried archaeological deposits.

Once the scope of the project is defined the applicant could then demonstrate some understanding in order to inform the checklist and the necessary inventory and permitting requirements.

Missing Required Documentation

The checklist references but does not include several pieces of information necessary to understanding project scope and environmental implications:

- Inventory of assets (Exhibit C, referenced in Question 8)

- Yakima Valley Trolleys Operation Agreement
- Legal description (Exhibit B of the agreement, referenced in Question 12)

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These documents are essential for reviewers to understand what activities are authorized, where they will occur, what infrastructure exists, and what safety and operational protocols govern the proposal.

Conclusion and Path Forward

This SEPA checklist does not provide sufficient information to complete environmental and cultural resources review pursuant to the State Environmental Policy Act (RCW 43.21C). The wholesale use of *"N/A"* without explanation, contradictions between claiming *"no project action"* while describing 5-year operational activities, and absence of basic geographic and archaeological data render this application incomplete.

The Yakama Nation is not opposed to trolley operations that preserve this significant historic transportation resource and provide educational and cultural benefits to the community. However, we cannot complete our review or provide informed comment without understanding what this proposal actually entails.

We respectfully request the City of Yakima withdraw this incomplete application and resubmit with the following information:

Clarification of Project Scope
Completion of Section D
Geographic and Location Data
Cultural Resources Assessment
Operational Details and Measures to Avoid or Mitigate
Attachment of Referenced Documents

Provide these documents in complete form via email to the Yakama Nation Tribal Council Chairman, Gerald Lewis via Gerald_Lewis@yakama.com as well as Cultural Resource Program Manager, Casey Barney @ Casey_Barney@Yakama.com.

The Yakama Nation looks forward to meaningful consultation on this project once adequate information is provided. We are committed to working cooperatively with the City of Yakima to ensure trolley operations can proceed in a manner that protects cultural resources, preserves this important historic asset, and honors our shared stewardship responsibilities for the Yakima Valley landscape.

Please contact our office if you have questions about these comments or need clarification on information requirements. Thank you for the opportunity to comment on this project.

Respectfully,

Noah Oliver

Noah Oliver
YNCRP Geographer and Archaeologist
Yakama Nation Cultural Resource Division

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December 3, 2025

Trevor Martin, AICP
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Email: trevor.martin@yakimawa.gov

RE: Environmental Review for Trolley Operation and Maintenance Agreement -- SEPA#014-25

Dear Planning Manager Martin:

We represent Yakima Taxpayers for Fiscal Responsibility (YTFR), an unincorporated association and provide these comments on the Notice of Environmental Review, Land Use Application, and SEPA Environmental Checklist for Operation License Agreement between City of Yakima and Yakima Valley Trolleys -- SEPA#014-25. While we have specifically provided comment on the proposed Operation License and associated environmental review, we were not provided notice or copies of the request for comments on the project application. I have been in hearings which concluded late last night and have just learned of the request for comments. We request that you consider these comments because of the failure to provide specific notification to a party with known interest in the application.

Overview of Proposed Project and Operations Agreement.

Yakima Valley Trolleys has proposed to enter into an *Operation License Agreement* for a three (3) year license to operate and use the City's electric railway system over a rail line that spans across jurisdictional boundaries of the City of Yakima, City of Selah, and unincorporated Yakima County. The electric railway system is depicted on *Exhibit A* to the *Operation License Agreement*. Also included is use of the electric railway barn and museum of 306 West Pine, Yakima, WA. Assets included are set forth on *Exhibit C*.

By way of background, public records disclose that passenger rail service on these tracks was abandoned in 1935 pursuant to an Order of the State Supervisor of Transportation. Freight rail service on these tracks was abandoned in 1985 pursuant to an Order of U.S. Interstate Commerce Commission. There is nothing in the record documenting established railway use rights or authority for operation of the line.

Land Use Application is Incomplete and Deficient.

To begin, the Notice of Environmental Review and Land Use Application Form are inaccurate and incomplete. These documents identify the "Applicant" as the City of Yakima and Planning Manager Trevor Martin. The Applicant should be Yakima Valley Trolleys because the trolley association is requesting the operation and maintenance license agreement from the City -- the City is not granting a license agreement to itself. The application needs to accurately identify the party requesting the license.

We are concerned that City officials view themselves as both the applicant and the responsible official for administering SEPA procedures. This would be a conflict of interest. Under WAC 197-11-926(2), the people

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be conducted by an independent reviewing body.

Neither the Land Use Application nor SEPA Notice disclose the *Location, Tax Parcel Numbers, Legal Description* (for the line), *Zoning*, or *Property Owners*. We have seen no certification regarding service on adjacent properties, agencies, or departments.

The Location is listed as "Citywide" but major portions of trolley operations and maintenance would occur outside of Yakima, in the City of Selah and unincorporated Yakima County. The trolley system is over a defined pathway that extends beyond municipal boundaries. The Parcel Numbers are incomplete and incorrectly listed as "Citywide". The parcel numbers are readily available from the County Assessor for properties subject to the four miles under or bordering the line as it crosses miles of property in Yakima, Selah, and unincorporated Yakima County. The Legal Descriptions across Yakima, Selah, and unincorporated Yakima County are missing and are not attached to the application as required. Only a tiny fraction of property legal descriptions was included (trolley barn and museum).

The required "Current Zoning Designations" are not provided. This is required for the entire line.
North of the intersection of River Road and 6th Avenue, the abandoned railroad tracks cross at least 15 privately owned parcels in Yakima, Selah, and Yakima County. There are many more private landowners underlying the tracks in city street right-of-way easements along 6th Avenue and Pine Street. These private landowners apparently were not given notice of the SEPA process, nor was notice given to all property owners within 300 feet of the abandoned railroad tracks as required by YMC Chapter 6.88.

As an additional point, it is our understanding that the railroad easements that the trolley wishes to rely on in 2026 were extinguished when Yakima Valley Transportation Company (YVTC) abandoned passenger service in 1935 and abandoned freight service in 1985. In *Congdon Orchards v. City of Yakima et. al* (1987), Yakima County Superior Court ruled that the Yakima Trolleys are not a "Railway" or "Railroad" but instead are a "Tourist Attraction." The court also ruled that abandoned railroad tracks reverted to the original landowners because tourist trolleys were never part of YVTC's railroad operation. Private property rights need to be established in the SEPA documents.

The Naches River Bridge is a structure and fixture attached to real estate owned by BNSF Railway and as such appears to be owned by BNSF, not by the City of Yakima. The 1985 "Bill of Donation" from Yakima Valley Transportation Company YVTC to the City of Yakima specifically excluded structures and fixtures like the bridge. The 1985 Quit Claim Deed from YVTC to Yakima was for *YVTC right-of-way* and did not include the *BNSF right-of-way* in Selah Gap. There was no after-acquired title clause in the Quit Claim Deed. Due to the abandonment of passenger rail service in 1935 and the abandonment of freight service in 1985, it appears that Yakima owns no property and holds no easements north of the Naches River.

SEPA Checklist Comments and Concerns.

The electric rail system spans Yakima, Yakima County, and Selah. SEPA Checklist #10 states that there are "no pending applications" for the operational use authorization. We disagree. The available environmental documents do not disclose any land use, operating, or environmental permits for the electric railway system and its associated operations. Government approvals and permits are required from the City of Yakima, Yakima County, City of Selah, State of Washington, and perhaps others. Each of the required permits needs to be identified and submitted before final operational approval can be granted to Yakima Valley Trolleys.

Second, SEPA Checklist #11 states that "...[t]his SEPA review is only analyzing the Yakima Valley Trolley's

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responsibility for operating and maintain [sic] the existing Trolley system, which is a City of Yakima asset. *There is no specific project action associated with this SEPA proposal.*" (Italics added). "Actions" include "…[n]ew and continuing activities (including projects and programs) entirely or partly…licensed, or approved by agencies." WAC 197-11-704(1). A project action involves a decision on a specific project, such as a…*management activity located in a defined geographic area.*" WAC 197-11-704(2)(a). Projects include decisions to "…[l]icense, fund or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract." WAC 197-11-704(2)(a)(i). The Operating License includes not only the licensing but also partial funding and oversight of the activity. The SEPA Checklist does not identify or consider any of these activities.

On a more specific environmental point, about a mile of the electric fail system tracks pass through a designated Geologically Hazardous Critical Area with "High Risk" Over steepened Slopes. The SEPA Checklist incorrectly claims the site is "flat" with a grade "less that 5%." There is a history of rockslides and unstable soils in the immediate vicinity. Yakima Valley Trolleys notified the City that this area is "*dangerous to rail traffic*" from large two-man boulders falling onto the tracks where tourist trolleys would operate along the toe of the high risk over steepened slopes. Yakima Valley Trolley operations and maintenance activities include ground disturbance, excavations, and/or rockslide removals in the geologically hazardous Critical Area. A critical area report and geotechnical analysis is required for these identifiable areas.

The use area contains cultural resource considerations, critical areas, shorelines and other environmentally sensitive areas. Prior to authorizing trolley operations north of the Naches River, the City is required to: (1) hire a geotechnical engineer to assess the risk to public safety and the environment in this Geologically Hazardous Critical Area, (2) hire an archaeologist to survey and prepare cultural resource assessments, and (3) prepare critical area report, and (4) apply for Critical Area and Shoreline permits. See e.g. *Confederated Tribes and Bands of the Yakima Nation v. Yakima County,* 195 Wn.2d 831, 466 P.3d 762 (2020). SEPA checklist fails to include sufficient detail and information.

Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document. WAC 197-11-060. Since this proposal spans numerous jurisdictions, the environmental review for all permits should be consolidated and coordinated in a single environmental review process. A lead agency shall be designated following procedures set forth in WAC 197-11-922. The piecemeal review by multiple jurisdictions is contrary to SEPA requirements and procedures.

Public safety will be compromised because proposed trolley operations preclude pedestrian recreational and ADA access, contrary to the State Utilities and Transportation Commission Order to divert pedestrians to the multimodal Naches River Bridge, to prevent pedestrians from accessing the dangerous BNSF bridge. BNSF agreed in writing to this public safety measure.

Yakima Valley Trolley operations include re-building high-voltage electric catenary wires that they may not be qualified to engineer and install under National Electrical Safety Code. Similarly, the car repair barn has exposed conductors of 600 volts DC hazards.

<u>Operations Over Floodplains and Within Shorelines.</u>

Trolley operations/maintenance will occur across floodplains, within shoreline areas designated as "Urban Conservancy," and within 200 feet of the Yakima and Naches Rivers. The SEPA Checklist (p. 4 Surface Water) fails to disclose that trolley operations/maintenance will occur over water, in water, and on land within 200 feet of major rivers. There is a water pollution risk to the Naches and Yakima Rivers from diesel fuel spills, bridge deck

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and abutment maintenance, painting or rust abatement, work on creosote timbers, and scour pier maintenance.

SEPA Checklist fails to identify surface waters (Naches River and Yakima River) or disclose activities within or near shorelines.

The SEPA Checklist (p. 10) incorrectly states that the "trolley system" is listed on the National Register of Historic Places. The trolleys are not listed on the National Historic Register. The tracks, car barn, and bridge are listed on the National Register and have federal funds invested— the City must conduct the Section 106 process under National Historic Preservation Act and analyze how trolley operations and maintenance could affect the national register listing, proposed National Historic Landmark designation, and the William O. Douglas Historic Trail.

The museum and car repair barn at South 3rd Avenue and Pine Street are on a designated hazardous waste site and there are site use restrictions, environmental covenants, and institutional controls in effect. Past railroad operations released hazardous substances. SEPA Checklist fails to disclose these facts.

The SEPA Checklist (p. 11 Transportation) fails to disclose that the abandoned YVTC tracks are in the immediate vicinity of the BNSF Railway. As a seasonal tourist attraction, the trolley is not a "transportation improvement," will not "alleviate congestion," and does not qualify for TBD funding under RCW 36.73.020(1).

Yakima Valley Trolleys has proposed a series of project and nonproject actions, physically or functionally related to each other, including volunteer work to re-engineer and re-build demolished overhead electric catenary lines, replace and/or maintain tracks and electric power poles that are more than 100 years old, purchase new equipment (unknown if diesel or electric), conduct ground disturbance activities at the base of high risk over steepened slopes, and operate tourist trolleys at the toe of the potential landslide area. The City must analyze cumulative environmental impacts of connected and reasonably foreseeable actions related to trolley operations and maintenance such as 6th Avenue, Naches River Bridge, and BNSF diamond projects. Segmentation or piecemeal environmental review is barred under case law.

Comments and Concerns Regarding the Operating Agreement.

We have a number of concerns with respect to the *Operation License Agreement*. We will try to highlight a number of the more significant concerns.

To begin, the *Operation License Agreement* contemplates a joint management and financial relationship in which the City bears both legal and financial responsibility for operation of the electric railway system. Financial responsibilities include City funding of work on structures and property exceeding $1,000; appropriation and funding of reimbursable items set forth on *Exhibit D*; provision of liability insurance subject to reimbursement; and ultimate liability for operations. Agreements to reimburse or indemnify the City by an undercapitalized nonprofit corporation is a recipe for disaster.

Community Development Director has oversight responsibility for annual operation schedules; oversight of museum operation schedules; maintenance funding in excess of $1,000; budgeting for administrative costs associated with maintenance and operation of the electric railway system and electric railway museum; approval of required maintenance and operation expenditures; and compliance with purchasing policies. *Operation License Agreement* ¶ 8 contains boilerplate language reflecting the City's understanding and agreement that YVT is an independent contractor with regard to the use, operation, promotion and maintenance of the City's electric railway system and electric railway museum. This is contrary to the express terms of the agreement, and it is our opinion

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that the City is entering into a joint venture with a marginally solvent organization that places significant financial risk on the citizens of this community. A similar risk exists with respect to environmental liability, debts and liens, and operational liabilities.

The draft Operation License Agreement authorizes Yakima Valley Trolleys to use, operate, maintain and promote the City's electric railway system and electric railway museum. However, County Superior Court ruled that the trolleys are not a railway or a railroad and instead our tourist attraction. The seasonal tourist excursion trolleys are not railroad transportation under state law definitions. The draft agreement has restrictions for use as a tourist attraction and a tourism promotional activity. Since the system is not a railway, all references to "railway" or "electric railway" should be stricken from the agreement.

We are concerned about the manner in which liability insurance is implemented. *Operations License Agreement ¶16.* City should not provide YVT with liability, officers, and directors insurance. YVT should acquire insurance for system operations with City named as additional insured. Indemnification provisions are meaningless without adequate and appropriate insurance.

The previous 2020 trolley license agreement expired on December 31, 2024, before City Council took any action to authorize a contract extension or renewal. Thus, during 2025 the trolley group operated without a contract. The prior contract specified that all operation revenues must be used for the system, and for no other purpose; but the latest draft license has a new provision allowing city-owned property to be rented out and the trolley group can use those revenues however they deem appropriate – this may be an unconstitutional lending of property or gift of public funds. Another possible gift of public funds involves the City procuring liability and directors and officers insurance for private persons and entities if the trolley group reimburses the City at less than market value for insurance benefits conferred on private individuals (draft License ¶ 16). This would be incompatible with the trolley association's indemnities in License ¶ 15.

Conclusion.

We appreciate your consideration of our comments on both the environmental review and the substance of the licensing agreement. The environmental deficiencies are patent and the financial and operational structure weak and lacking normal protections for the interest of the City and its citizens. YVT has literally no financial strength or ability to protect the City in the event of even insignificant liability events. We believe that the City Attorney should provide both the City Manager and City Council with written opinion that the process has followed applicable environmental laws and that the proposed *Operating License Agreement* provides substantive and legally supportable protections for the municipality.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.

James C. Carmody

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September 15, 2025

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Dear City Manager Baker, SEPA Responsible Official Preston, and City Attorney Watkins:

I write on behalf of Yakima Taxpayers for Fiscal Responsibility (YTFR), an unincorporated association. YTFR understands the City Council may soon consider authorizing trolley operations both within and outside of the City of Yakima through an Operating License Agreement. ("Agreement"). *Attachment A.* The Agreement authorizes the use of the City's electric railway system as a tourist attraction running between the City and Selah, Washington.

The City of Yakima ("City" or "Yakima") should postpone taking any action on the "Operation License Agreement" with Yakima Valley Trolleys because: (1) Yakima appears to have no existing authority to operate tourist trolleys outside of Yakima, (2) Yakima is required to conduct SEPA Environmental Review *before* authorizing operations within and outside of Yakima that will impact public safety and the environment in the "High Risk" Selah Gap Hazardous Area, and (3) Yakima taxpayers should be informed of the full costs, direct and indirect, that Yakima will incur to permit, rebuild, and operate the abandoned railroad tracks & wires on the 4-mile Selah Line.

Yakima Valley Trolleys proposes to operate public tourist trolley excursions across a mile-long route in Selah at the base of oversteepened slopes and within the "run-out area" of County-designated "High

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Risk" Geologically Hazardous slopes.[1] In 2022, Yakima Valley Trolleys notified the City of Yakima of this "*dangerous situation for rail traffic.*"[2] Previous Trolley operations have included excavating rockslides at the toe of this potential landslide area. The use of explosives has even been mentioned because rockslides regularly block railroad tracks. The Selah tracks are currently blocked by multiple rockslides. Excavating rocks in the run-out area could destabilize the steep rocky slopes above, triggering more rockslides or a larger landslide. This could be catastrophic to the public riding trolleys and to the BNSF interstate rail line and nearby Yakima River. Rock removal also harms sensitive cultural sites and fish habitat in the adjacent Yakima River.

History of Railroad Tracks in Selah

Starting in 1907 and ending in 1983, Yakima Valley Transportation Company (YVTC) operated an electric interurban railroad between Yakima and Selah. Passenger streetcars operated within Yakima city streets, whereas "interurban" electric railroad cars operated outside Yakima, primarily to transport fruit to the Yakima distribution center from outlying rural orchards in Selah. In 1935, all "interurban" electric passenger service ended and never resumed due to operating costs greatly exceeding income.[3] In 1983, Yakima Valley Transportation Company (YVTC) notified Washington State that YVTC was no longer an electric railroad and no longer provided electric freight or passenger service. YVTC also said "tourist trolley cars" or excursions were not part of the railroad's operations.[4]

In a lawsuit against the City of Yakima and the trolley association, the court ruled in 1987 that Yakima's trolleys are "*not a railroad*" but instead are a "*tourist attraction,*" and a streetcar line is not a railroad.[5] State law also says streetcars like the trolleys are not a "railroad," and are not "Public Transportation."[6] The tourist trolleys are not listed on the National Historic Register.[7]

In 1985, all YVTC tracks were fully abandoned, legally and operationally, under Order of the U.S. Interstate Commerce Commission (ICC). The railroad was also abandoned under state law because YVTC gave written "Notice of Intent" to abandon the railroad and actually abandoned use of the tracks and overhead electric power system.[8] A 1912 license agreement between Northern Pacific Railroad (NP) and YVTC allowed "railroad" operations on NP land (but did <u>not</u> include tourist trolleys); however, when YVTC abandoned the railroad and ceased operations, the unassigned 1912 contract also ended.

