



February 26, 2024

Mr. Scott Diener
Kitsap County
Department of Community Development
Planning and Environmental Programs
614 Division Street, MS-36
Port Orchard, WA 98366

Dear Mr. Diener:

The Washington State Department of Transportation (WSDOT) Olympic Region appreciates the opportunity to review the Draft Environmental Impact Statement (DEIS) for the Kitsap County 2024 Comprehensive Plan Update. The following feedback and requests reflect WSDOT's role as a transportation subject matter expert and steward for the statewide transportation system.

WSDOT appreciates the DEIS' organization, thoroughness, and succinctness. WSDOT appreciates the vehicle miles traveled and greenhouse gas analyses and detailed alternatives comparison for these WSDOT priorities.

Phased Review

Recent legislation offers pathways for local jurisdictions to streamline housing development approval, including expansion of Categorical Exemptions under the State Environmental Policy Act (SEPA). Some of these pathways include a requirement for local agencies to demonstrate that proposed housing projects are consistent with the Comprehensive Plan and have completed sufficient environmental analysis to, among other things, identify and mitigate impacts to the state highway system. As such, WSDOT is concerned with Kitsap County's stated intention to rely on phased review (DEIS Section 1.2.3.1). With phased review, Kitsap county proposes to defer investigation and mitigation of probable significant adverse environmental impacts from this non-project EIS to a later project-specific environmental review.

WSDOT acknowledges that State statute and administrative code affords the Lead Agency with discretion in establishing the scope and methodology for SEPA environmental

reviews. However, WSDOT believes that the recent housing legislation signaled legislative intent for more robust SEPA analysis to occur during development of Comprehensive Plan updates. If Kitsap County retains the phased review process, WSDOT would view the DEIS' non-project analysis as being insufficient to meeting the "environmental analysis" requirements for SEPA Categorical Exemptions (RCW 43.21C.229(3)(b)).

Given the legislative intent, WSDOT recommends that Kitsap County amend and expand the EIS' transportation analysis to be consistent with the level of detail typically applied for project-level actions. WSDOT believes that such detail is feasible given that the study boundaries and land use classifications make it possible to develop reasonable assumptions regarding the development intensity throughout the county. At a minimum, WSDOT would expect such a project-level analysis to meet the following characteristics for use in subsequent Categorical Exemptions or middle housing streamlining actions:

- Facility-level impact analysis of all alternatives to ensure acceptable level of service of state facilities.
- Thorough documentation of assumptions, including, but not limited to, the assumed spatial allocation of residential dwelling units throughout the county)
- An appropriate monitoring system to trigger a re-analysis if actual development materially differs from the assumptions.

These steps would address WSDOT's concern about potential impacts to state facilities if actual development patterns differ in intensity or spatial patterns from what is assumed in the DEIS.

Local Roadway Level of Service Standards

DEIS Exhibit 3.2.6.1-4 defines the level of service (LOS) standards and SEPA significance criteria used to identify the significant environmental impacts to county roadways. The DEIS uses an area-based approach that allows the LOS standard to be exceeded on up to 15 percent of county roads. WSDOT is concerned that any exceedance of an LOS standard on a county road, if left unmitigated, has the potential to create a probable significant adverse impact to the state highway system.

The DEIS and Capital Facilities Plan cite Kitsap County Concurrency Ordinance 20.04 as the applicable regulation authorizing use of the area-based approach in the DEIS for the Comprehensive Plan Update. However, the Capital Facilities Plan (Level of Service, Page 110) states "the 15 percent allowance relates to individual development proposals undergoing a concurrency test." The DEIS (Page 3-124) further states: "The Kitsap County Concurrency Ordinance, codified in KCC 20.04, establishes a process for testing whether a development project meets concurrency." WSDOT notes that while Ordinance 20.04 may authorize use of the area-based approach for project-level concurrency determinations after the Comprehensive Plan update has been adopted, the Ordinance does not authorize this approach as a SEPA significance criteria for the actual Comprehensive Plan update. WSDOT believes that the area-based approach, which allows exceedance of the county's

adopted LOS standards as shown DEIS Exhibit 3.2.6.1-4, is inconsistent with RCW 36.70A.070(6)(a)(iii)(d), which requires mitigating impacts to “transportation facilities or services that are below an established multimodal level of service standard.”

WSDOT requests that the DEIS transportation analysis be revised using proper application of the county roadway LOS standards shown in DEIS Exhibit 3.2.6.1-4. The revised analysis should identify the specific county roadway segments for each alternative that are forecast to exceed the LOS standard. The analysis should also propose funded mitigations for each significant impact plus any residual impact to the state highway system from these county roadway impacts and mitigations.

Project Funding

For mitigations to significant impacts on the state highway system, WSDOT requests a written acknowledgment of shared responsibility as it pertains to funding when local growth adds traffic volume and impacts on state system. WSDOT asks that this shared role be acknowledged and reflected in the budgeting process.

Thank you again for the opportunity to review the DEIS. We look forward to continuing our productive partnership.

Sincerely,

A handwritten signature in blue ink that reads "George Mazur". The signature is cursive and includes a long horizontal flourish at the end.

George Mazur, P.E.
Multimodal Planning Manager

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