BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In Re: Appeal by Seniors United for Neighborhoods (SUN) of the City of Seattle Citywide Implementation of Mandatory Housing Affordability (MHA) Final Environmental Impact Statement	Hearing Examiner File No. W-17-011 SUN'S CLOSING ARGUMENT

I. The FEIS Fails to Adequately Address Environmental Impacts

The City Has Shown It Is Able to Produce a Thorough MHA (Mandatory Housing Affordability) Environmental Impact Analysis, But Did Not In The Citywide FEIS

The City of Seattle has shown that it can create a thorough, detailed, readable MHA analysis on a neighborhood level that effectively meeting Seattle Municipal Code (SMC) and SEPA (State Environmental Policy Act) requirements with its Uptown EIS (which in a single neighborhood was a similar length to the 27 urban village citywide EIS) and its University District EIS. A similar level of

To provide sufficient impact analysis for the FEIS, this information could have presented or assisted environmental analysis on a variety of issues in a variety of ways.

For instance, because they have current building and lot square footage and MHA building maximum heights and units, these files could be used to show what development from MHA would look like compared to today—not just the current zoning, but the current buildings, which are often much lower than the zoning, making it visible to the public how the new MHA developments will look in the neighborhood. In addition to making impacts from land use and aesthetics more visible,

This redevelopment information includes the number of units on the lot and the number of potential and capacity units under MHA, meaning it could inform decisionmakers on a parcel by parcel level or anything beyond that.

The information is categorized by urban village or outside an urban village, and gives a PIN number and usually also a street address, so organizing by neighborhood, and seeing the impact on that neighborhood would be available if the parcels where organized in neighborhoods, either on a map or listed.

Historic Resources

Another example is historic resources. There was extensive historic resources information which the City had in their databases (http://www.seattle.gov/neighborhoods/programs-and-services/historic-preservation/historic-resources-survey) in addition to easily available state and federal historic information that would have shown a significant environmental impact to historic resources in many areas of the City had the information been included, but it did not appear in the EIS for decisionmakers or the public to examine. Additionally, Spencer Howard was able not only to find the information, but to produce it in a readable map format with extensive information showing historic resources distribution.

obtaining the information counted nothing toward the EIS because the information was already available, yet the information did not appear, or did not appear fully, in the EIS—leaving decisionmakers with less of the critical information needed to decide on policies with on environmental impacts.

"For some proposals, it may be impossible to forecast the environmental impacts with precision, often because some variables cannot be predicted or values cannot be quantified." SMC 25.05.330.4. In the cases in this section, had the full information been provided, many values were quantified and many variables were more than predicted, providing a more through analysis of impacts and better informing Seattle City Council and the public.

In summary, the EIS either ignored or otherwise failed to us extensive, definitive, and concrete information that would show significant impacts, instead relying on forecast data that was less clear or reliable or simply not providing any data to those who would be making the decisions.

II. The DEIS Fails to Meet Its Stated Objectives

The DEIS fails to meet any of its four stated objectives. Below are the Objectives as stated in the DEIS followed by how the DEIS doesn't meet those objectives.

Objectives (p. 1.3)

- Address the pressing need for housing affordable and available to a broad range of households.
- Increase overall production of housing to help meet current and projected high demand.
- Leverage development to create at least 6,200 net new rent- and income restricted housing units serving households at 60 percent of the area median income (AMI) in the study area over a 20-year period.

attain those units (see below under Displacement), nor does it establish solutions like one-for-one replacement of those demolished units, which would lay the groundwork necessary to achieve those numbers.

Additionally, the DEIS could create far more than 6,200 net new affordable units if it chose a higher required affordable unit threshold among many other policies. The City has refused to do this, both during the HALA negotiations and during the scoping for the DEIS itself (see notably Solutions to Seattle's Housing Emergency, which was developed by housing activists, religious leaders and City Council aides, which provided more than 50 solutions to create more affordable housing than offered in the DEIS).

[New housing is "greatly skewed" towards demolition of lower-priced housing stock and replaced with more expensive homes. This increase the number of units, but decreases the supply of affordable housing. Levitus day7, part 3 4:53. Also, "new development can contribute to economic displacement at the neighborhood scale" due to amenities and higher cost units driving up rents and house prices EIS 3.48]

Distribute Benefits & Burdens Equitably

The DEIS absolutely does not "distribute the benefits and burdens of growth equitably." In actuality, it does just the opposite: it increases the burden on low income people and people of color, while benefitting wealthier white people. (See "Displacement" below for further explanation.)