The former railroad's rights of way, vehicles, and equipment were donated to Yakima for seasonal tourist trolley excursions and museum. However, the 1985 Quit Claim Deed from YVTC to Yakima did not convey any right-of-way in Selah Gap to Yakima because YVTC did not own the right-of-way in

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[1] High Risk Geologic Hazards Map, Yakima County GIS (August 29, 2018)
[2] Letter from Trolley Association Attorney Paul D. Edmondson submitted to Yakima City Council (June 23, 2022)
[3] Johnsen, Kenneth G., *Apple Country Interurban: A History of the Yakima Valley Transportation Company* (Golden West Books, 1979); Johnsen, Kenneth G., *Images of Rail: Yakima Valley Transportation Company* (Arcadia Publishing 2010)
[4] Letter from President of Yakima Valley Transportation Company to WA Historic Preservation Officer (Nov. 14, 1983)
[5] Memorandum Opinion, *Congdon Orchards, Inc. v. City of Yakima, Yakima Valley Transportation Co., and Yakima Interurban Lines Association* (86-2-00503-9, April 8, 1987)
[6] *See, e.g.,* RCW 36.75.010(12) and RCW 81.104.015(4).
[7] *National Register of Historic Places Inventory—Nomination Form: Yakima Valley Transportation Company*, Prepared June 1983, NPS Received September 18, 1984; Listing Number: 84004012
[8] *Abandonment of Yakima Valley Transportation Company in Yakima, County, WA* (U.S. Interstate Commerce Commission, Docket No. AB-131, (November 1985)

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Selah, which was owned by BNSF Railway.[9] Yakima does not own the former railroad line north of the Naches River. Landowners north of the river include BNSF, State of Washington, and City of Selah.

Transportation Benefit District (TBD) Funding

HLA Engineering estimated the 2024 cost to rebuild trolley tracks & electric wires is about $5 Million per mile; the cost to rebuild the 4-mile Selah Line could be $15 Million to $20 Million. Under state law, the trolley is not eligible for TBD funding because: (1) the trolley is not a railroad, (2) the trolley is a seasonal tourist attraction, (3) the trolley is not "Public Transportation," (4) the trolley is not a "Transportation Improvement," (5) rebuilding the trolley is not "necessitated by existing or reasonably foreseeable congestion levels," (6) the seasonal trolley will not "alleviate congestion," and (7) the trolley does not otherwise satisfy the criteria in RCW 36.73.020(1).[10]

The City of Yakima has invested taxpayer dollars in the Trolley for many years. The City should not invest additional funds in the Tourist Trolleys that do not qualify for transportation funding. The City should not assume responsibility for environmental, cultural resources, and other financial risks and liabilities rightly held by the trolleys. The Trolleys should fully address all legal concerns and explain their financial responsibilities and contributions to their enterprise.

Conclusion

Yakima is required to postpone any action on the Trolley "Operation License Agreement". SEPA requires SEPA review for any proposal which is defined as a "proposed action". WAC 197-11-784. An "action" is defined as any "...new or continuing activity ... entirely or partly financed, assisted, conducted, regulated, *licensed,* or approved by agencies." WAC 197-11-704. The City is required to conduct the SEPA process *before* licensing trolleys to operate on deteriorated/unsafe tracks that will not be usable for the foreseeable future.

Simultaneously, Yakima must also conduct the SEPA process and analyze cumulative impacts *before* working on any trolley-connected projects, such as 6th Avenue, BNSF diamond near River Road, or other degraded/missing segments of the 4-mile Selah line. SEPA requires comprehensive environmental and cultural resource review at the earliest possible stage, before committing to a particular course of action. *King County v. Boundary Review of King County,* 122 Wn.2d 648, 860 P.2d 1024 (1993).

SEPA requires cities to make a threshold determination for any proposal that meets the definition of action. "Under SEPA, the definition of 'action' covers just about everything, and within that category are project and nonproject actions," such as decisions on policies, plans or programs.[11] One of the fundamental principles of environmental review law is that when there is evidence that a project under review "will facilitate future action that will result in additional impacts," the impacts of said project must be analyzed simultaneously with those of the proposed future action, and the cumulative impact of these actions must be considered when making a threshold decision under SEPA.[12] Segmented or piecemeal environmental review is not allowed.

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[9] Quit Claim Deed from Yakima Valley Transportation Co., Grantor, to City of Yakima, Grantee (Dec. 19, 1985)
[10] RCW 81.104.015(4); RCW Chapter 36.73; City of Yakima Ordinance 2017-002
[11] *King County vs. Friends of Sammamish Valley*, 3 Wn.3d 793 (2024); RCW 43.21C.033(1); WAC 197-11-310(1), -704(2)(b)
[12] *Boehm v. City of Vancouver*, 111 Wash. App. 711, 720 (2002).

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Please give advance notice to YTFR of any processes, meetings, decisions, determinations, or public comment opportunities under SEPA, NEPA, TBD, and Section 106 of the National Historic Preservation Act for all trolley-related projects, including 6th Avenue, Naches River Bridge, BNSF diamond crossing, and other connected projects to rebuild or operate trolley-related facilities.

Very truly yours,

James C. Carmody
Meyer, Fluegge & Tenney, P.S.

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ATTACHMENT A

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OPERATION LICENSE AGREEMENT
BETWEEN THE CITY OF YAKIMA
AND
YAKIMA VALLEY TROLLEYS

THIS OPERATION LICENSE AGREEMENT (hereinafter "License Agreement") is made and entered into by and between the City of Yakima, a Washington municipal corporation (hereinafter the "City"), and the Yakima Valley Trolleys, a Washington non-profit corporation (hereinafter "YVT").

WHEREAS, YVT desires to operate and use the City's electric railway system as shown in the Exhibits to this Agreement during calendar years 2025 through 2034.

WHEREAS, the City is willing to grant an operation license to YVT to operate the City's electric railway system in accordance with the terms and conditions of this License Agreement.

WHEREAS, the City will provide a Trolley Liaison to attend YVT Board meetings and assist the YVT with agreement compliance and guidance regarding City policies and procedures.

NOW, THEREFORE, in consideration of the mutual covenants, promises, terms and conditions set forth herein, it is agreed by and between the City and YVT as follows:

1. Use and Operation License.

a. YVT is licensed to use, operate, maintain and promote the City's electric railway system and electric railway museum located at 306 West Pine Street. Said license to use, operate, maintain and promote said system shall include but not be limited to the authority to:

i. Operate, use and promote the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials. A map of the electric railway system is attached hereto as Exhibit "A" and incorporated herein by this reference. YVT shall provide the Community Development Director, or their designee, with a written operation schedule for each year on or before February 1st of the calendar year, except the calendar year 2025, when the written operation and promotion schedule shall be provided within thirty (30) days of the date YVT signs this Agreement. Updates and additions to the operation schedule should be forwarded to the Community Development Director in a timely manner.

ii. Operate, use and promote the City's electric railway museum located at 306 West Pine Street, Yakima, Washington, including associated exhibits, gift shop, ticket office, and restrooms. A map and legal description of the railway museum site is attached hereto as Exhibit "B" and incorporated herein by this reference. YVT shall provide the Community Development Director, or their designee, with a written museum operation schedule at the same time it provides the operation schedule outlined in section 1a(i) above. Updates and additions to the operation schedule should be forwarded to the Community Development Director in a timely manner, and before any updates in the schedule are implemented.

iii. Store and maintain the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials. Said electric railway system trolleys, cars, engines, equipment, parts, supplies, tools, machines and other materials will be stored neatly in and upon the subject property located at 306 West Pine

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Street, Yakima, Washington.

b. An inventory of the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials is attached hereto as Exhibit "C" and incorporated herein by this reference. YVT shall update this inventory as necessary and provide an updated Exhibit to the City to attach to this Agreement. Failure to update the inventory list may be considered a default.

2. Electric Railway System and Museum Use Restricted.

a. Electric Railway System Use Restriction. The operation, use and promotion license granted herein for the City's electric railway system shall be restricted to the use and operation of the electric railway system on a non-profit basis for the transport, benefit, and enjoyment of the public, as an educational resource, as a tourist attraction and a tourism promotional activity, and to activities necessary for the maintenance and operation of the electric railway system.

b. Electric Railway Museum. The operation, use and promotion license granted herein for the City's electric railway museum shall be restricted to the use and operation of the electric railway museum on a non-profit basis for the benefit, education and enjoyment of the public, as a tourist attraction and a tourism promotional activity, and to activities necessary for the care and maintenance of the electric railway museum.

3. Maintenance.

The Trolley system is an asset of the City of Yakima. Any work on a building, within the right-of-way, or improvement to any physical asset associated with the Trolley system that meets the definition of a 'public work' under RCW 39.04 shall be performed in compliance with RCW 39.04 and any other applicable requirements under Washington law. Nothing in this Agreement is intended to expand or limit the definition of a 'public work' beyond what is set forth in RCW 39.04.

a. General Maintenance. In consideration of the license granted herein, YVT assumes responsibility for and agrees to maintain the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, associated equipment and materials and the electric railway museum in good repair and in as clean, neat and orderly manner as reasonably possible. YVT must coordinate all significant general maintenance work with the, Community Development Director, or their designee. Significant general maintenance work shall be defined as any work within the City R/W, work requiring the use of any City funding including the Trolley Fund over $1000.00, or work with an estimated cost exceeding $5,000.00. This includes work or additions to a building or structure that is not already present, work on trolley tracks or poles, landscaping improvements not already installed, replacement of track, ties, catenary lines, poles, lighting, and bridge work.

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4. **Budget and Expenditures.**

The City has created Fund 162 – Trolley for administration costs associated with maintenance and operation of the electric railway system and electric railway museum. $10,000 yearly may be available to YVT to provide for overhead costs if appropriated by the City Council, in its sole discretion. YVT shall submit quarterly invoices for administration costs. Certain recurring administration expenditures, mutually agreed upon by the City and YVT and designated herein under Exhibit D, shall be considered routine and shall be approved by the Community Development Director without delay, subject to the availability of funds. Those expenditures from Fund 162 – Trolley not considered routine will be covered under section 4 (b). Failure to submit quarterly invoices may result in non-payment or untimely payment from the City.

a. Annual Operation and Maintenance Budget. YVT shall submit a proposed annual budget of expenditures relating to Fund 162 – Trolley to the Community Development Director for the operation and maintenance of the electrical railway system and the electrical railway museum. This proposed budget shall be submitted during the City Council's normal budget preparation cycle in October of the year before the proposed annual budget is to be implemented. YVT will coordinate with the Community Development Director or their designee to provide a budget consistent with City format for timely internal review by the City. The first year of the agreement the budget proposal for 2025 is due to the City by June 30, 2025. Any requests for reimbursement exceeding the Fund 162 amount shall be rejected. YVT is responsible for all expenses in excess of the Fund 162 balance unless otherwise outlined in this Agreement or approved by the City Council.

b. City Approval Required for Maintenance and Operation Expenditures. To the extent that YVT requires and seeks funding from the City for any expense and/or costs related to the maintenance and/or operation of the City's electrical railway system and electrical railway museum, beyond those expenditures mutually agreed upon in advance by the YVT and City under Exhibit D, YVT shall seek and obtain approval of the City before incurring the respective expense and/or costs in accordance with the following:

- The Community Development Director or their designee must review and approve all expenses/costs of $2,500 or less.
- The City Manager or their designee must review and approve all expenses/costs between $2,500.01 and $10,000.
- The City Council must review and approve all expenses/costs in excess of $10,000.
- No expenditure may be made from the trolley fund established under YMC Chapter 3.95 without Community Development Director approval and can only be used for the purposes specified in YMC § 3.95.010.
- Failure to receive approval prior to expenditures may result in expenses not being eligible for reimbursement and/or denial of reimbursement requests.

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c. Compliance with City Purchasing Policies. YVT shall comply with applicable City purchasing policies, procedures and instructions when purchasing equipment, materials, and supplies necessary for the operation and maintenance of the electrical railway system with funds provided and/or obtained by the City for trolley purposes. YVT shall work through the Trolley Liaison to purchase all such equipment, materials and supplies purchased with funds provided and/or obtained by the City in the name of the City. Purchasing policies are found online and will be provided upon request to YVT. YVT should consult Purchasing, or the Trolley Liaison, whenever purchasing equipment, materials, and supplies. Failure to follow City purchasing policies will result in denial of reimbursement for expenses.

d. Revenues from Operation of the Electrical Railway System and Electric Railway Museum. Fare revenue derived from the operation of the electrical railway system and electric railway museum shall be used in accordance with YMC §3.95.010 for the acquisition, operation, maintenance and capital improvements of the electrical railway system and electric railway museum and for no other purposes. Should this Agreement be terminated for any reason, any funds obtained prior to termination still held by YVT shall be transferred to the City to be used in accordance with YMC 3.95.010 and this Section.

e. Revenues from Other Sources. Should YVT derive revenue from sources other than from the operation of the electrical railway system and electric railway museum, such as, but not limited to, donations to YVT, gift shop sales, charter fees, special events, or membership dues to YVT, those revenues are solely the property of YVT to be used as YVT deems appropriate for YVT and/or the electrical railway system and electric railway museum.

Yakima Valley Trolleys (YVT) shall obtain written approval from the City of Yakima's Community Development Director prior to initiating contact with potential funding sources or submitting any grant applications or requests for capital improvement funding related to City-owned trolley infrastructure or equipment. This requirement applies specifically to activities involving capital projects. Written approval is not required for routine YVT fundraising activities or events intended to support maintenance and operations, including those at which general donations are accepted.

Safety and Accident Reporting Requirements. When operating and maintaining the electrical railway system and museum under this License Agreement, YVT shall comply with safety and accident reporting requirements of the City of Yakima and any other applicable federal, state and/or local laws, rules, and regulations. YVT shall prepare a Safety Plan within three (3) months of execution of the agreement. The Plan will include how YVT will conduct operations to ensure volunteer and passenger safety as well as reporting accidents to the City. The Plan should be similar to plans in accordance with WAC 468-550-040(4). The Safety Plan shall be approved by the Community Development Director. Failure to operate under an approved Plan may be considered a default.

Notification and Investigation of Accidents. YVT shall be responsible for and shall comply with all notification, reporting and investigation requirements of the approved Safety Plan regarding accident, incident, or unacceptable hazardous conditions as those terms are defined in the Safety Plan, including but not limited to: notifying the City within twenty- four (24) hours of the occurrence of any reportable incident, or the discovery of any unacceptable hazardous condition; and investigating all reportable incidents and unacceptable and issuing a written investigation report to the City within forty-five (45) calendar days after the occurrence of the incident, or discovery of the unacceptable hazardous condition. Failure to comply with this section shall result in termination of this Agreement.

5. Surrender of Property. YVT agrees that at the expiration of this License Agreement, YVT will quit and surrender to the City the electric railway system and electric railway museum. YVT shall surrender the electric railway system and electric railway museum in as good a state

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and condition as when received by YVT or as improved thereafter, with the exceptions of ordinary wear and tear, theft, vandalism, natural or manmade disaster, or other circumstances beyond YVT's control. YVT will deliver all keys to said property to the City Community Development Director.

6. Term. The term of this License Agreement shall commence on January 1, 2025 and shall terminate at midnight, December 31, 2034, unless sooner terminated by either party in accordance with Section 24 of this License Agreement.

7. Inspection and Audit. YVT shall maintain (in accordance with generally accepted accounting practices) books, accounts, records, documents and other materials related directly or indirectly to the costs, expenses and revenues of the operation and maintenance of the City's electric railway system and electrical railway museum as licensed under this License Agreement. All such books, accounts, records, documents and other materials shall be subject to inspection and audit at reasonable times by representatives of the City and/or of the Washington State Auditor. YVT shall make such books, accounts, records, documents and other materials available and shall afford the proper facilities for such inspection and/or audit within forty-eight (48) hours of inspection/audit notification from City representatives and/or the Washington State Auditor. Such books, accounts, records, documents and other materials may be copied by representatives of the City and/or of the Washington State Auditor as part of such an inspection/audit. YVT shall preserve and make available all such books, accounts, records, documents and other materials for a period of at least three (3) years after termination of this License Agreement. In addition, and as a non-profit corporation, YVT shall maintain and make available its tax returns to anyone who desires to review and inspect such tax returns as applicable by IRS law. Upon termination of the agreement, YVT shall provide all tax returns for all years YVT operated under this Operations and Maintenance Agreement.

8. Independent Contractor Status of YVT. YVT and the City understand and expressly agree that YVT is an independent contractor with regard to the use, operation, promotion and maintenance of the City's electric railway system and electric railway museum under this License Agreement. No officer, employee, volunteer, and/or agent of YVT shall act on behalf of or represent him or herself as an agent or representative of the City. No officer, employee, volunteer, and/or agent of YVT shall make any statement in the name of or on behalf of the City. YVT, as an independent contractor, assumes the entire responsibility for using, operating, promoting, and maintaining the electric railway system and electric railway museum. YVT and its officers, employees, volunteers, agents and/or subcontractors shall make no claim of City employment nor shall claim against the City any related employment benefits, social security, and/or retirement benefits. Nothing contained herein shall be interpreted as creating a relationship of servant, employee, partnership or agency between YVT and the City.

9. Taxes and Assessments. YVT shall be solely responsible for compensating its employees, agents, and/or subcontractors and for paying all related taxes, deductions, and assessments, including but not limited to, federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this License Agreement.

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10. **Nondiscrimination Provision.** During the performance of this License Agreement, YVT shall not discriminate in violation of any federal, state, and/or local law and/or regulation on the basis of race, age, color, sex, religion, national origin, creed, marital status, political affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff, or termination, rates of pay or other forms of compensation, selection for training, and the provisions of services under this License Agreement.

11. **The Americans with Disabilities Act.** YVT shall comply with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. (ADA), and its implementing regulations, and Washington State's anti-discrimination law as contained in RCW Chapter 49.60 and its implementing regulations ("WLAD"), with regard to the activities and services provided pursuant to this License Agreement. The ADA and the WLAD provide comprehensive civil rights to individuals with disabilities in the area of employment, public accommodations, public transportation, state and local government services, and telecommunications.

12. **Compliance With Law.** YVT shall obtain and maintain all permits and/or licenses from the City, state and/or federal government necessary and/or required to use, operate, promote and maintain the City's electric railway system and electric railway museum under this License Agreement. Further, YVT shall use, operate, promote and maintain the City's electric railway system and electric railway museum under this License Agreement in full compliance with any and all applicable laws, rules, and regulations adopted or promulgated by any governmental agency or regulatory body, whether federal, state, local, or otherwise.

13. **Debts and Liens.** YVT shall not permit/allow any lien to attach to the City's electric railway system, electric railway museum and/or any other City property. YVT shall not permit/allow any debt to be imposed on the City as a result of YVT's use, operation, promotion and/or maintenance of the City's electric railway system and electric railway museum under this License Agreement. In the event of any such lien and/or debt, YVT shall immediately take all necessary steps to have the City and City property legally released from said lien and/or debt.

14. **Compliance With Environmental Laws.**

a. YVT represents warrants and agrees that it will use, operate and maintain the City's electric railway system and/or electric railway museum in compliance with all applicable environmental laws. As used in this License Agreement, "Environmental Laws" means all federal, state and local environmental laws, rules, regulations, ordinances, judicial or administrative decrees, orders, decisions, authorizations or permits, including, but not limited to, the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, et. seq., the Clean Air Act, 42 U.S.C. § 7401, et seq., the Federal Water Pollution Control Act, 33 U.S.C. § 1251, et seq., the Emergency Planning and Community Right to Know Act, 42 U.S.C. § 1101, et seq., the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 2601, et seq., the Oil Pollution Control Act, 33 U.S.C. § 2701, et seq., and any Washington or other comparable local, state, or federal regulation, statute, ordinance and/or law pertaining to the environment or natural resources.

b. Toxic or hazardous substances are not allowed on the subject property without the express written permission of the City and under such terms and conditions as may be specified by the City. For the purposes of this License Agreement, "Hazardous Substances," shall include all those substances identified as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et seq., and the Washington Model Toxic Control Act, RCW 70.105D et seq. Within thirty (30) days of execution

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of this Agreement, YVT shall provide the City with a written list of any substances/materials/products necessary to operate, use and maintain the City's electric railway system and electric railway museum that have specific MSDS storage or use requirements. The City shall notify YVT in writing of the City's approval or rejection of the list of substances/materials/products no later than thirty (30) days after receiving said list. In the event the City's approval of the use of any particular listed substance/material/product is granted, the disposal of such must be done in a legal manner according to applicable laws and regulations by the YVT.

c. YVT agrees to protect, indemnify and hold harmless the City from and against any claims or losses arising out or related to the presence or release of any hazardous substances by YVT while performing this Agreement, except to the extent caused by spilling, generating, handling, disposing, or releasing of hazardous waste or substances, by the City, its agents, employees, or contractors or third parties. YVT may operate, use and store standard products and equipment such as batteries in order to conduct business provided such use is in accordance with all applicable environmental federal, state and local laws, requirements and regulations. YVT agrees to cooperate in any environmental investigations conducted by the City or independent third parties where there is evidence of contamination on the subject property, or where the City is directed to conduct such audit by an agency or agencies having jurisdiction. YVT shall provide the City with notice of any inspections of the subject property, notices of violations, and orders to clean up contamination.

d. Failure to provide this information may result in termination of the agreement per Section 24.

15. General Indemnification and Hold Harmless.

a. YVT shall take all necessary precautions in performing its obligations under this Agreement to prevent injury to persons or property. YVT agrees to release, indemnify, defend, and hold harmless the City, its elected and appointed officials, officers, employees, agents, representatives, insurers, attorneys, and volunteers from all liabilities, losses, damages, and expenses related to all claims, suits, arbitration actions, investigations, and regulatory or other governmental proceedings arising from or in connection with this Agreement or the acts, failures to act, errors or omissions of YVT, or any of YVT's agents or subcontractors, in performance of this Agreement, except for claims caused by the City's sole negligence.

b. Industrial Insurance Act Waiver. It is specifically and expressly understood that YVT waives any immunity that may be granted to it under the Washington State industrial insurance act, Title 51 RCW, solely for the purposes of this indemnification. YVT's indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers' compensation acts, disability benefit acts or any other benefits acts or programs. YVT shall require that its subcontractors, and anyone directly or indirectly employed or hired by YVT, and anyone for whose acts YVT may be liable in connection with its performance of this Agreement, comply with the terms of this paragraph, waive any immunity granted under Title 51 RCW, and assume all potential liability for actions brought by their respective employees. The Parties acknowledge that they have mutually negotiated this waiver.

c. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of YVT and the City, YVT's liability, including the duty and cost to defend, shall be only to the extent of YVT's negligence.

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d. Nothing in this section or this Agreement shall be construed to create a liability or a right of indemnification in any third party.

e. The terms of this section shall survive any expiration or termination of this Agreement.

16. **Liability Insurance.** The City agrees to provide YVT with liability and directors and officers insurance, each with a minimum liability limit of $2,000,000 combined single limit bodily injury and property damage. Said policy shall be in effect for the duration of this License Agreement. The policy shall name the City, its elected officials, officers, agents, and employees as additional insureds. The insurance shall be with an insurance company or companies rated A-VII or higher in Best's Guide and admitted in the State of Washington.

17. **Documents, Records, and Records Retention.**

a. The records relating to this Agreement shall, at all times, be subject to inspection by and with the approval of the City, but the making of (or failure or delay in making) such inspection or approval shall not relieve YVT of responsibility for performance of this Agreement, notwithstanding the City's knowledge of defective or non-complying performance, its substantiality or the ease of its discovery. YVT shall provide the City sufficient, safe, and proper facilities, and/or send copies of the requested documents to the City. Contractor's records relating to this Agreement will be provided to the City upon the City's request.

b. YVT shall promptly furnish the City with such information and records which are related to this Agreement as may be requested by the City. Until the expiration of six (6) years after termination of this Agreement, or for a longer period if required by law or by the Washington Secretary of State's record retention schedule, YVT shall retain and provide the City access to (and the City shall have the right to examine, audit and copy) all of YVT's books, documents, papers and records which are related to this Agreement. If any litigation, claim, or audit is started before the expiration of the six-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.

c. All records relating to this Agreement must be made available to the City, and the records relating to this Agreement are City of Yakima records. They must be produced to third parties, if required pursuant to the Washington State Public Records Act, Chapter 42.56 RCW, or by law. All records relating to YVT's responsibilities under this Agreement must be retained by YVT for the minimum period of time required pursuant to the Washington Secretary of State's records retention schedule.

d. Nothing in this Agreement shall be interpreted to require YVT to disclose records that are unrelated to the performance of this Agreement (including personnel files or trade secrets that have no direct bearing on the contractual obligations) unless disclosure of such records is specifically required by law.

e. The terms of this section shall survive any expiration or termination of this Agreement.

18. **Assignment.** This License Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by YVT to any other person or entity

19. **Waiver of Breach.** A waiver by either party hereto of a breach of the other party hereto of any covenant or condition of this License Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party

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to insist upon strict performance of any License Agreement, covenant or condition of this License Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such License Agreement, covenant, condition or right.

20. **Severability.** If any provision of this License Agreement is determined to be invalid and unenforceable, all of the other provisions of this License Agreement shall remain valid and enforceable notwithstanding, unless the provision found to be invalid and unenforceable is of such material effect that this Agreement cannot be performed in accordance with the intent of the parties in absence thereof.

21. **Ambiguities Shall Not Be Construed Against the Drafter.** Both the City and YVT have participated in the drafting of this License Agreement. As such, the parties agree that the common law principles of construing ambiguities against the drafter shall have no application to this License Agreement.

22. **Termination.** Either party, through their respective representatives who have signed this Agreement, or their successors, may terminate this License Agreement, with or without cause, by giving the other party sixty (60) calendar days prior written notice of termination.

23. **Survival.** Any provision of this License Agreement which imposes an obligation after termination or expiration of this License Agreement shall survive the term or expiration of this License Agreement and shall be binding on the parties to this License Agreement.

24. **Notices.** Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand delivered to the parties to their addresses as follows:

TO CITY:
Community Development Director
City of Yakima
129 North Second Street
Yakima, WA 98901

TO YVT:
President
Yakima Valley Trolleys
P.O. Box 796
Yakima, WA 98907

Or for hand delivery:
Yakima Valley Trolleys
313 N 3rd St
Yakima, WA 98901

or to such other addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand delivered. Such notices shall be deemed effective when mailed or hand delivered at the addresses specified above.

25. **Governing Law.** This License Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

26. **Trolley Liaison.** The YVT shall allow the City to have a liaison to attend Board meetings. Said Liaison shall be a City employee appointed by the City Manager and shall not have any voting rights on the Board. The Liaison may attend YVT Board meetings and assist the YVT with

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agreement compliance and guidance regarding City policies and procedures.

27. **Venue.** The venue for any action to enforce or interpret this License Agreement shall lie in a court of competent jurisdiction that is located in Yakima County, Washington.

28. **Integration.** This written document constitutes the entire License Agreement between the City and YVT and supersedes any and all previous written and/or oral License Agreements between the parties. There are no other oral or written License Agreements between the parties as to the matters covered herein. No changes or additions to this License Agreement shall be valid or binding upon either party unless such change or addition be in writing and executed by both parties.

CITY OF YAKIMA

By:_____
Victoria Baker, City Manager

Date:_____

ATTEST:

_____
City Clerk

YAKIMA VALLEY TROLLEYS

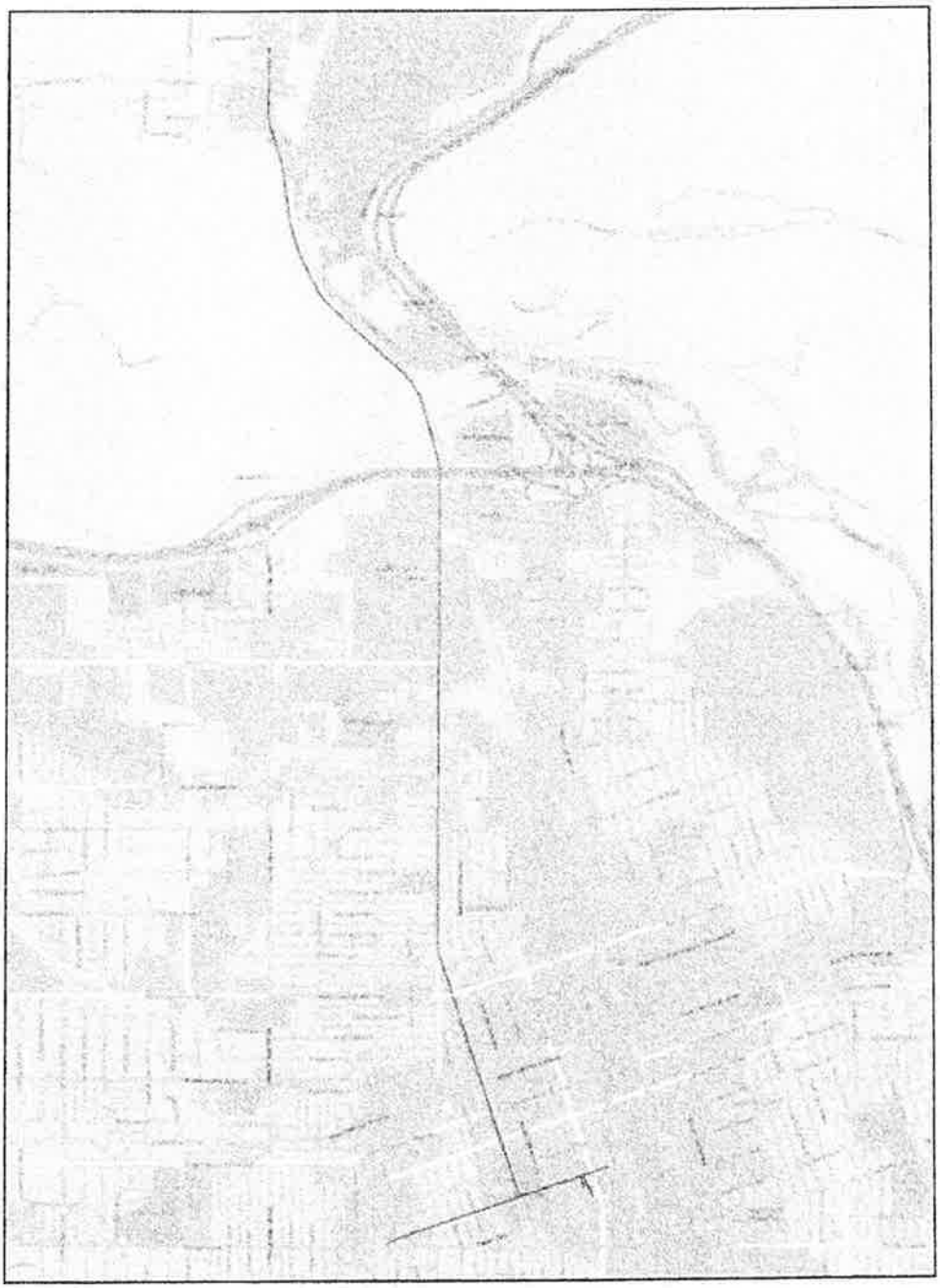
By:_____
Ken Johnsen, President of the Board

Date:_____

City Contract No.____

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Exhibit A



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Exhibit B

City of Yakima Property for the Yakima Valley Trolleys (YVT)
Parcel #181324-44465

Yakima County Assessor's Legal Description for this parcel # 181324-44465

County Narrative Description : LUND'S ADDTO NORTH YAKIMA: PT BLK 255 & VAC ALLEY & VAC ST DESC AS FOL: BEG NE COR SD BLK 255, TH S 71^ 23' 15"" W 187 FT ,TH S 18^ 37' 15"" E 177 FT, TH N 63^ 37' 15"" E 51 FT,FT, TH S 18^37'15""E 153.76 FT, TH N 71^23'15""E 138.45 FT TO E LN OF SD BLK 255, TH N 18^37'15""W AL SD E LN TO POB





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EXHIBIT "C"

An inventory of the electric railroad system owned by the City of Yakima
As of January 27, 2025, compiled by Kenneth G. Johnsen.

Items located on City property which are not owned by the City are not included in this list.

1. Approximately 5 miles of standard gauge track located in the YVT yard, on Pine Street; on North 6th Avenue, in Selah Gap and in Selah.

2. Approximately 5 miles of overhead contact system, portions of which are temporarily removed due to theft or accidental damage.

3. Structures
   A. Powerhouse
   B. Carbarn
   C. Oil Shed
   D. Pegram Truss Bridge at Naches River

4. Locomotives, trolley cars and freight cars
   A. Master Unit #21, Brill, 1930
   B. Master Unit #22, Brill, 1930
   C. Oporto #1776, STCP, 1928
   D. Oporto #1976, STCP, 1928
   E. Freight Motor #298, General Electric, 1922
   F. Line Car #A, Niles Car Company, 1910
   G. Tank Car U.P. #68130, 1958
   H. Flatcar YVT #1014, 1928
   I. Flatcar YVT #1015, 1928

5. Three four-wheel track push cars

6. Motor Vehicles
   A. Chevrolet YVT #A-6, 1968
   B. International Harvester YVT #A-7, 1956
   C. Chevrolet van #Yakima Interurban Trolley Lines

7. Track materials in YVT yard
   A. Approximately 300 railroad ties
   B. Approximately 65 33-foot lengths of 60# rail
   C. Switch points and frogs for approximately 12 turnout switches.
   D. 9 railroad crossing sign posts
   E. 20 pallets of tie plates (mostly 60# rail, some 90# rail)
   F. 9 pallets offish plates (mostly 60# rail, some 90# rail)
   G. 7 pallets of other miscellaneous track parts H
   H. 2 Nelson in-street switch machines
   I. 13 standard YVT switch machines
   J. 3 barrels of railroad spikes
   K. 1 barrel of track bolts
   L. 2 pair truck hyrail wheels (enough for one truck)
   M. 2 couplers and other miscellaneous railcar parts
   N. 5 5000-foot spools of guy wire
   O. 3 3000-foot spools of aluminum feeder wire (damaged by vandals)
   P. 6 spools messenger wire

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8. Carbarn main room
    A. Motor/generator set #3
    B. Two wheel grinder
    C. Belt drive machine shop equipment

        1. General Electric motor
        2. Hallidie Machinery Company lathe
        3. National Machinery Company milling machine
        4. Hallidie Machinery Company milling machine
        5. Cincinnati Shaper Company 20-inch shaper

    D. Press
    E. 5 spare trolley poles with harps and wheels
    F. 57 mast arm assemblies

9. Carbarn forge room
    A. Blacksmith's forge and hood
    B. Assorted blacksmith's tools
    C. P & H arc welder on highway wheels

10. Carbarn Office
    A. Desk
    B. Table and 10 folding chairs
    C. Air conditioner

11. Carbarn tool room
    A. Assorted hand tools (drills, wrenches, hammers, screwdrivers, saws, etc.)
    B. Assorted spare parts for trolleys
    C. Assorted spare parts for overhead wire
    D. Assorted railroad crossing signs

12. Carbarn sand room
    A. Assorted outdoor tools (shovels, rakes, picks, bars, brooms, etc.)
    B. 6 track jacks
    C. Gas powered rail saw
    D. Rail drill
    E. Assorted road work signs
    F. 3 large cones
    G. Miscellaneous other materials and parts

13. Powerhouse main room
    A. Motor/generator #1
    B. Motor/generator #2
    C. Switching equipment for motor/generators #1 and #2
    D. Rectifier #1
    E. Rectifier #2
    F. Rectifier #3
    G. Dynamic brake unit #3
    H. Automatic voltage sensing unit
    I. Cabinet with spare parts for rectifiers
    J. YVT McKee waiting-station

K. 2 donation boxes
L. 2 rows of five theater seats
M. Television and VCR on portable dolly
N. Bathroom with toilet, 1911 sink and inline water heater.

14. Powerhouse gift shop
All items, display cases and cash register are Yakima Valley Trolleys property.

15. Powerhouse vault
Storage for Yakima Valley Trolleys' records and proprietary items.

16. Powerhouse office
A. Desk and chair
B. Typewriter
C. Adding machine
D. Mimeograph machine
E. 4 file cabinets
F. YVT Telephone

17. Fuel shed
A. Assorted lubricants for trolleys
B. Assorted paints
C. Electric gasoline pump
D. Fuel for power car

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Exhibit D

The following items are mutually agreed upon by the City and YVT to be recurring administration expenditures which YVT shall routinely submit to the City for prompt reimbursement from Fund 162 – Trolley, subject to availability of funds. Backup material for all reimbursement items must be provided.

1. **Gas utility bills**
2. **Electric utility bills**
3. **Water and sewer utility bills**
4. **Solid waste utility bills**
5. **Phone, Internet, and telecommunications bills**

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BEFORE THE DEPARTMENT OF PUBLIC WORKS OF WASHINGTON
Division of Transportation

. . . . . .

In re Electric Railway Service of

YAKIMA VALLEY TRANSPORTATION COMPANY

in Yakima County, State of Washington

Cause No. 6832

FINDINGS OF FACT AND ORDER GRANTING DISCONTINUANCE OF SERVICE

. . . . . .

This matter came on regularly for hearing at Olympia, Washington, on the 8th day of March, 1935, before W. D. Lane, Supervisor of Transportation, and W. W. Chamberlain, Examiner, and at Yakima, Washington, on the 1st day of April, 1935, before W. D. Lane, Supervisor of Transportation, pursuant to notice duly given.

The parties were represented as follows:

APPLICANT — By F. T. Merritt, Att'y, Hayden, Merritt, Summers & Bucey, 540 Central Bldg., Seattle, Wash.; Arthur A. Murphy, Pres., W. S. Howard, Vice Pres. and Sup't, and Geo. W. Beeman, Sec'y.