[Testimony from Reid day 2, part 9:00, Levitus day 7, part 3 and Mefford day 10, part 3 the largest economic displacement impacts are by the Black population also addresses this point.]

Exhibit 255 except between brackets

that they use as the definitive number for this estimate is woefully inadequate, even as the DEIS mentions, but then ignores. Since displacement is a core component of the DEIS, failing to adequately address displacement is a fatal flaw in the DEIS. (See pages 3.30-32 and 3.56-58, among others)

Below are the elements that the DEIS and others mention as limiting factors to the accuracy of 17 displacements per 100 as the full extent of displacements:

* Language barriers or mental health

* The rate TRAO-eligible households complete the application is not available

* TRAO data does not include all instances of eviction.

* TRAO records don't cover every instance of physical displacement caused by demolition

* Does not track households with incomes greater than 50% AMI

* Until recently, there were no mechanisms to deter developers from evicting tenants to avoid paying relocation benefits.

* Do not reflect displacement of households with incomes above 50 percent of AMI or households who should have received TRAO but did not for various reasons.

* All low-income tenants on a lease are treated as members of one household and granted only one quota of relocation assistance, even if they are roommates who do not intend to seek housing together again.

* Not mentioned but relevant is that both many landlords and many tenants are unaware of the TRAO law. Exhibit 257

- The DEIS does no analysis of the broad displacement of low-income people and People of Color that will occur around light rail stations due to the further increased property and land values *from the HALA upzones which allow for more and larger buildings and Urban Villages expansions,* the increased taxes stemming from the larger valuations, and the displacement from the inability to pay the higher taxes caused by the new valuations.
- When taller, wider buildings and more units on properties are built, both will be more expensive than the current small houses throughout the south end and create further high taxes that will be difficult to afford for low income people who have been living in those neighborhoods. These buildings will also change the nature of the neighborhood (both physical nature and the race and class of homeowner/tenant), are too expensive for most current residents to afford and therefore will further displacement.
- Citywide, the MHA upzones will create significant growth which will require large investments in parks (434 acres of new parks at $2.8 billion), transit ($54 billion light rail and Sound Transit, $11.3 billion Metro), police, fire, schools, wastewater and water infrastructure, etc. requiring an additional large increase in taxes, which will be a hardship on low income people and people of color and create further displacement.
- Increase in land and property valuations and taxes will also impact the ability of ethnic businesses to survive and losing large numbers of their neighborhood clientele will further undermine these businesses, disrupt their communities, and also encourage further residential displacement.
- "… new growth also has the potential to attract new amenities that could increase housing demand and potentially increase economic displacement in some neighborhoods. p. 1.17

other area is below average and the few other areas that are above average aren't much above the average.

- These higher rents for new development are shown as one example on page 3.29 where it says: Buildings built 2010 or later rent for $2,077 per month, on average. This is $490 more per month than buildings constructed in the 1980s and 1990s and $760 more than buildings constructed from 1965—1979. This rapid influx of new buildings, in aggregate, can distort the apartment market by pushing up the average of all rents.
- Following that statement in the FEIS is another example of what was mentioned above about the FEIS stating that market rate housing lowers rents when it says: "The new supply reduces upward pressure on rents in the remaining housing stock," but that is not what's is happening in Seattle.
- And while rates have gone up sharply with new development, they've flattened only a little while creating a greater vacancy rate, particularly in the high rent areas. For example, downtown Seattle has a 25% vacancy rate.

The EIS Significantly Downplays the Impacts of Upzones on Existing Housing Stock

The information used throughout the FEIS is dated, with most of it from data that is more than four years old—while the last four years has seen Seattle's greatest levels of demolition, displacement and gentrification, so newer data is needed.

The FEIS also does not separate out very low earners, those earning at or below 30% of AMI from those earning 50% of median income. Exhibit 52.

Significantly less impact on historic

Would create more affordable housing without upzones.

Land values would be less.

Little mitigation needed

More targeted would allow more thorough EIS, determine impacts with greater accuracy