PROTESTANTS:

At hearing held March 8 - none
At hearing held April 1:

LEE C. DEILE and L. D. LUCE — By Lee C. Deile, Att'y, 405-6 Miller Building, Yakima, Washington.

JOHN D. MONTGOMERY — By Self, Route 2, Selah, Washington.

Witnesses were sworn and examined, documentary evidence was introduced, and the Department, being duly advised in the premises, makes and enters the following

FINDINGS OF FACT

The above entitled matter was heard upon the application of the Yakima Valley Transportation Company to discontinue interurban passenger service on the Ahtanum-Harwood and Selah-Speyers lines. Petitioner is the holder of a franchise for this service from Yakima County, dated October 7, 1907, and is now operating on its said Ahtanum-Harwood line on a regular schedule for the carrying of passengers, mail and express two round trips per day between Wiley City and Henryburg on the one hand and the intersection of Sixth Street and Yakima Avenue in the City of Yakima on the other, and upon its Selah-Speyers line is operating on a regular schedule for the carriage of passengers, mail and express two round trips per day between Speyers and the intersection of Sixth Street and Yakima Avenue in the City of Yakima.

We find that due to the establishment of new roads, the improvement and paving of roads in Yakima County, the increased use of private automobiles, and other causes, the number of passengers and the volume of mail and express being transported by applicant on said Ahtanum-Harwood and Selah-Speyers lines are, and for a long period of time have been, very small, and the gross revenues derived from the operation of said lines are, and for a long period of time have been, less than the "out of pocket cost" of operation.

We further find that for the same reasons which have caused a decline in the gross revenues of applicant, there is no reasonable prospect of any sub-

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stantial increase of revenue in the future, and that substantial losses from passenger operation will continue; that the revenues derived from said passenger, mail and express service do not justify or require continuance of the operation, and that the continuance of such service is not required by public convenience and necessity.

We further find that the County Commissioners of Yakima County after a hearing on December 20, 1934, upon due public notice, entered an order on December 21, 1934, authorizing discontinuance of passenger, mail and express service, and amending applicant's franchise accordingly.

At the hearing in Yakima only three witnesses appeared to protest against the granting of the application, and of these only two use the transportation, L. D. Luce and Agnes Steven. They need the service, and are victims of changed conditions in transportation. The revenues derived from the carrying of passengers on the lines mentioned do not justify the Department in requiring the service to be continued.

O R D E R

WHEREFORE, IT IS ORDERED That Yakima Valley Transportation Company, a corporation, be, and hereby is, authorized to discontinue interurban passenger, mail and express service on its Ahtanum-Harwood and Selah-Speyers lines as prayed for in its application.

Dated at Olympia, Washington,

DEPARTMENT OF PUBLIC WORKS OF WASHINGTON

By

Director

Supervisor of Transportation

Supervisor of Public Utilities

WDL/Mc

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TR-072009

WASHINGTON UTC UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250
(360)664-1257 or (360)664-1100
Fax: (360)586-1150
Web: www.wutc.wa.gov
E-mail: records@utc.wa.gov

GRADE CROSSING PROTECTIVE FUND
APPLICATION FOR FUNDING

The Washington Utilities and Transportation Commission (commission), through its Grade Crossing Protective Fund (GCPF), funds projects that eliminate or mitigate public safety hazards at railroad crossings and along railroad rights-of-way in Washington State. Any public, private, or non-profit entity may submit an application to the commission for GCPF monies.

Please complete and submit the following information as part of the application process:

Applicant Information

Applicant Name:	Dick Zais, City Manager
Organization:	City of Yakima
Address:	129 North Second Street, Yakima, WA 98901
Phone:	(509) 575-6040
E-mail:	
Fax:	(509) 576-6335

Please list all other companies, organizations or state or local agencies that may be involved in implementing this proposal and the contact name, address and phone number for each.

Yakima Valley Trolleys
Kenneth G. Johnson
P.O. Box 796
Yakima, WA 98907-0796
yakimavalleytrolleys@hotmail.com

Burlington Northern Santa Fe Railroad Company
Daniel MacDonald, P.E.
Managing Engineer – Seattle
2454 Occidental Avenue South, Suite 1_A
Seattle, WA 98134
(206) 625-6150, Fax (206) 625-6115
daniel.macdonald@bnsf.com

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Grade Crossing Protective Fund Application Form

Project Information

1. *Provide a detailed summary of the hazard being addressed. Include:*
   - *Any information about accidents or incidents at the site.*
   - *Photographs, drawings or other materials that supports the application.*

Currently, there are only two pedestrian crossing facilities for crossing the Naches River at the northern city limits of the City of Yakima. One is located at the eastern city limits (I-82) and the other is at the western city limits (Powerhouse Road). Due to this lack of pedestrian facilities, and despite "No Trespassing" signs, pedestrians occasionally use the BNSF railroad bridge to cross the Naches River. On July 12, 2007, a man and woman who were crossing the Naches River on the railroad bridge were struck by a passing train and seriously injured.

On several occasions recently, railroad police hired by BNSF have had to remove trespassers from the railroad property in this vicinity.

2. *Provide a detailed description of the proposed project and explain how it will eliminate or mitigate the hazard. Include any drawings or construction plans for the proposed project.*

This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

3. *Provide cost estimates. Include:*
   - *Total costs of the project.*
   - *Names of parties contributing to the project and the amount each is contributing.*

Total project costs are estimated to be $37,000. The City is requesting a grant of $20,000 toward this total from WUTC.

4. *Provide the name of the party responsible for long-term maintenance.*
The City of Yakima and/or the Yakima Greenway Foundation will provide longterm maintenance of the fence.

5. *Provide an estimated timeline of project, if approved.*
Weather permitting; the project will be completed this fall. If not, the project will be completed next spring

6. *Provide a description of how the project's success would be measured.*
Success of this project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF Bridge.

7. *Provide any other information the applicant believes would be useful to the commission in considering the project.*
At several recent meetings, BNSF personnel have expressed their encouragement and approval of our plans to channel pedestrians away from railroad property and to reduce trespass by means of fencing.

8. *If the project involves any construction, modification or demolition on a railroad right-of-way, complete the attached Railroad Commitment form. This includes fencing, gates or other structures located near enough to the tracks to be on the railroad right-of-way, modification to a grade crossing or any other project that involves railroad property or rights-of-way.*
See accompanying email from BNSF engineer Daniel MacDonald expressing the railroad's concurrence with this project.

Submitting the Application

After completing the GCPF application, please send the original to:

Washington Utilities and Transportation Commission
Attention: Grade Crossing Protective Fund
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504-7250

A signed application may be filed electronically at records@utc.wa.gov. When filing electronically, please specify "Grade Crossing Protective Fund" in the subject line.

Assistance

For questions or assistance, please contact:

- Kathy Hunter at (360)664-1257 or by e-mail at khunter@utc.wa.gov.
- David Pratt at (360)664-1100 or by e-mail at dpratt@utc.wa.gov.

EXHIBIT #
D-3

Railroad Commitment
TR-072009

2008 APR 22 AM 10:06
RECEIVED
UTIL. & TRANSP. COMMISSION

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

The City of Yakima has applied for GCPF funds to erect fencing for trespass abatement purposes. The City's trolley bridge and the adjacent BNSF Railway bridge cross the Naches River at the northern end of Yakima City limits. See attached photos for location of fencing. It is believed the BNSF has a 200 ft. right-of-way at this location and much of the fencing would be on that right-of-way. The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

See Notes below.

John Li
Printed name of Railroad Representative

Signature of Railroad Representative

Manager, Public Projects
Title

206 625 6146
Phone

john.li@bnsf.com
E-mail

Date: 4/21/08

Notes: BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. The City will also need to obtain a permit from BNSF with current indemnity language and insurance limits and with a 30-day cancellation clause, if the fencing would be on BNSF's Right-of-Way.

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From: MacDonald, Danniel
To: Wayenberg, Karen
Cc: Polnicky, Bruce K; Agee, David W
Subject: RE: Yakima, WA - UTC Grant Application
Date: Friday, October 05, 2007 3:24:51 PM

Ms. Wayenberg,

Thank you for the opportunity to review the City of Yakima's UTC GCPF application. BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. We look forward to working with the City of Yakima address this safety concern.

Please contact me if you need additional information regarding BNSF's participation. Again, we look forward to working with the City on this issue.

Respectfully,

Dan

Danniel MacDonald, P.E.
Manager Engineering - Seattle
BNSF Railway Company
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134
Office: (206) 625-6150
Fax: (206) 625-6115
danniel.macdonald@bnsf.com

From: Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]
Sent: Friday, October 05, 2007 12:53 PM
To: MacDonald, Danniel
Subject: RE: Yakima, WA - UTC Grant Application

Thanks for reviewing our application and the page requiring BNSF signature. Feel free to call me or reply to this email.

From: MacDonald, Danniel [mailto:Danniel.MacDonald@BNSF.com]
Sent: Friday, October 05, 2007 12:47 PM
To: Wayenberg, Karen
Subject: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

With reference to our conversation this afternoon, my contact information is following. I look forward to reviewing this application.

Respectfully,

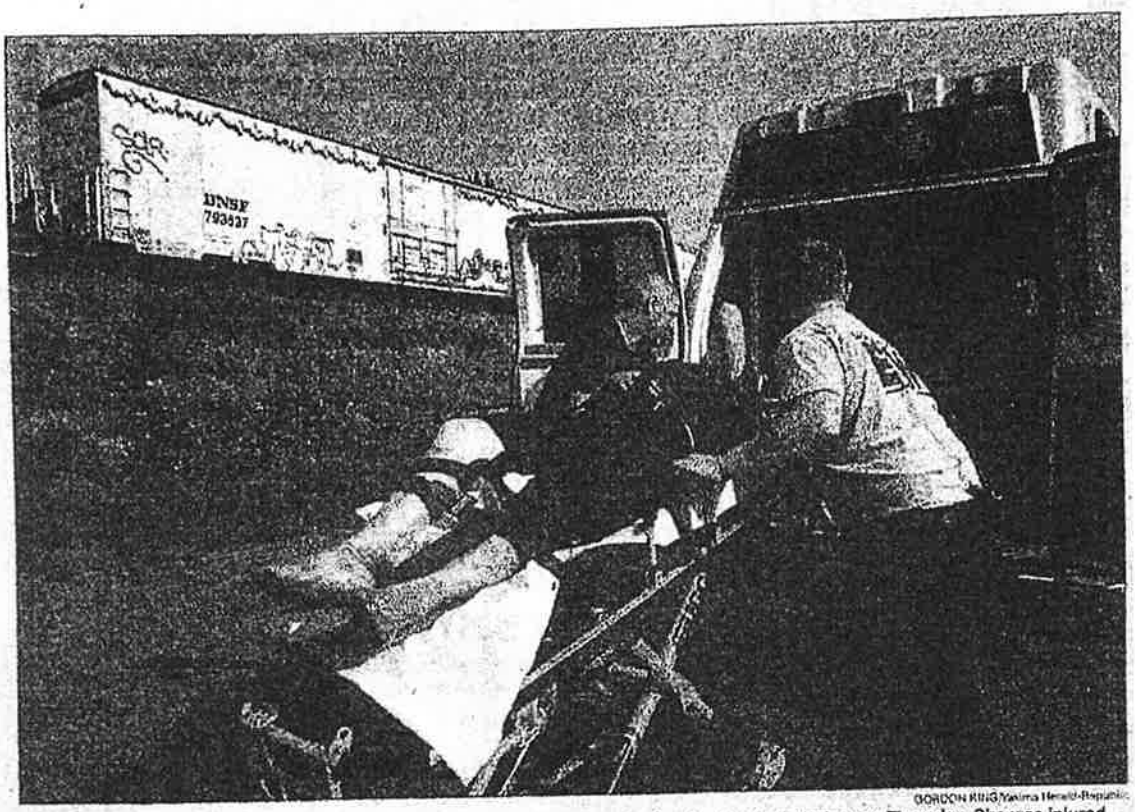
Dan

Danniel MacDonald, P.E.

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HOME FRONT
Yakima Herald-Republic
Friday, July 13, 2007



GORDON KING/Yakima Herald-Republic

A woman is placed in an ambulance after nearly being struck by a train near Berglund Lake in Yakima on Thursday. She was injured when she was thrown off the tracks by a companion as the train approached.

Man hit by train after saving companion

He tosses woman from the tracks

By ERIC ARTHUR
YAKIMA HERALD-REPUBLIC

A man was struck by a train Thursday morning after Yakima police said he saved a woman moments earlier by throwing her from a trestle as the train bore down on them.

The man, who has not been identified, suffered serious injuries and was taken to Seattle's Harborview Medical Center.

The two were among four people attempting to walk across a railroad bridge over the Naches River shortly after 8 a.m.

Although two of the men reached safety, the woman fell on the tracks, police said. She was helped to her feet by the third man, who attempted to get them both to safety. But he ended up throwing her down a 10 to 15 foot embankment moments before being struck, police said.

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two refrigerated boxcars of corn, tried to warn the group by sounding the horn and then applying emergency brakes, said Burlington Northern Santa Fe spokesman Gus Melonas.

The train had slowed from 35 mph to between 10 and 15 mph when it struck the man, he said.

"This is an unfortunate situation," he said. "But this time of year we see an increase in trespassing situations.

"People take shortcuts and risks often by crossing railroad property and we encourage the public to use designated areas."

Yakima police initially said the man may have suffered back injuries. Authorities initially said it appeared the woman, who was also not identified, broke a leg when she landed on rocks below the trestle.

Melonas later said she suffered only cuts and bruises. There was no immediate word on their conditions. Although Yakima police handled the initial investigation, it has been handed off to BNSF investigators.



TJ MULLINAX/Yakima Herald-Republic

Melonas said nine people have been killed on railroads this year in Washington state.

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Gra

'No doubt he saved my life'

Train encounter broke victim's leg, pelvis

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

As they crossed the bridge over the Naches River, Lisa Boitano was telling her three friends how cool it would be to see a passing train from up close.

That's when they saw the locomotive bearing down.

From her hospital bed Friday, Boitano recalled her friend Mark Brown's reaction.

"He said, 'You might get your chance — run.'"

But as they ran, Boitano fell, and her right leg slipped and became stuck between the wooden ties.

"I was freaking out and tried to pull myself up," she said. "But Mark came up behind me, grabbed both arms and pulled me out.

"No doubt he saved my life."

As the two prepared to leap off the tracks to an embankment about 10 to 15 feet below the tracks, they were struck.

"I felt the train hit my lower back, but he got the full force of it," said 21-year-old Boitano.

The impact threw them about 20 feet into the rocks below. Boitano said she broke her nose and fractured her right leg and pelvis. But then she looked up she saw that Brown, or Green as he is known to his friends, was hurt much worse.

"It was the scariest thing I've ever seen. Blood was everywhere," she said. "I kept saying, 'Green, don't die, Green, don't die. Wake up, wake up.'"

She is now at Yakima Memorial Hospital. Brown, 26, was taken to Seattle's Harborview Medical Center, where he was listed in serious condition after undergoing surgery Friday.

Boitano said doctors there told her he suffered multiple injuries, including two broken legs, a shattered pelvis, a broken jaw and a broken arm.

"He would have been okay if he had just jumped, if he hadn't stopped to help me," she said.

Earlier that morning, the four had watched the sunrise from the ridge between Yakima and Selah. They were walking the tracks back to Yakima, and were crossing the bridge shortly after 8 a.m.

Boitano said two of her friends had nearly reached the end of the bridge; she and Brown were only about halfway across.

SEE **TRAIN** PAGE 8A



SARA GETTYS/Yakima Herald-Republic

Lisa Boitano recovers in Yakima Valley Memorial Hospital on Friday, after being hit by a train while she and three others were crossing the trestle over the Naches River.

TRAIN

Continued from Page 1A

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two boxcars, spotted the group and began sounding the horn and applying emergency brakes, which slowed the train from 35 to about 10 to 15 mph, Burlington Northern Santa Fe spokesman Gus Melonas said Thursday.

Boitano said that the horn came too late — the train was almost on them when it sounded. And while braking probably saved their lives, she had no idea at the time that the train had slowed at all.

"It sure as hell didn't feel like it was going 15 mph when it hit us," she said.

Although Melonas said that technically the four were trespassing on railroad property, he did not say whether BNSF would pursue charges.

Boitano said she and her friends did not know they were trespassing.

All she does know is that Brown, a man whom she described as being like a brother to her for the past four to five years, was willing to sacrifice himself to save her. The two met while she was a teenager living on the streets and have been close friends ever since.

"I would have been stuck in the tracks if he hadn't helped me out," she said. "He's just a wonderful person."

• *Rod Antone can be reached at 577-7026 or rantone@yakimaherald.com.*

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TR-072009

Boston, Bob (UTC)

From: Sheffield, Brett [bsheffie@ci.yakima.wa.us]
Sent: Tuesday, November 04, 2008 11:59 AM
To: Boston, Bob (UTC)
Subject: Grade Crossing Protective Fund Grant
Attachments: YVT Fence.pdf

Bob,

As we have discussed, part of the William O. Douglas Trail will include a pathway across the Trolley Bridge to allow pedestrians access across the Naches River. I believe that the description in the original application should have been modified to read like the following:

> This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

I have also attached a drawing showing the proposed fencing project. If you have any questions or require additional information, please don't hesitate to contact me. Thanks for your help.

Brett H. Sheffield, P.E.
Chief Engineer
City of Yakima
PH. (509) 576-6797
Fax (509) 576-6305

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STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

RECEIVED
FEB 04 2008
CITY OF YAKIMA
PLANNING DIV.

January 29, 2008

Mr. Trent de Boer
Archaeologist
WSDOT, Highways & Local Programs
PO Box 47390
Olympia, WA 98504-7332

In future correspondence please refer to:
Log: 010207-42-FHWA
Property: William O. Douglas Trail, 6th Ave Greenway Interconnect, Fed Aid # STPE-1485(020)
Re: Determined Eligible

Dear Mr. de Boer:

Thank you for contacting our office. I have reviewed the materials you provided to our office and we concur with your professional opinion that the following historic properties are eligible or listed on to the National Register of Historic Places:

- YVTC --Naches River Bridge
- YVTC--Trolley line between Yakima and Selah
- YVTC--Car Barn
- YVTC—Stone shed
- YVTC—Substation

I also concur with your professional opinion that the undertaking, as proposed, will not adversely affect the Yakima Valley Transportation Company Historic District or the YVTC—Naches River Bridge.

I would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4) and the survey report when it is available. These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800.

Sincerely,

Russell Holter
Project Compliance Reviewer
Russell.Holter@dahp.wa.gov

Cc: Matthew Sterner (DAHP) Vaughn McBride (Yakima)

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION
Protect the Past, Share the Future

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WASHINGTON TRUST FOR HISTORIC PRESERVATION

September 14, 2005

Yakima Valley Conference of Governments
6 South 2nd Street, Suite 605
Yakima, Washington 98901

Subject: Letter of Support, Transportation Enhancement Grant Application: William O. Douglas Trail: Pathway to Greenway Interconnect

Dear Enhancement Advisory Committee:

Please accept this letter of support from the Washington Trust for Historic Preservation (the "Trust") for the William O. Douglas Trail Foundation's Transportation Enhancement Grant Application for its William O. Douglas Trail: Pathway to Greenway Interconnect project.

The Washington Trust for Historic Preservation is a statewide, tax exempt 501(c) 3 non-profit organization founded in 1976 to safeguard Washington's historic places through advocacy, education, stewardship and collaboration. We work to be an effective problem-solver when local preservationists need our help on issues involving historic resources.

The proposal to build two new pathways for pedestrians and bicyclists—one on 6th Avenue (near the trolley line) from "I" Street to the Yakima Greenway and the other on the historic Naches River Bridge, demonstrates local and regional commitment to multi-modal transportation. The two pathways will provide important links to the William O. Douglas Trail and to the Yakima Valley Transportation Company Electric Railway, the country's only intact, ca. 1910, continuously operating, interurban electric railway. Any work on the historic Naches River Bridge should respect the integrity of the bridge's original design and we believe the proposed pathway will accomplish this by using the Secretary of the Interior's Standards for Rehabilitation.

Sincerely,

Mary Thompson
Interim Executive Director

1204 Minor Avenue • Seattle, WA 98101 • tel 206 624 9449 fax 206 624 2410 • wa-trust.org

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Naches River Bridge Repair Project for Seasonal Tourist and Sightseeing

Trolleys is Not Eligible for STIP Inclusion (STIP ID WA-15913)

Summary Statement:
A seasonal, non-ADA-accessible tourist trolley that operates on summer weekends and holidays does not provide continuous or functional mobility and therefore does not qualify as "*transportation*" or "*public transportation*" for purposes of inclusion in the State Transportation Improvement Program (STIP). Federal and state planning statutes emphasize mobility, continuity, accessibility, and performance outcomes. Because the service is seasonal, non-accessible, and oriented toward tourism and sightseeing rather than mobility, it fails the statutory and regulatory definitions of transportation, is excluded under RCW 81.104.015(4), and would divert limited transportation funds from projects that advance essential, year-round mobility goals.

Background Information:
The Yakima Valley Transportation Company operated an electric railroad between 1907 and 1983 when it ceased operations and abandoned its tracks. The City of Yakima plans to renovate historic railroad tracks/bridge and then operate tourist and sightseeing trolley excursions on summer weekends using the abandoned railroad tracks on the Selah Line and across the Naches River Bridge.

The City of Yakima proposes to license Yakima Valley Trolleys to operate these seasonal tourist trolley excursions that are "*scenic*" but restricting the use to trolley rides "*as a tourist attraction and a tourist promotion activity*." Yakima Valley Trolleys' website says: "*Enjoy a charming ride through the picturesque Selah Gap and into downtown Selah. This route offers stunning river and valley views!*" The summer weekend tourist trolleys will not use the

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bridge on more than 90% of the days in a year. Yakima Valley Trolleys are not part of the Yakima City Transit system.

The Naches River Bridge Repair project is intended to enable scenic tourist trolley excursions across the currently closed bridge. These tourist trolley excursions were not part of historic railroad operations. Contrary to Yakima's application federal funding, the more modern Yakima Valley Trolleys are not listed on the National Historic Register. Yakima County Superior Court ruled that tourist trolleys are not a "*railroad*" but instead are a "*tourist attraction*." State law says seasonal tourist service is not "*public transportation*." Federal law says sightseeing tourist trolleys and charters are not "*public transportation,*" which requires "*regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income.*"

The Naches River Bridge Repair project currently excludes ADA access and excludes pedestrian access, notwithstanding prior federal and state grant commitments by Yakima to allow ADA and pedestrian bridge access. Using previous federal and state "*multimodal*" funds, Yakima contracted with a licensed professional structural engineer to design safe ADA and pedestrian access, but the current proposal excludes all public bridge access except for summer weekend tourist trolleys.

Moreover, the current proposal conflicts with a WA Utilities and Transportation Commission (UTC) Order and grant commitments providing for safety fencing to block pedestrians from crossing the nearby BNSF high-speed railroad bridge and instead to divert pedestrians to the safe City shared-use bridge walkway. These public safety measures were approved by BNSF Railway, as a party to the UTC Order. The current proposal also conflicts with Transportation Alternatives mobility policies to enhance (and not reduce) equitable, non-motorized pedestrian and ADA access to historic transportation facilities.

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Therefore, the current Naches River Bridge Project is not eligible for inclusion on the STIP or local TIPs. But the project would be eligible for STIP inclusion if it is revised to comply with the UTC Order and fulfill prior grant commitments by including ADA and pedestrian bridge accessibility.

Notes:

1. Lack of Mobility Purpose

- Seasonal tourist trolleys primarily provide sightseeing, not functional mobility.
- Federal and state planning rules require projects to advance mobility for people and goods (23 C.F.R. § 450.104; 49 U.S.C. § 5302).
- NTD/FTA explicitly excludes sightseeing services from public transportation reporting.
- Washington RCW 47.01.330 and the Washington Transportation Plan emphasize mobility as a core planning goal.

2. Lack of Regularity and Continuity

- Operates on summer weekends/holidays → no year-round service other than isolated private charters.
- STIP and MPO/RTPO planning prioritize regular, continuing services.
- Seasonal-only operation fails continuity/mobility requirements (23 U.S.C. § 134(c); 23 C.F.R. § 450.200).

3. State Law Exclusion

- RCW 81.104.015: "Rail fixed guideway public transportation system … does not include a system that is not public transportation, such as seasonal, tourist, or intraterminal service."
- Seasonal tourist trolleys are therefore excluded under Washington statute.

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4. ADA Accessibility Concerns

- Federal STIP projects must meet ADA requirements (42 U.S.C. § 12141; 49 C.F.R. Part 37).
- Non-ADA-accessible trolleys (e.g., trolley with steep, narrow stairs only) cannot serve all potential riders, failing accessibility standards.

5. Inequitable Use of Transportation Funds

- STIP funds prioritize projects that provide inclusive, year-round mobility.
- Seasonal sightseeing trolleys do not meet this public purpose.

6. Precedent / Administrative Consistency

- WSDOT and FHWA STIP typically include trolleys/streetcars only when year-round, mobility-oriented, ADA-compliant, and integrated with the transit network.
- Seasonal tourist trolleys do not meet these criteria.

7. Failure to Advance STIP Performance Targets

- STIP projects must support federal performance targets (safety, congestion, accessibility, environmental).
- Seasonal tourist trolleys provide negligible mobility impact and do not advance measurable performance objectives.

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Street, Yakima, Washington.

b. An inventory of the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, and other associated equipment and materials is attached hereto as Exhibit "C" and incorporated herein by this reference. YVT shall update this inventory as necessary and provide an updated Exhibit to the City to attach to this Agreement. Failure to update the inventory list may be considered a default.

2. Electric Railway System and Museum Use Restricted.

a. Electric Railway System Use Restriction. The operation, use and promotion license granted herein for the City's electric railway system shall be restricted to the use and operation of the electric railway system on a non-profit basis for the transport, benefit, and enjoyment of the public, as an educational resource, as a tourist attraction and a tourism promotional activity, and to activities necessary for the maintenance and operation of the electric railway system.

b. Electric Railway Museum. The operation, use and promotion license granted herein for the City's electric railway museum shall be restricted to the use and operation of the electric railway museum on a non-profit basis for the benefit, education and enjoyment of the public, as a tourist attraction and a tourism promotional activity, and to activities necessary for the care and maintenance of the electric railway museum.

3. Maintenance.

The Trolley system is an asset of the City of Yakima. Any work on a building, within the right-of-way, or improvement to any physical asset associated with the Trolley system that meets the definition of a 'public work' under RCW 39.04 shall be performed in compliance with RCW 39.04 and any other applicable requirements under Washington law. Nothing in this Agreement is intended to expand or limit the definition of a 'public work' beyond what is set forth in RCW 39.04.

a. General Maintenance. In consideration of the license granted herein, YVT assumes responsibility for and agrees to maintain the City's electric railway system, including trolley cars, engines, way cars, associated railway rolling stock, and electric railway system parts, overhead wiring, track, supplies, tools, machines, associated equipment and materials and the electric railway museum in good repair and in as clean, neat and orderly manner as reasonably possible. YVT must coordinate all significant general maintenance work with the, Community Development Director, or their designee. Significant general maintenance work shall be defined as any work within the City R/W, work requiring the use of any City funding including the Trolley Fund over $1000.00, or work with an estimated cost exceeding $5,000.00. This includes work or additions to a building or structure that is not already present, work on trolley tracks or poles, landscaping improvements not already installed, replacement of track, ties, catenary lines, poles, lighting, and bridge work.

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State of Washington
Department of Fish and Wildlife
South Central Region 3 – 1701 S. 24th Ave., Yakima WA 98902-5720
Phone: (509) 575-2740, Fax (509) 575-2474

October 2, 2026

Bill Preston
SEPA Responsible Official
City of Yakima
129 N. 2nd St
Yakima WA 98901

Subject: WDFW Comments on City of Yakima 2026 Periodic Update – SEPA#017-26, PlanView # 2022-C-413

Dear Mr. Preston,

The Washington Department of Fish and Wildlife (WDFW) has reviewed the draft of the updated City of Yakima Comprehensive Plan 2026, SEPA#017-26. We appreciate that many great elements have been included in the plan to preserve and enhance urban aquatic and terrestrial habitats. We provide these comments to help improve future iterations of the Comprehensive Plan in accordance with WDFW's mission to preserve, protect and perpetuate the state's fish, wildlife and ecosystems.

The following comments include technical edits in addition to recommended strategic policies and plans to ensure protection and restoration of fish and wildlife habitat. We also recommend incorporation of habitat elements into the city's parks and open spaces. We look forward to working with City of Yakima to develop these strategies and would be happy to meet with the city to discuss our comments.

Chapter 2. Land Use
2.4 Goals and Policies
Policy 2.1.3 Suggested new criteria under this policy: Avoid UGA expansions of areas that contain critical areas and open space coverage required under RCW 36.70A.110.(8)(d).

Policy 2.1.9 Consider annexation requests in accordance with review criteria, including, but not limited to:
We recommend adding "Review of critical areas to ensure that annexation is consistent with critical areas protection". We recommend incorporating WDFW's Priority Habitats and Species (PHS) mapping information, to assess suitable areas for accommodating growth.

Policy 2.1.13 Use best available science when designating critical areas for protection and preservation within the City limits or the Yakima UGA.
We recommend adding "no net loss" to this policy.

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Future Land Use Map. Exhibit 2-4
There are areas of fish and wildlife habitat, primarily shrubsteppe and riparian in the UGA and to a lesser extent in the city limits where the city should explore options to enroll some of these habitat areas into natural open space. Enrolling these areas into natural open spaces would preserve the habitat and reduce future conflicts with development with the critical areas ordinance. WDFW would be happy to work with the city to explore strategies.

Chapter 6. Transportation
Transportation Improvement Projects (TIP)
In addition to showing locations for TIP on Exhibits 6-9 and 6-10, we recommend including a table that outlines what is proposed at each location and the timeline for each project. Any projects involving a water crossing, such as a culvert or a bridge, should be coordinated with WDFW and likely would need a Hydraulic Project Approval (HPA) from WDFW.

6.5 Goals and Policies:
We encourage the city to add a goal that ensures transportation projects are consistent with natural areas protection and are climate resilient.
To support that goal, we encourage the city to add the following policy:
Design and upgrade stream crossings to be climate resilient.
WDFW climate resilient culvert guidance can be of assistance: https://wdfw.wa.gov/species-habitats/habitat-recovery/fish-passage/climate-change

Chapter 9. Parks and Recreation
We encourage the city to add a goal that promotes fish and wildlife habitat within the city's parks. Fish and wildlife species rely on urban habitats for both their survival and their migration to habitats within Yakima County and beyond. Suggested goal and associated policies:
Goal: Encourage the development and retention of native habitat within parks, open space and greenbelts.
Policies:

- Explore opportunities to install habitat elements into the city parks, such as xeric native plant gardens.
  WDFW would be happy to work with the city and supply our technical knowledge. We would encourage working with the North Yakima Conservation District through the Heritage Garden program Heritage Garden Program – North Yakima Conservation District.
- Retain, maintain and install native habitats within city parks, open space and greenbelts to provide habitat for urban fish and wildlife.
- Develop a plan for prioritizing habitat elements within parks, open space and greenbelts using tools such as connectivity to larger natural spaces and wildlife habitat.
  WDFW can provide technical assistance in developing priorities and strategies.

Chapter 10. Natural Environment
10.2 Conditions and Trends
Under critical areas, "wildlife habitat conservation areas" are listed. Please amend to "fish and wildlife habitat conservation areas", the recognized name for this critical area under the Growth Management Act (GMA).

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Fish and Wildlife Habitat Conservation Areas (FWHCA)
There are mapped shrubsteppe habitats within the city and the UGA. Shrubsteppe is a WDFW Priority Habitat. Please add to the list of FWHCA and add to Exhibit 10-10.

Exhibit 10-11. Sensitive Fish Species Identified in the City's Streams and Rivers
The following are documented in WDFW Statewide Washington Integrated Fish Distribution (SWIFD). Please add them to the table.
Coho Salmon: Bachelor Creek
Chinook Salmon: Bachelor Creek
Mountain Whitefish: Naches River

Wildlife. Wood Duck and Great Blue Heron are listed in Exhibit 10-11. We recommend moving them to a separate wildlife table. In addition to the wildlife species listed in the narrative at the bottom of page 10-21, we recommend adding Monarch as there are documented sightings within the city.

10.4 Goals and Policies
Goal 10.4 PRESERVE AND ENHANCE TERRESTRIAL AND AQUATIC HABITATS TO MAINTAIN VIABLE POPULATIONS OF PLANTS AND ANIMALS.

Policy 10.4.4 Protect aquatic and terrestrial habitats from encroachment from new ~~industrial~~ land uses that may reduce these habitat's resilience and environmental quality.
Recommend striking the word "industrial". All land uses may reduce aquatic and terrestrial habitats.

Suggested new policy under this goal - Consider climate stressors when determining allowed activities and uses within wetlands and Fish and Wildlife Habitat Conservation Areas, and ensure regulations maintain habitat integrity and function. Dept of Commerce, Menu of Measures (#99)

We recommend adding a policy that promotes habitat connectivity. Suggested wording: Seek to protect and connect open space corridors with regulatory and voluntary mechanisms to maintain and enhance habitat connectivity (WAC 365-196-335). This policy supports the resiliency sub-element (RCW36.70A.070(9)(ei)(A). That sub-element directs plans to identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration. The policy could direct the city to connect habitat areas within the city and UGA to habitat areas outside the city, using areas like riparian corridors and wildlife corridors. This policy would help to ensure the fish and wildlife species using the city's habitats could connect to areas outside of the city and the UGA to areas in Yakima County and beyond. WDFW would be happy to provide technical assistance with implementing this policy.

Chapter 11. Shoreline
Goal 11.96. ALL SHORE STABILIZATION ACTIVITIES SHOULD BE DESIGNED AND CONSTRUCTED TO ACCEPTED ENGINEERING STANDARDS
We recommend adding a policy regarding Shoreline Armoring: Prioritize soft armoring over hard armoring of shorelines for new and redevelopment. We recommend using techniques from Integrated Streambank Protection Guidelines | Washington Department of Fish & Wildlife. All

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shoreline armoring projects would need a Hydraulic Project Approval (HPA) permit from WDFW.

Goal 11.115. EXISTING AGRICULTURE SHOULD BE ENCOURAGED TO PROVIDE THROUGH VOLUNTARY MEANS
Please clarify the intent of this goal. Voluntary Stewardship Program (VSP) applies to Yakima County, not the City of Yakima. Agricultural uses within the city's shoreline environment should be subject to the city's Shoreline Master Program (SMP).

Thank you again for the opportunity to comment. Please contact Scott at 509-607-3578 or Scott.Downes@dfw.wa.gov if you have questions and to arrange a time to discuss our comments.

Sincerely,

Scott Downes
Regional Land Use Lead

Danny Didricksen
WDFW Region 3 Habitat Program Manager

Cc: J. Shah, WDFW
Marian Berejikian, WDFW
Trevor Martin, City of Yakima
Benjamin Serr, Commerce

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Rivera, Eva

From: DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>
Sent: Tuesday, October 6, 2026 7:00 AM
To: Ask Planning
Cc: Martin, Trevor; Sears, Tricia (DNR)
Subject: FW: NTC OF HEARING & DNS - CITY OF YAKIMA PERIODIC UPDATE 2025-2026 - PRJ# 001-26, SEPA#017-26

Good morning, Trevor,

Please include the comments below from WGS of DNR as Part of the SEPA record for CITY OF YAKIMA PERIODIC UPDATE 2025-2026, SEPA File # 202604074.

Thank you,

Emma Oliver
SEPA External Affairs Coordinator
Office of Legal Affairs & Business Practices
Washington State Department of Natural Resources (DNR)
(360) 902-1709
Emma.Oliver@DNR.wa.gov
www.dnr.wa.gov

From: Sears, Tricia (DNR) <Tricia.Sears@dnr.wa.gov>
Sent: Monday, October 5, 2026 3:45 PM
To: DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>
Cc: Sears, Tricia (DNR) <Tricia.Sears@dnr.wa.gov>
Subject: RE: NTC OF HEARING & DNS - CITY OF YAKIMA PERIODIC UPDATE 2025-2026 - PRJ#001-26, SEPA#017-26

Hello,

In keeping with the interagency correspondence principles, I am providing comments on Yakima's comprehensive plan amendments. On 9/24/26 I received an email from Emma at the DNR SEPACenter for the "Notice of Hearing & Determination of Non-Significance." The comments are due on 10/8/26.

For this proposal I looked at the proposal and focused on areas related to WGS work. Of note, but not limited to, I look for language around the geologically hazardous areas, mineral resource lands, mining, climate change, and natural hazards mitigation plan.

Specifically in this proposal, I reviewed the SEPA Checklist Yakima Comp_Plan, DNS_SEPA#017—26, and the NTC of Hearing & DNS_#PRJ001-26. I also reviewed two documents that were on the website, see below.

DNS_SEPA#017—26
The letter states that Yakima is proposing minor amendments to the comp plan. The focus of the changes is on housing, climate resiliency, and transportation. "The lead agency for this proposal has determined that it does not have a probably significant adverse impact on the environment."

NTC of Hearing & DNS_#PRJ001-26

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Similar statements in this document and the DNS. This notice states that a public hearing will be held on 10/14/26.

SEPA Checklist Yakima Comp Plan

On page 7, under question d, "Geologically hazardous areas include areas of erosion hazard, landslide hazard, seismic hazard, and other hazards, including volcanic hazards, mining hazards and channel migration zones. There are minimal steep slopes and unstable slopes subject to erosion in the northern border of the city. See Exhibit 3." The map in Exhibit 3 shows oversteepened slope and landslide areas. The map does not show all the geologically hazardous areas hazards described on page 7.

On page 21, there is discussion of natural resource lands. "There are no long-term commercially significant farmlands or forest lands within the city." "Yakima County designates mineral resource lands within the county. There are limited sites in the city with long-term commercial significance for mining." Good info.

On page 26, "Critical areas in the City of Yakima are regulated through Yakima's CAO pursuant RCW 36.70A.170. This includes geologically hazardous areas, critical aquifer recharge areas, frequently flooded areas, wildlife habitat conservation areas, and wetlands."

On page 43, "The Land Use and Natural Environment elements and the new integrated climate goals and policies seek to conserve the city's natural resources."

The Checklist also describes the SMP provisions.

Overall, the Checklist is written with thoughtful and detailed information. Thank you for taking the time to provide the information, including maps, in the Checklist.

On the Yakima website, 2025-2026 Comprehensive Plan Update Program | Planning Division, there are draft copies of comp plan documents. I reviewed the Draft Intro, Land Use, and Housing Chapter and the Draft Natural Resources, Shoreline, and Energy Chapter.

Draft Intro, Land Use, and Housing Chapter

The document is well written and laid out in an attractive, easy to follow format. The term critical areas is mentioned four times. Suggest listing the critical areas that Yakima has. The term hazard is mentioned twenty times. The term geologic hazard is not used, but natural hazards are mentioned. Suggest stating the specific geologically hazardous area hazards that Yakima has. Suggest mentioning natural hazards mitigation plan, the climate resilience information, and the interrelationship. And if that information will be described in another chapter in more detailed ways, state that.

Draft Natural Resources, Shoreline, and Energy Chapter

Here is the more detailed info about critical areas! ON page 10-4, "In the City, three types of geological hazards have been mapped: high risk landslides, intermediate and high risk over-steepened slopes, and channel migration zones that are associated with shoreline waterbodies (Exhibit 10-1)." Thank you for stating this information. Exhibit 10-1 is the same map included in the SEPA Checklist. See those comments above. This chapter includes Exhibit 10-2 Underlying Geology, Exhibit 10-3 Liquefaction Susceptibility, and Exhibit 10-4 NEHRP Seismic Site Class. Suggest stating which map is used for each of the geologically hazardous areas hazards.

Great to see Goal 10.5 with the policies, related to geologically hazardous areas. Nice to See Exhibit 10-12 Natural Environment Element Implementation. Plans like the natural hazard mitigation plan and a climate plan could be added to the table.

Below, I include our usual language for this and future endeavors.

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Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in current or future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:

- Consider adding a reference to the definition of geologically hazardous areas, WAC 365-190-120, in other areas besides the CAO. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands.
- Consider adding in other areas besides the CAO. If you have not checked our interactive database, the Washington Geologic Information Portal, lately, you may wish to do so. Geologic Information Portal | WA - DNR
- If you have not checked out our Geologic Planning page, you may wish to do so. Geologic Planning | WA - DNR

Thank you for considering our comments. If you have any questions or need additional information, please contact me.

Have a great day!
Tricia

Tricia R. Sears (she/her/hers)
Geologic Planning Liaison
Washington Geological Survey (WGS)
Washington Department of Natural Resources (DNR)
Cell: 360-628-2867 | Email: tricia.sears@dnr.wa.gov

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CITY OF YAKIMA PERIODIC UPDATE 2025-2026
PRJ#001-25, SEPA#017-26

EXHIBIT LIST

CHAPTER E
Supplemental Information

DOC INDEX #	DOCUMENT	DATE
E-1	YPC Meeting Minutes - February 26, 2025	02/26/2025
E-2	YPC Meeting Minutes – March 26, 2025	03/26/2025
E-3	YPC Meeting Minutes – April 23, 2025	04/23/2025
E-4	YPC Meeting Minutes – July 9, 2025	07/09/2025
E-5	YPC Meeting Minutes – July 23, 2025	07/23/2025
E-6	YPC Meeting Minutes – December 10, 2025	12/10/2025
E-7	YPC Meeting Minutes – January 14, 2026	01/14/2026
E-8	YPC Meeting Minutes – January 28, 2026	01/28/2026
E-9	YPC Meeting Minutes – February 11, 2026	02/11/2026
E-10	YPC Meeting Minutes – February 25, 2026	02/25/2026
E-11	YPC Meeting Minutes – March 11. 2026	03/11/2026
E-12	YPC Meeting Minutes – April 8, 2026	04/08/2026
E-13	YPC Meeting Minutes – April 22, 2026	04/22/2026
E-14	YPC Meeting Minutes – May 13, 2026	05/13/2026
E-15	YPC Meeting Minutes – May 27, 2026	05/27/2026
E-16	YPC Meeting Minutes – June 10, 2026	06/10/2026
E-17	YPC Meeting Minutes – June 24, 2026	06/24/2026

City of Yakima Planning Commission (YPC) Meeting Minutes
June 24, 2026

Call to Order
Chair Place called the meeting to order at 3:01 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Jeff Baker, James Conright, Anne Knapp, Tanya Knickerbocker, Philip Ostriem, Shelley White
YPC Members Absent:	Leanne Hughes-Mickel, Colleda Monick, Vice-Chair Charles Hitchcock (excused) Kevin Rangel
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Felisa Gonzalez, Matt Brown

Chair Place welcomed new Commissioners Tanya Knickerbocker and James Conright. She also thanked Commissioner Leanne Hughes-Mickel for her time on the Commission.

Staff Announcements –

- Besides the two new commissioners one more will join next month, and orientation will be provided for all the new/current members.
- Trevor recommended that the new members create emails specifically for the Planning Commission use.

Approval of Minutes from May 13 and 27, 2026- Commissioner White moved to approve the meeting minutes from May 13, 2026. Commissioner Baker seconded the motion. The motion carried unanimously. Commissioner Knapp requested that the minutes provide a brief description of the topics raised during public comment or include a link to the public comments. Commissioner White moved to approve the meeting minutes from May 27, 2026. Commissioner Ostriem seconded the motion. The motion carried unanimously.

Public Comment – Jose Ulloa provided public comment and a handout regarding the Cannabis Buffer.

Open House Recap- Trevor provided a summary of the Open House and the next steps for the Comp Plan update.

Begin I-502 Discussion - Trevor began by explaining the process of approving a location for cannabis sale. The Commission discussed the pros and cons of lowering the cannabis buffer and the different buffer distances.

Other Business – Commissioner Knapp asked to have some outstanding items be scheduled or addressed. Trevor discussed holding a discussion on road standards. Trevor also noted that a new definition for congregant living is in the works that ties to the current city council moratorium with a future hearing being scheduled soon. Commissioner White thanked Commissioner Place, Huges-Mikel, and Stephens for their time on the Commission.

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Meeting Recap – Action Items & Decisions:

- Orientation and introduction of new/current Commissioners next meeting.
- Adding video link to meeting minutes.
- Add a hint of what public comment was in the meeting minutes.
- Send photos of comments from Open House.
- BERK will do a spell and grammar check.
- Trevor will decide if there's an exemption from the energy section.
- Trevor will run potential buffers.
- MRSC links regarding housing and parking will be emailed.

Outstanding Action Items

- Trevor will provide training to the new Commissioners.
- Commissioner Knapp will provide comments to Trevor due to time constraints it cannot be reviewed by Commission.
- Developing a process for public response, following up with the Barge-Chestnut neighbors.

Future Items

- A new section for congregant living will be added to the code and reviewed by the Commission.
- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to July 8, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:09 p.m.

Chair ~~Place~~ Vice-Chair Rangel — Date 8/26/26

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission
Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

City of Yakima Planning Commission (YPC) Meeting Minutes
June 10, 2026

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Jeff Baker, Anne Knapp, Colleda Monick, Philip Ostriem, Kevin Rangel, Shelley White
YPC Members Absent:	Leanne Hughes-Mickel (excused)
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Felisa Gonzalez, Matt Brown

Staff Announcements –

An open house for the Comprehensive Plan rough draft will be held June 23 at the Harman Center; it will be noticed as a special meeting for Commissioners to attend.

The nominating committee has met, and the new Commissioners should be announced soon.

Approval of Minutes from April 8, 2026- Minutes will be amended to show the public hearing for the moratorium will be held within the next six months.

Public Comment – No public comment.

Comp Plan Update: Historic Preservation, Parks & Rec, Natural Environment, and Shoreline – The Commission went through the packet and reviewed each page and suggested changes.

Other Business – The I-502 discussion is still on the schedule for the Commission.

Meeting Recap – Action Items & Decisions:

- Special meeting on June 23 at the Harman Center at 4 PM.
- Lengthy discussion was held on Comp Plan updates.
- Response to concerns raised a few months ago about I-502 and Barge Chestnut neighborhood.

Outstanding Action Items

- Trevor will provide training to the new Commissioners.
- Developing a process for public response, following up with the Barge-Chestnut neighbors.

Future Items

- A new section for congregant living will be added to the code and reviewed by the Commission.
- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.

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- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to June 24, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:46 p.m.

Vice Chair Rahyer

Chair Place

8/26/26

Date

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission

Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes
May 27, 2026

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Jeff Baker, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Philip Ostriem, Kevin Rangel, Shelley White
YPC Members Absent:	None
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Felisa Gonzalez

Staff Announcements –

Commissioner Frieda Stephens has resigned. There will be 5 positions open on the Commission. Council appointment committee will meet on June 4.

Approval of Minutes from April 8 & 22, 2026- Commissioner Monick moved to approve the meeting minutes from April 8, 2026, Commissioner Baker seconded the motion. The motion carried unanimously. Commissioner White moved, and Commissioner Knapp seconded, to amend the April 22, 2026, meeting minutes under Other Business to state that the handout provided was from the Barge–Chestnut neighbors. The motion carried unanimously. Commissioner Ostriem moved to approve April 22, 2026, minutes as amended. Commissioner White seconded, and the motion carried unanimously.

Public Comment – Jose Ulloa provided public comment.

Tony Courcy provided public comment.

Srini M. provided comment about CPA#002-25.

Commissioner Baker made a motion to reconsider CPA#002-25 with proper notice. Commissioner Rangel seconded.

Roll Call Vote:
White – No
Rangel – No
Monick – No
Hughes-Mickel – Abstain
Baker – Yes
Knapp – No
Place – Abstain

Motion failed.

Comp Plan Update: Transportation Element & Technical Analysis – Phil Matoon from the Bike & Ped Committee provided comment. Oneza from BERK, along with Paul Sharman and Patrick Lynch from Transpo Group joined virtually and went over a PowerPoint presentation on the Transportation Element. The Commission discussed the updates and provided feedback.

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April Building Report – Trevor provided a brief overview of the building report and highlighted some new business.

Other Business – The I-502 related item will be coming to the Commission in August. The moratorium will also be coming to the Commission in late summer. Commissioner White suggested preparing a response to the questions in the handout provided by the Barge-Chestnut homeowners.

Meeting Recap – Action Items & Decisions:

- Thank you to Frieda Stephens for her years of service on the Commission.
- Pending vacancies on the Commission.
- Three people provided public comments.
- A vote to reconsider CPA#002-25 failed.
- Presentation by Transpo Group on the Transportation Element

Outstanding Action Items

- Developing a process for public response, following up with the Barge-Chestnut neighbors.

Future Items

- A new section for congregant living will be added to the code and reviewed by the Commission.
- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to June 10, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:52 p.m.

Mary Place — 6-24-26

Chair Place — Date

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission

Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes
May 13, 2026

Call to Order
Chair Place called the meeting to order at 3:02 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Jeff Baker, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Philip Ostriem, Frieda Stephens, Shelley White
YPC Members Absent:	Kevin Rangel (unexcused)
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Felisa Gonzalez

It was announced that Commissioner Roy Gondo has resigned effective today. Applications to apply for a commission seat are available on the city of Yakima Website.

Staff Announcements –

Last night, the City Council passed a motion directing that all language related to halfway houses as well as several other land-use definitions be brought to the Planning Commission within the next six months.
The final review for Capital Facilities will be done today. Transportation will be reviewed on May 27, with Paul Sharman from the Transpo Group joining virtually. The remaining elements will be reviewed June 10 which include Historic Preservation, Parks, and one other item.
A public workshop to review the public draft is scheduled for June 24, 2026.

Approval of Minutes from April 8, 2026- Commissioner Knapp moved to approve the meeting minutes from April 8, 2026. Commissioner Hughes-Mickel seconded the motion. Commissioner White requested that the staff announcements include which text amendments were approved by City Council. The motion carried unanimously.

Public Comment – None

Comp Plan Update: Capital Facilities – Continued from Last Meeting - The Commission continued with the review of the Capital Facilities update and discussed changes.

Other Business – Commissioner White asked a question regarding the handout provided by the Barge-Chestnut neighbors, followed by a discussion on how to respond to the questions raised in the handout. Chair Place asked staff to let the Bike & Ped Committee know about the Transportation Element being reviewed at the next meeting. Commissioner Knapp complimented staff for hosting the Codes and Coffee informational get-togethers with the community.

Meeting Recap – Action Items & Decisions:

- The Transportation Element will be reviewed including parking standards in the next few weeks.
- The moratorium discussion is expected to be reviewed by the Planning Commission in July.

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- Developing a process for public response, following up with the Barge-Chestnut neighbors.

Outstanding Action Items

- Study session on road standards will be held.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- A future discussion and hearings will be scheduled on city boundaries/Urban Growth Area (UGA) boundaries.
- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to May 27, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:37 p.m.

Mary Place — 6-24-26

Chair Place — Date

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission

Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

City of Yakima Planning Commission (YPC) Meeting Minutes
April 22, 2026

Call to Order
Chair Place called the meeting to order at 3:01 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Roy Gondo, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Kevin Rangel, Shelley White
YPC Members Absent:	Philip Ostriem, Frieda Stephens, Jeff Baker (all excused)
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Matt Brown, Felisa Gonzalez

Staff Announcements –

The next Codes and Coffee will be Wednesday, April 29 at Catalyss Coffee at 8 AM.

Public Comment – Jim Dobbie provided public comments regarding project in the Barge-Chestnut neighborhood going before the Historic Commission and a handout.

Martin Anguiano-Zarate provided public comments regarding a project in the Barge-Chestnut neighborhood going before the Historic Commission.

Karen Hillis provided public comments regarding a project in the Barge-Chestnut neighborhood going before the Historic Commission.

Michael Martin provided public comments regarding a project in the Barge-Chestnut neighborhood going before the Historic Commission.

Comp Plan Update: Capital Facilities, Technical Analysis, Land Capacity Analysis - The Commission reviewed the Capital Facilities update and discussed proposed changes. There was not enough time to cover the analysis, so it will be reviewed at the next meeting.

March Building Permit Report- The Commission did not have time to review this item.

Other Business – Commissioner White passed out her request to BERK/Trevor Martin to include a more thorough land breakdown, considering the new housing laws, in charts 2.23, 2.26 and all the Council District Land Use charts in the Land Use section of the new Comp Plan. This would explain BERK's proposed amendments to be discussed at the next meeting. City Council has issued a moratorium pertaining to Halfway Houses and Secure Community Transition Facilities. A public hearing will be scheduled within the next two meetings.

Meeting Recap – Action Items & Decisions:

- Extensive discussion on the ADU on 28th & Barge. Follow-up discussion items include improving transparency of the permitting process; Providing clearer information on permit status and review; Reviewing notification standards for ADU's under current state laws and local regulations.
- Review of Chapter 7 of the Comprehensive Plan Update related to Capital Facilities. Key discussion points were ensuring consistency in reported numbers and data, identifying

and clarifying where growth can occur, and priorities for serving in already developed areas within the city before accommodating growth.
- Please let Trevor know if you will be attending Codes and Coffee to avoid a quorum.

Outstanding Action Items

- The Commission will explore green space requirements for apartments, maybe using the county as a model.
- If the Governor signs the emergency shelter legislation, staff will provide a copy and schedule a discussion
- Study session on road standards will be held.
- Capacity analysis and setbacks will be reviewed without BERK's participation.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- A future discussion and hearings will be scheduled on city boundaries/Urban Growth Area (UGA) boundaries.
- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to May 13, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 5:58 p.m.

Mary Place — 6-24-26

Chair Place — Date

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission
Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes
April 8, 2026

Call to Order
Chair Place called the meeting to order at 3:02 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Jeff Baker, Roy Gondo, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Philip Ostriem, Kevin Rangel, Frieda Stephens, Shelley White
YPC Members Absent:	None
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	

Staff Announcements –

Text amendments related to drive-through and parking standards, alphabetizing definitions, and middle-housing requirements were approved at last night's council meeting and will take effect in 30 days.

Approval of Minutes from March 25, 2026- Commissioner Baker moved to approve the meeting minutes from March 25, 2026, Commissioner Monick seconded the motion. The motion carried unanimously.

Public Comment – No public comment.

CPA Hearing - Trevor began by explaining these were request for consideration and would be incorporated into the Comprehensive Plan Update.

CPA#001-25 – 3908 River Rd - Request for consideration to amend the Future Land Use map designation for one parcel from Mixed Residential to Community Mixed Use. Staff recommends approval.

No members of the public came forward to speak for public comment. The Commission discussed the request.

Commissioner Hitchcock moved to approve the request to amend the Future Land Use Map designation for one parcel from Mixed Residential to Community Mixed Use. Commissioner Baker seconded the motion.

Roll-call vote:

White – **Yes**
Stephens – **Yes**
Rangel – **Yes**
Ostriem – **Yes**
Monick – **No**
Knapp - **Yes**
Hughes-Mickel – **Yes**
Gondo – **Abstain**
Baker – **Yes**
Hitchcock – **Yes**
Place - **Yes**

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Motion passed with 9 Yes, 1 No, and 1 Abstention.

CPA#002-25 – 1105 S 72nd Ave - Request for consideration to amend the Future Land Use map designation for one parcel from Low Density Residential to Commercial Mixed Use. Staff recommended approval.

Chair Place opened the public hearing.

Lori Emard provided public comment.
Sharon Chard provided public comment.
Joe James provided public comment.

Chair Place closed the public hearing. The Commission discussed the request.

Commissioner Knapp moved to deny the request to amend the Future Land Use Map designation for one parcel from Low Density Residential to Commercial Mixed Use. Commissioner Ostriem seconded the motion.

Roll-call vote:

White – **Yes**
Stephens – **Yes**
Rangel – **Yes**
Ostriem – **Yes**
Monick – **Yes**
Knapp - **Yes**
Hughes-Mickel – **Yes**
Gondo – **Yes**
Baker – **Yes**
Hitchcock – **Yes**
Place - **Yes**

Motion passed unanimously.

CPA#003-25 – 9503, 9509, 9315 Tieton Dr. - Request for consideration to amend the Future Land Use map designation for three parcels from Low Density Residential to Community Mixed Use. Staff recommends approval. The Commission discussed the request.
Chair Place opened the public hearing

Roberto Arteaga, the applicant, provided public comment. Chair Place closed the public hearing and the Commission entered into discussion.

Commissioner Rangel moved to approve the request to amend the Future Land Use Map designation for one parcel from Low Density Residential to Community Mixed Use. Commissioner Baker seconded the motion.

Roll-call vote:

White – **Yes**
Stephens – **Yes**

Rangel – **Yes**
Ostriem – **Yes**
Monick – **Yes**
Knapp - **Yes**
Hughes-Mickel – **Yes**
Gondo – **No**
Baker – **Yes**
Hitchcock – **Yes**
Place - **Yes**

Motion passed 10 Yes and 1 No.

CPA#004-25 – 810, 812, 814 N 20th Ave - Request for consideration to amend the Future Land Use map designation for three parcels from Low Density Residential to Community Mixed Use. Staff recommends approval.
Chair Place opened the public hearing. The representative for the applicant, Bil Hordan, provided public comment. The applicant, Joe Menard also provided public comment.
The Commission discussed the request.

Commissioner Knapp moved to approve the request to amend the Future Land Use Map designation for three parcels from Low Density Residential to Community Mixed Use. Commissioner Gondo seconded the motion. The Commission entered into discussion.

White – Yes
Stephens – Yes
Rangel – Yes
Ostriem – Yes
Monick – Yes
Knapp - Yes
Hughes-Mickel – Yes
Gondo – Yes
Baker – Yes
Hitchcock – Yes
Place – Yes

Motion passed unanimously.

Trevor explained what would happen with the denied request and what to expect for the approved ones.

Commissioner White moved to reopen CPA#001-25 to open the vote. Commissioner Baker seconded the motion. Motion passed unanimously. The Commission entered into discussion

Commissioner Ostriem motion for a reconsideration of the original vote on CPA#001-25. Commissioner Baker seconded.

White – No
Stephens – No
Rangel – No
Ostriem – Yes
Monick – No

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Knapp - Yes
Hughes-Mickel – Yes
Gondo – Abstain
Baker – Yes
Hitchcock – Yes
Place – Yes

The motion passed with 6 Yes votes, 4 No votes, and one abstention.

Other Business – Codes and coffee will be scheduled later this month, and staff will let the Commission know. Comp Plan information will be distributed for next meeting. In the second meeting in May reconsideration of the cannabis buffer will be discussed. Commissioner Gondo requested onboarding information. T Trevor responded that he will provide some information, and he will also wait for any new members joining the Commission in July to provide additional training.

Meeting Recap – Action Items & Decisions: None

Outstanding Action Items

- Staff will return with proposed study session dates.
- The Commission will explore green space requirements for apartments, maybe using the county as a model.
- If the Governor signs the emergency shelter legislation, staff will provide a copy and schedule a discussion
- A future discussion and hearings will be scheduled on city boundaries/Urban Growth Area (UGA) boundaries.
- Study session on road standards will be held.
- Capacity analysis and setbacks will be reviewed without BERK's participation.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to April 22, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:49 p.m.

Mary Place — 5-27-26

Chair Place — Date

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission
Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes
March 11, 2026

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Jeff Baker, Roy Gondo, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Kevin Rangel, Frieda Stephens, Shelley White
YPC Members Absent:	Philip Ostriem (excused)
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Matt Brown, Felisa Gonzalez

Staff Announcements –

The next Codes and Coffee March 25, 2026, from 8-10 AM at Starbucks on 5906 Summitview Ave.

Approval of Minutes from February 25, 2026- Commissioner Gondo moved to approve the meeting minutes from February 25, 2026, Commissioner Stephens seconded the motion. The motion carried unanimously.

Commissioner Place asked to post a link to the meeting videos on the meeting minutes.

Public Comment – None

Review of Critical Areas Ordinance – Oneza, consultant from BERK, Jennifer Gross and Andra Bachman from Perteet joined virtually A PowerPoint handout was emailed to the Commissioners prior to the meeting and printed copies were provided at the meeting. The document has been added to the meeting record. The consultants went over the PowerPoint and their recommendations. The Commissioners discussed the recommendations and suggested changes to the Critical Areas Ordinance.

January & February 2026 Building Permit Reports- There was no discussion regarding this item.

Other Business – The following outstanding action items were removed:

- Transit ridership information will be provided.
- Elements of the Comp Plan rough drafts will be reviewed in January or February.
- Alphabetize Table 4.1 by category.
- Establish a method for capturing and tracking action items.
- An EV charging station policy will be integrated into the Comprehensive Plan.
- Pg. 23 parking space extends to 9 feet.
- The commission will go through the comprehensive plan page by page.
- The Land Capacity Analysis currently under review by the Transpo group will be provided.

Commissioner White requested that BERK include in the Land Capacity Analysis a distinction between vacant parcels and backyards for the R-1 and R-2 zoning district.

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Meeting Recap – Action Items & Decisions:
None

Outstanding Action Items

- Study session on road standards will be held.
- Capacity analysis and setbacks will be reviewed without BERK's participation.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- Right of way assessments for vacant buildings will be explored.
- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to March 25, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:48 p.m.

May Place — 3-25-26

Chair Place — Date

This meeting was filmed by YPAC. The meeting video is available at the following link:https://videos.yakimawa.gov/internetchannel/search?channel=2&query=planning%20commission
Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

EH

City of Yakima Planning Commission (YPC) Meeting Minutes
February 25, 2026

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Roy Gondo, Anne Knapp, Colleda Monick, Philip Ostriem, Frieda Stephens, Shelley White
YPC Members Absent:	Jeff Baker, Kevin Rangel, Leanne Hughes-Mickel (all excused)
Staff Present:	Trevor Martin; Planning Manager
City Council Liaison:	Matt Brown

Staff Announcements –

Trevor talked about how the first monthly Coffee with Codes event went at Northtown Coffee House.

Approval of Minutes from January 28 & February 11, 2026- Commissioner Gondo moved to approve the meeting minutes from January 28, 2026, Commissioner Hitchcock seconded the motion. Chair Place abstained from voting. The motion carried unanimously. Commissioner Gondo moved to approve the meeting minutes from February 11, 2026, Commissioner Knapp seconded the motion. The motion carried unanimously.

Public Comment – None

Review Housing Data with BERK – Kevin Ramsey and Oneyza, consultants from BERK, joined virtually and reviewed the Housing Element with the Commission.

January 2026 Building Permit Statistics- Because the meeting ran out of time, the Commission did not review the Building Permit Report for January. The item will be carried forward to a future agenda

Other Business – None

Meeting Recap – Action Items & Decisions:

- Right of way assessments for vacant buildings will be explored.
- Study session on road standards will be held.
- Capacity analysis and setbacks will be reviewed without BERK's participation.

Outstanding Action Items

- Establish a method for capturing and tracking action items.
- Transit ridership information will be provided.
- An EV charging station policy will be integrated into the Comprehensive Plan.
- The elements of the Comp Plan rough drafts will be reviewed in January or February.
- Implementation measures in the Comp Plan.
- Alphabetize Table 4.1 by category.
- Pg. 23 parking space extends to 9 feet.

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- A link of the survey will be emailed.
- The commission will go through the comprehensive plan page by page.
- The Land Capacity Analysis currently under review by the Transpo group will be provided.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to March 11, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:59 p.m.

Mary Place
Chair Place

3-11-26
Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

City of Yakima Planning Commission (YPC) Meeting Minutes
February 11, 2026

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Roy Gondo, Anne Knapp, Colleda Monick, Kevin Rangel, Frieda Stephens, Shelley White
YPC Members Absent:	Jeff Baker, Philip Ostriem, Leanne Hughes-Mickel (all excused)
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Matt Brown, Felisa Gonzalez

Staff Announcements –

Trevor announced that a future Coffee with Codes event, which would be a sit-down with Codes and Planning staff to answer questions from the public has been scheduled for February 23 at Northtown Coffeehouse from 8-10 AM.

Approval of Minutes from January 28, 2026- Chair Place requested that the minutes reflect she had an excused absence, and that future minutes' note when a commissioner's absence is excused. Commissioner White noted an error in how her vote on the final motion of the hearing was recorded. Commissioner Monick also noted an error in the minutes, stating that Chair Place was listed as calling the meeting to order when it should have indicated Vice-Chair Hitchcock. The minutes will be revised and brought back for approval at the next meeting.

Public Comment – None

Review Housing Element (without BERK) – The Commission continued discussion of the draft housing chapter.

Other Business – BERK will attend next meeting on February 25. In March the critical areas ordinance will be discussed. Commissioner White asked whether Commissioners whose terms expire this year could continue serving until the Comprehensive Plan update is completed, and whether legal had made a determination on that question. Trevor stated that he was advised they cannot continue once their terms have ended.

Meeting Recap – Action Items & Decisions:

- January 28 minutes will be revised and brought back for a vote at the next meeting.
- Coffee with Codes can include a discussion about the Comprehensive Plan. Commissioners can attend but must avoid having a quorum.
- Trevor will get figure out if recreational use is considered the same as a short-term rental.

Outstanding Action Items

- Establish a method for capturing and tracking action items.
- Transit ridership information will be provided.

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- An EV charging station policy will be integrated into the Comprehensive Plan.
- The elements of the Comp Plan rough drafts will be reviewed in January or February.
- Implementation measures in the Comp Plan.
- Alphabetize Table 4.1 by category.
- Pg. 23 parking space extends to 9 feet.
- A link of the survey will be emailed.
- The commission will go through the comprehensive plan page by page.
- The Land Capacity Analysis currently under review by the Transpo group will be provided.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to February 25, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:39 p.m.

Mary Place — 2-25-26

Chair Place — Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes
January 28, 2026

Call to Order
Vice-Chair Hitchcock called the meeting to order at 3:04 p.m.

Roll Call

YPC Members Present:	Vice-Chair Charles Hitchcock, Jeff Baker, Roy Gondo, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Kevin Rangel, Shelley White
YPC Members Absent:	Chair Mary Place (excused), Frieda Stephens (excused), Philip Ostriem
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Matt Brown, Felisa Gonzalez

Vice-Chair Hitchcock welcomed Councilwoman Gonzalez to her first Planning Commission meeting.

Approval of Minutes from December 10, 2025, and January 14, 2026- Commissioner Hughes-Mickel moved to approve the meeting minutes from December 10, 2025, Commissioner Baker seconded the motion. The motion carried unanimously. Commissioner Gondo moved to approve the meeting minutes from January 14, 2026, Commissioner Rangel seconded the motion. The motion carried unanimously.

Staff Announcements –

Trevor announced that BERK consultants would be joining virtually today.

Public Comment – None

Public Hearing TXT#003-25- Trevor reviewed the staff report on the text amendments. The commission held a discussion on the recommended changes. Commissioner Baker moved to classify maintenance and repair shops in the Regional Development (RD) zoning district as a Type 1 use. Commissioner Rangel seconded the motion. Following discussion, Commissioner Knapp moved to amend the motion to include paint and body repair shops as Type 1 uses. Commissioner Baker seconded. The commission entered further discussion.

Roll Call Vote – Amendment
A roll call vote was conducted on the amendment to add paint and body repair shops to Commissioner Baker's motion:

White - Yes
Rangel - Yes
Monick - No
Knapp – Yes
Hughes-Mickel - Yes
Gondo – No
Baker – Yes
Hitchcock - Yes

Totals
- Yes: 6
- No: 2
Outcome

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The amendment passed.

Roll Call Vote – Amended Motion
A roll call vote was conducted on the amended motion to classify maintenance and repair shops, as well as paint and body repair shops, as Type 1 uses in the Regional Development (RD) zoning district.

White – Yes
Rangel – Yes
Knapp – Yes
Hughes-Mickel – Yes
Monick – No
Gondo - No
Baker – Yes
Hitchcock – Yes

Totals
- Yes: 6
- No: 2

Outcome
The amended motion passed.

Discussion continued over the recommended changes. Commissioner White read a statement she wrote.

Commissioner Monick moved based on the testimony and evidence presented during this afternoon's public hearing, that the City of Yakima Planning staff modify the draft language to include the changes noted in the minutes of this afternoon's public hearing, and with these changes move that the Planning Commission draft findings of fact and forward a recommendation of **approval** to the Yakima City Council. Commissioner Baker seconded.

Roll Call Vote

White – No
Rangel – Yes
Monick – Yes
Knapp – Yes
Hughes- Mickel – Yes
Gondo – No
Baker – Yes
Hitchcock – Yes

Totals
- Yes: 6
- No: 2

Outcome
The motion passed.

Draft Housing Chapter – BERK Consulting presented a PowerPoint outlining the changes made to the Housing Chapter. Discussion followed regarding the proposed revisions in the draft Housing Chapter. Due to time constraints, the Commission was unable to review all of the proposed changes, and the remaining items will be reviewed at a future meeting.

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Due to time constraints, the remaining items on the agenda were not taken up.

Other Business – Commissioner Monick distributed a handout from the Department of Commerce to the Commission and it was entered into the record. Vice-Chair Hitchcock motion to schedule a future study session focused more specifically on possibilities and limitations and options available within the Regional Development (RD) section. Commissioner Gondo seconded. The motion carried unanimously.

Meeting Recap – Action Items & Decisions:

- Remaining portions of the draft chapters in the packet will be reviewed at a future meeting.
- Establish a method for capturing and tracking action items.
- Request for improved proofreading for Comp Plan draft from BERK.
- The Land Capacity Analysis currently under review by the Transpo group will be provided as soon as it's ready.

Outstanding Action Items

- Transit ridership information will be provided.
- An EV charging station policy will be integrated into the Comprehensive Plan.
- The elements of the Comp Plan rough drafts will be reviewed in January or February.
- Implementation measures in the Comp Plan.
- Alphabetize Table 4.1 by category.
- Pg. 23 parking space extends to 9 feet.
- A link of the survey will be emailed.
- The commission will go through the comprehensive plan page by page.
- The Land Capacity Analysis currently under review by the Transpo group will be provided.
- A new section for congregant living will be added to the code and reviewed by the Commission.

Future Items

- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved.
- Staff will coordinate a future roundtable with experts to discuss design standards.

A motion to adjourn to February 11, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:58 p.m.

Vice Chair Hitchcock

2/25/26
Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

City of Yakima Planning Commission (YPC) Meeting Minutes
January 14, 2026

Call to Order
Chair Place called the meeting to order at 3:02 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Charles Hitchcock, Jeff Baker, Roy Gondo, Leanne Hughes-Mickel, Anne Knapp, Colleda Monick, Philip Ostriem, Kevin Rangel, Shelley White
YPC Members Absent:	Frieda Stephens
Staff Present:	Trevor Martin; Planning Manager, Jason Radtke; Senior Planner, Eva Rivera; Planning Technician
City Council Liaison:	Matt Brown

Election of Chair and Vice Chair – Commissioner Knapp moved to nominate the current chair, Place, to continue as chair. Commissioner Gondo seconded the motion. Commissioner Monick then moved to nominate Commissioner Hughes-Mickel as chair, and Commissioner Ostriem seconded that motion.

The vote for Chair Place was conducted first and was as follows:
Commissioner White – Aye
Commissioner Ostriem – Aye
Commissioner Monick – Nay
Commissioner Hughes-Mickel – Aye
Commissioner Hitchcock – Aye
Commissioner Gondo – Aye
Commissioner Baker – Aye
Vice-Chair Knapp – Aye
Commissioner Place – Abstain

Result: Motion carried 8-1-1. Chair Place was reappointed as Chair.

Commissioner Hughes-Mickel moved to nominate Commissioner Hitchcock for Vice-Chair, and Commissioner Monick seconded the motion. Commissioner White nominated current Vice-Chair Knapp to continue in the role, and Commissioner Baker seconded the motion.
The vote for Commissioner Hitchcock was conducted first, with the following results:
Commissioner Ostriem – Aye
Commissioner Baker – Nay
Commissioner Gondo – Aye
Commissioner Hitchcock – Aye
Commissioner Monick – Aye
Chair Place – Nay
Vice-Chair Knapp – Abstain
Commissioner Hughes-Mickel – Aye
Commissioner White – Nay

Result: Motion carried 5-3-1. Commissioner Hitchcock was appointed Vice-Chair.

Trevor reminded the commission that several commissioner terms will expire in June and noted the possibility that some terms could potentially be extended due to the Comprehensive Plan update.

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Staff Announcements –

- One final Steering Committee meeting with BERK will be held in February
- One final public workshop is planned for late April
- Planning Commission public hearing scheduled for May
- City Council hearing scheduled for June
- Critical Areas review with Perteet and Cascadia on March 11
- Capital Facilities and Utilities review on March 25

Public Comment – None

Discuss Letter from Dave Zabell – Trevor shared a letter from former interim City Manager Dave Zabell regarding fire service levels and concurrency impacts related to Fire Station 92 in West Valley. Changes to Station 92 could affect response times, development, and GMA compliance. The commission entered discussion.

Chair Place welcomed City Mayor Matt Brown to the commission.

Draft Land Use Chapter – Trevor informed the Commission that any misspellings or grammatical errors can be forwarded to him for submission to BERK. The Commission reviewed the draft Land Use Chapter and discussed suggested changes to various pages. Staff will forward the recommended revisions to BERK.

Other Business - None

Meeting Recap – Action Items & Decisions: None

Outstanding Action Items

- Transit ridership information will be provided
- An EV charging station policy will be integrated into the Comprehensive Plan.
- The elements of the Comp Plan rough drafts will be reviewed in January or February
- Implementation measures in the Comp Plan.
- Alphabetize Table 4.1 by category
- Pg. 23 parking space extend to 9ft
- A link of the survey will be emailed
- The commission will go through the comprehensive plan page by page
- The Land Capacity Analysis currently under review by the Transpo group will be provided
- A new section for congregant living will be added to the code and reviewed by the commission.

Future Items

- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved
- Staff will coordinate a future roundtable with experts to discuss design standards

A motion to adjourn to January 28, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:58 p.m.

2/11/26

Vice-Chair Hitchcock — Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes
December 10, 2025

Call to Order
Chair Place called the meeting to order at 3:08 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Anne Knapp, Colleda Monick, Jeff Baker, Charles Hitchcock, Kevin Rangel, Frieda Stephens, Philip Ostriem, Shelley White,
YPC Members Absent:	Leanne Hughes-Mickel, Roy Gondo
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	Janice Deccio, Rick Glenn

Staff Announcements –

- The Land Use element will be distributed on January 7, and the Housing element will be provided prior to the January 28 meeting.

Approval of Minutes from October 22, 2025, and November 12, 2025- Commissioner Gondo was not serving on the Commission at the time of the meeting whose minutes he later motioned to approve. they were voted on again. Commissioner Monick moved to approve the meeting minutes from October 22, 2025, Commissioner Baker seconded the motion. The motion carried unanimously. Commissioner Knapp moved to approve the meeting minutes from November 12, 2025, Commissioner Hitchcock seconded the motion. The motion carried unanimously.

Public Comment – None

Reviewing Berk Materials: CAO Memo, Code Overview, & Adequate Provisions Memo –

Trevor went over the BERK materials, and the commission discussed the suggested changes.

Vice-Chair Knapp asked whether the building permit reports could be sorted by permit type and provided Trevor with a handout on EV charging stations.

Other Business -
Commissioner White provided the records that had been requested as part of a public records request involving five members of the commission

Meeting Recap – Action Items & Decisions:

- The rent-to-own action item will be removed because it is not feasible.
- There will be a February study session on street standards
- Transit ridership information will be provided
- A reminder of where the Climate handout can be found
- A link to the transparency application has already been sent
- An EV charging station policy will be integrated into the Comprehensive Plan.

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Outstanding Action Items

- The elements of the Comp Plan rough drafts will be reviewed in January or February
- Implementation measures in the Comp Plan.
- Alphabetize Table 4.1 by category
- Pg. 23 parking space extend to 9ft
- A link of the survey will be emailed
- The commission will go through the comprehensive plan page by page
- The Land Capacity Analysis currently under review by the Transpo group will be provided
- A new section for congregant living will be added to the code and reviewed by the commission.

Future Items

- Staff will notify and update the Commission when the countywide policies are completed.
- Downtown Action Plan - staff will determine if the Planning Commission will be involved
- Staff will coordinate a future roundtable with experts to discuss design standards

A motion to adjourn to January 14, 2026, was passed with a unanimous vote. The meeting adjourned at approximately 4:50 p.m.

Vice-Chair Hitchcock

2/11/26
Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes

July 23, 2025

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Anne Knapp, Jeff Baker, Charles Hitchcock, Leanne Hughes-Mickel, Colleda Monick, Philip Ostriem, Kevin Rangel, Arthur Salido, Shelley White
YPC Members Absent:	Frieda Stephens, (excused)
Staff Present:	Trevor Martin; Planning Manager, Jason Radtke; Senior Planner,
City Council Liaison:	Rick Glenn, Janice Deccio

Staff Announcements –

None

Approval of Minutes from July 9, 2025 - - Commissioner White moved to approve the meeting minutes from July 9, 2025, with the addition of the Comp Plan Amendments on page 2 under Meeting Recap. Commissioner Salido seconded the motion. The motion carried unanimously.

Public Comment – None

BERK Presentation – Martin invited the BERK staff to introduce themselves. After the introductions, they delivered a PowerPoint presentation on the Comprehensive Plan 2050 Update. The presentation covered an overview of the Comprehensive Plan, key highlights from the policy review, updates from the Visioning meeting, and outlined the next steps. They also answered questions the Commissioners had.

Other Business -

Commissioner Knapp commented on a newspaper article announcing federal grant money for the installation of sewer and water connections in an underserved area of the city.

Meeting Recap – Action Items & Decisions:

- Downtown Action Plan - staff will determine if the Planning Commission will be involved
- Staff will send the Commission a copy of the comprehensive plan slides from the last meeting.
- Countywide Planning Policies will likely be finalized before the City's comprehensive plan. Staff will notify and update the Commission when the countywide policies are completed.
- Bike and pedestrian planning could be part of the Transportation Plan and transportation planning elements.
- Future Discussion Topics: Review of the zoning map, identifying housing gaps, landlord-related burdens and impacts on lower-income residents, development allowed by the County that doesn't meet City standards.
- Any population change data should be shared with Oneza (via Staff).
- Staff will provide the dates for the next round of public meetings.

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- Staff will provide the list of Comprehensive Plan steering committees and the Resilient Yakima group.

Outstanding Action Items

- An orientation or educational item summarizing past Planning Commission actions related to the Housing Action Plan will be developed. It will be a standalone item and is anticipated to be presented within the next couple of meetings, but not at the next agenda
- Staff will provide upcoming dates for the next community division/workshops, tentatively scheduled for August and November.
- Chair Place will attend upcoming meetings of the subcommittees to explain how information will be shared with the Planning Commission. It was decided that updates or important information from the commission or its subcommittees will be communicated to the City Council via a written report
- Land Capacity list submitted to BERK will be emailed to the Commission
- Staff will email compiled list of Comp Plan topics discussed previously
- Staff will look into SB3670 for implementation
- Staff will send any updated materials from the Department of Commerce regarding Unit lot subdivisions and lot splitting guidelines
- Scan from green book will be emailed to the Commission
- Staff will provide the source of the scenic landscape development handout and the source and city the open space development model ordinance came from.
- Staff will send a parks inventory
- Examples from other cities for landscaping standards will be emailed to the Commission
- Staff will coordinate a future roundtable with experts to discuss design standards
- Trevor will email the Bike and Ped Committee on how they can participate in the Transportation Plan or the Transportation Element of the Comprehensive Plan.

A motion to adjourn to August 13, 2025, was passed with a unanimous vote. The meeting adjourned at approximately 3:24 p.m.

Mary Place — 8-27-25

Chair Place — Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes

July 9, 2025

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Anne Knapp, Jeff Baker, Charles Hitchcock, Colleda Monick, Kevin Rangel, Arthur Salido, Shelley White
YPC Members Absent:	Leanne Hughes-Mickel, Frieda Stephens, Philip Ostriem (all excused)
Staff Present:	Trevor Martin; Planning Manager, Jason Radtke; Senior Planner, Eva Rivera; Planning Technician
City Council Liaison:	

Staff Announcements –

- Martin introduced the new Senior Planner, Jason Radtke, who then introduced himself to the Commission.

Approval of Minutes from June 11 & 25, 2025 - - Commissioner Salido moved to approve the meeting minutes from June 11, 2025, with the addition of legislative bill numbers to the New Legislative Housing Bills section. Commissioner Baker seconded the motion. The motion carried unanimously. It was motioned by Commissioner Knapp and seconded by Commissioner Hitchcock to approve the meeting minutes of June 25, 2025. The motion carried unanimously.

Public Comment – None

2025-2026 Comprehensive Plan Amendment Docketing – Martin presented the 4 applications submitted via a PowerPoint presentation.

CPA#001-25 - 3908 River Rd. – Currently zoned R-2 requesting to change the future land use to Community Mixed Use.

CPA#002-25 – 1105 S 72nd Ave – Currently zoned R-1 requesting to change the future land use to Commercial Mixed Use.

CPA#003-25 - 9503, 9509, 9515 Tieton Dr. – Currently zoned R-1 request to change the future land use to Commercial Mixed Use.

CPA#004-25 – 814 N 20th Ave – Currently zoned R-3 request to change the future land use designation to Commercial Mixed Use.

Other Business -

Chair Place informed the Commission that she had attended a Bicycle and Pedestrian Committee meeting. She reported that the committee had questions, including whether they could present more than once a year and whether the Planning Commission could endorse their reports. It was clarified that the Planning Commission may endorse any report from the Bike and Ped Committee, provided it does not involve budgetary matters. The Committee is welcome to

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attend any Planning Commission meeting to present and should notify staff in advance to be added to the agenda. Chair Place added that the Committee also asked about involvement in the Transportation Plan update. Staff responded that they would explore how best to involve the committee and noted that current members are welcome to participate in outreach sessions.

Vice-Chair Knapp distributed a Seattle Times article highlighting feedback from developers on recent legislative changes aimed at increasing flexibility and density.

Meeting Recap – Action Items & Decisions:

- Bill numbers will be added to the June 11th minutes, and Chair Place will sign them.
- Trevor will send the Commission information from BERK regarding the July 23rd meeting to help the Commission prepare for BERK's presentation.
- Trevor will follow up with items from last meeting
- Trevor will email the Bike and Ped Committee on how they can participate in the Transportation Plan or the Transportation Element of the Comprehensive Plan.
- Trevor will send updated information on building permits, including the number of new apartment units approved.
- Trevor will email the Power Point presentation of the Comp Plan Amendments to the commission.

Outstanding Action Items

- An orientation or educational item summarizing past Planning Commission actions related to the Housing Action Plan will be developed. It will be a standalone item and is anticipated to be presented within the next couple of meetings, but not at the next agenda
- Staff will provide upcoming dates for the next community division/workshops, tentatively scheduled for August and November.
- Chair Place will attend upcoming meetings of the subcommittees to explain how information will be shared with the Planning Commission. It was decided that updates or important information from the commission or its subcommittees will be communicated to City Council via a written report
- Land Capacity list submitted to BERK will be emailed to the Commission
- Staff will email compiled list of Comp Plan topics discussed previously
- Staff will look into SB3670 for implementation
- Staff will send any updated materials from the Department of Commerce regarding Unit lot subdivisions and lot splitting guidelines
- Scan from green book will be emailed to the Commission
- Staff will provide the source of the scenic landscape development handout and the source and city the open space development model ordinance came from.
- Staff will send a parks inventory
- Examples from other cities for landscaping standards will be emailed to the Commission
- Staff will coordinate a future roundtable with experts to discuss design standards

A motion to adjourn to July 23, 2025, was passed with a unanimous vote. The meeting adjourned at approximately 3:24 p.m.

Mary Place
Chair Place

8-13-25
Date

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This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes

April 23, 2025

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Vice-Chair Anne Knapp, Charles Hitchcock, Jeff Baker, Leanne Hughes-Mickel, Colleda Monick, Philip Ostriem, Arthur Salido, Shelley White
YPC Members Absent:	Frieda Stephens, Kevin Rangel (Both excused)
Staff Present:	Trevor Martin; Planning Manager, Eva Rivera; Planning Technician
City Council Liaison:	

Staff Announcements – Planning Manager Martin announced the following:

- The text amendments for the land use table and downtown-related changes, are scheduled to go to City Council on May 6th. The Planning Commission's updated bylaws will also be presented at that meeting.

Approval of Minutes from April 9, 2025 - It was motioned by Commissioner Monick and seconded by Commissioner Hitchcock to approve the meeting minutes of April 9, 2025. The motion carried unanimously.

Public Comment – None

Community Visioning Session Recap - Several commissioners and staff attended the April 16th community visioning workshop at the Henry Beauchamp Center. Commissioners shared their impressions. Upcoming community visioning workshops are tentatively planned for August and November, with locations likely at the Washington Fruit Community Center and the Harman Center.

Other Business - Commissioner Monick introduced a motion aimed at improving meeting focus and clarifying how individual initiatives are brought before the Planning Commission.

Motion: Any land use matter brought forward by a member of the planning commission under YMC 1.42.030 D4 as a proposed initiative of the commission shall first require a majority vote of the commission to be formally added to the work plan or considered in future discussion. personal opinions or priorities not supported by the commission as a whole shall not be added to agendas or brought forward repeatedly at meetings without prior agreement.
Seconded by: Commissioner Hughes-Mickel.
Discussion followed.
Roll call vote. The results were as follows:
Commissioner Ostriem: No
Commissioner Monick: Yes
Commissioner Hughes-Mickel: Yes
Commissioner White: No
Commissioner Salido: No
Commissioner Hitchcock: Yes
Commissioner Baker: No

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Vice Chair Knapp: No
Chair Place: No

The motion failed with a 3–6 vote.

Meeting Recap – Action Items & Decisions:

- Staff will send a link to the relevant Planning Commission code referenced during the meeting.
- Staff will send a link to the GIS map.
- Staff will also look into the possibility of providing a large-format hard copy land use map.
- An orientation or educational item summarizing past Planning Commission actions related to the Housing Action Plan will be developed. It will be a standalone item and is anticipated to be presented within the next couple of meetings, but not at the next agenda.
- Staff will provide upcoming dates for the next community division/workshops, tentatively scheduled for August and November.
- Mary will take the bylaws once approved to the Bicycle/Pedestrian Committee and the Historic Preservation Committee.

Outstanding Action Items

- Bylaws Update:
  - The bylaws are scheduled to go to City Council on May 6.
  - Trevor will follow up on their adoption status.
- Bylaws Amendment:
  - A new line will be added stating the Commission shall submit a memo to Council in response to requests for project support or input, as required.
  - Commissioner Hughes-Mickel will draft this language.
- Tree City USA:
  - Trevor will follow up on the $2 per capita requirement.
  - Staff will determine who is completing the Tree City application paperwork.

A motion to adjourn to May 14, 2025, was passed with a unanimous vote. The meeting adjourned at approximately 4:00 p.m.

Mary Place — 5-28-25

Chair Place — Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes

March 26, 2025

Call to Order
Chair Place called the meeting to order at 3:00 p.m.

Roll Call

YPC Members Present:	Chair Mary Place, Charles Hitchcock, Jeff Baker, Leanne Hughes-Mickel, Colleda Monick, Philip Ostriem, Kevin Rangel, Shelley White
YPC Members Absent:	Frieda Stephens, Anne Knapp, Arthur Salido (all excused)
Staff Present:	Trevor Martin; Planning Manager, Sara Watkins; City Attorney, Eva Rivera; Planning Technician
City Council Liaison:	

Before the Yakima Planning Commission meeting began, City Attorney Sara Watkins explained the commission changes based on the Appeals Court Commissioner granting the City's motion to stay, which maintains the status quo until the Court of Appeals reviews the case.

Staff Announcements – Planning Manager Martin announced the following:

- The first public engagement session for the Comprehensive Plan update will be in April 16 at the Henry Beauchamp Community Center.

Action Items:

Item	Assigned	Status
Update YPC Bylaws	Trevor Martin	In Progress

Approval of Minutes from February 12 and March 12, 2025 - It was motioned by Commissioner Hitchcock and seconded by Commissioner Baker to approve the meeting minutes of February 12 and March 12, 2025. The motion carried unanimously.

Public Comment – None

Discussion: Conceptual Site Plan- The Commission discussed the requirement for a conceptual, non-binding site plan as part of the non-project rezone process. The provision, added around 2017, aims to provide insight into potential future site use but has caused confusion among the public There was discussion on how while it helps provide context, it can mislead discussions by focusing on specific site plans rather than the broader zoning decision. It was also highlighted that some applicants already have a clear development intent.

Suggestions included modifying the requirement from "shall" to "may" to provide flexibility. Staff will research the original intent behind the requirement and return with recommendations at a future meeting.

It was agreed to also discuss greenspace as part of the Comp Plan Update.

Comprehensive Plan Timeline – The Commission discussed the Comprehensive Plan timeline and public engagement efforts, including an April 16 open house. Advisory groups are being formed for the periodic update and climate resiliency. A Planning Commission workshop is scheduled for July 8.

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Commission Meeting Recap-

- Incorporating greenspace into R-3 projects
- Revisit application suggestion for Rezone applications
- Volunteers are needed for Comprehensive Plan committees, and members were asked to check their schedules for availability

Other Business - Chair Place requested information on the three subcommittees to coordinate with members for the Comprehensive Plan update.

Commissioner White advised the commission on her next presentation to the City Council.

A motion to adjourn to April 9, 2025, was passed with a unanimous vote. The meeting adjourned at approximately 4:46 p.m.

Mary Place
Chair Place

4-9-25
Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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City of Yakima Planning Commission (YPC) Meeting Minutes

February 26, 2025

Call to Order
Chair Place called the meeting to order at 3:02 p.m.

Roll Call

YPC Members Present: Chair Mary Place, Vice-Chair Anne Knapp, Jeff Baker, Charles Hitchcock, Colleda Monick, Kevin Rangel, Arthur Salido, Frieda Stephens, Shelley White

YPC Members Absent: Leanne Hughes-Mickel, Philip Ostriem (both excused)

Staff Present: Trevor Martin; Planning Manager, Eva Rivera; Planning Technician

City Council Liaison:

Staff Announcements – Planning Manager Martin announced the following:

- The interview for the Senior Planner position was conducted and went well.
- The Comprehensive Plan update is progressing, details will be provided later in the meeting.

Action Items:

Item	Assigned	Status
Update YPC Bylaws	Trevor Martin	In Progress

Approval of Minutes from January 8, 2025 - It was motioned by Commissioner Monick and seconded by Commissioner Stephens to approve the meeting minutes of January 8, 2025. The motion carried unanimously.

Public Comment – None

Public Hearing TXT#001-25, SEPA#001-25 – City Planning YMC Title 14 & 15 –
Staff presented proposed text amendments to Titles 14 and 15 of the municipal code, focusing on streamlining processes. Notable changes include removing outdated definitions, such as 'bed and breakfast' and 'desktop publishing,' to align with current land use practices. Discussion followed regarding how existing bed and breakfast establishments would be classified moving forward, with clarification that they would be reclassified as either short-term rentals or hotels/motels and allowed to continue operations under their new designation. Discussion continued to the definition of storage facilities and mini storage outdoor, the commission agreed change the screening language to require a minimum six-foot, view-obscuring fence or wall. The Commission discussed the proposed changes to subdivision procedures, specifically the public notice requirement for short plats. After a discussion on the importance of community awareness and public input, the Commission decided to retain the public notice requirement for short plats. Community Centers, Synagogues, Temples, and Fraternal Organizations: The use type in RD zones was changed from Type 1 to Type 2 to align with churches and synagogues. A Type 2 use was added in M1 zones to match the revised requirements. Daycare Facilities: Discussion focused on potential state law changes allowing up to 16 children in residential daycare facilities. The commission decided that daycare facilities in R1 and R2 zones should require Type 2 review to allow for public notice and comment. The R3 zone will remain a Type 1 review due to its higher activity level. Family Dwelling Duplexes: Approved removal of confusing language regarding family dwelling duplexes. Maintenance and Repair Businesses: Agreed to allow maintenance and repair businesses, including auto repair and towing, in RD zones under Type 3 review. Tiny House Communities: Confirmed the review process for tiny house communities in R2 zones as Type 2.

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General Retail Sales: The commission agreed to remove the size restriction for general retail sales (greater than or less than 12,000 square feet) and categorize convenience stores under general retail. Discussion continued for the removal of 15.04.085. Bill Hordan provided public comment regarding storage facilities. The commission reviewed updates to clarify site plan content requirements. It was agreed that revised versions would include a date of revision and be made accessible both in the department and online.

Motion: Based on the testimony and evidence presented during today's public hearing, I move that the city of Yakima planning staff, modify the draft language to include the changes noted in the minutes of today's public hearing, and with these changes move that the planning commission draft findings effect and forward recommendation of approval to the Yakima city council.
Motioned by: Commissioner Monick
Seconded by: Commissioner Baker
The commission entered into discussion.

Chair Place called for a roll call vote. The results were as follows:
Commissioner Baker: Yes
Commissioner Salido: Yes
Commissioner Rangel: Yes
Commissioner Hitchcock: Yes
Commissioner Monick: Yes
Commissioner White: Yes
Commissioner Stephens: Yes
Commissioner Knapp: No
Chair Place: Yes

The motion passed with an 8-1 vote.

Building Permit Reports – Martin went over the report summary and answered questions from the commissioners.

Comp Plan Schedule – Martin reviewed the schedule.

Commission Meeting Recap-

- TXT#001-25 was approved.
- The building report was reviewed; a report on issued certificates of occupancy will be presented.
- Discussion on design standards will continue at the next meeting.

Other Business - Commissioner White informed the commission she will continue to attend City Council meetings to update members on housing legislation changes.

A motion to adjourn to March 12, 2025, was passed with a unanimous vote. The meeting adjourned at approximately 4:37 p.m.

Mary Place — 3-12-25

Chair Place — Date

This meeting was filmed by YPAC. Minutes for this meeting submitted by: Eva Rivera, Planning Technician.

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