



SEATTLE CITY COUNCIL | DISTRICT 1

COUNCILMEMBER LISA HERBOLD

July 7, 2017

Sam Assefa, Director
Office of Planning and Community Development
P.O. Box 94788
Seattle, WA
98124-7088

Re. Comment Letter on the DEIS for Citywide MHA Implementation

Dear Sam:

I write to comment on the Draft Environmental Impact Statement (DEIS) for Citywide Implementation of the Mandatory Housing Affordability (MHA) Program. This comment letter requests an additional extension of the comment period and provides initial comments on the analyses in the *Housing and Socioeconomics* chapter.

First, thank you for extending the comment period to August 7. I agree that the length and complexity of the analyses warrants giving the Council and public further time for review. However, I don't think 15 more days is sufficient. Many in the community have commented that additional time would allow them to be more thorough in their review and comment with a better understanding of the alternatives and potential impacts on their communities. The DEIS is complicated, and for people to read through the over 400-page document, excluding the appendices, and have time to respond adequately between time at work and with family, they will need even more time. Moreover, the DEIS was released on the same day as the Determination of Non-significance (DNS) for the proposed changes to the City's Design Review Program. For people following both processes, this meant choosing between reviewing and preparing comments on the DNS versus the DEIS during the first 14 days of the DEIS comment period. Consequently, I request an extension of the comment period for an additional 21 days to Monday, August 28.

With respect to the analysis in the *Housing and Socioeconomic* chapter, information in the DEIS is not sufficient for me, as a decision-maker, to assess the neighborhood-level impacts on protected classes of MHA implementation under each alternative. Specifically, the displacement analysis fails to consider the racial and ethnic dimensions of displacement. Using low-income households as a proxy for race impedes a more nuanced discussion of the risk of displacement from a race and culture lens.

Moreover, the analysis did not include the last 5 years of record growth in our city. The high-risk displacement areas may be at a point where just a very small increment of increased growth displaces larger numbers of people than is typical in a less active construction climate. It also does not measure increased speculative activity in high growth areas, i.e. rapid turnover and increases of sales and resales of existing older affordable apartments and how that activity might accelerate as a result of granting increased zoning capacity. Additional neighborhood-level analysis should be completed to disclose the degree to which the proposal will affect people differently depending upon their race or ethnicity.

The analysis should address the following questions:

- Could people from different races or ethnic groups be impacted differently by the three alternatives?
- The findings from the *Population and Household Characteristics* section of the *Housing and Socioeconomic* chapter in the DEIS, states that areas with historically the highest shares of non-whites are losing people of color. Will the alternatives either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the same extent that the socioeconomic character of the neighborhood would change?
- Is there a pattern or potential for different racial or ethnic groups to be displaced at different rates and/or do they resist displacement with different degrees of success?
- Could the proposal have disparate effects on distinct populations that would otherwise be masked or overlooked within the larger study area? This will require analyzing distinct sub-areas that should be based on recognizable neighborhoods or communities.

Analyses in the recently adopted *2017 City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing* (Fair Housing Assessment) is instructive here, and I am pleased to see it referenced in the DEIS. As a point of departure for answering the above questions, the DEIS should seek to provide a neighborhood-level analysis of impacts under each alternative on different racial and ethnic groups, for those neighborhoods identified in the Fair Housing Assessment, where people of color are a higher share of the population.¹ Many of those neighborhoods are in my district. To the extent information is available, the DEIS should also address impacts to the other protected classes, including, but not limited to, persons with disabilities, limited English proficiency, and familial status.

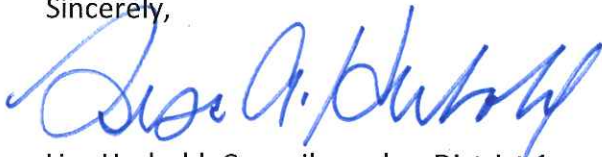
Finally, I am concerned about the conclusion, based on a weak correlation, that increasing development capacity and encouraging market rate development in high displacement risk areas in itself an anti-displacement strategy. The analysis relied heavily on Tenant Relocation Assistance Ordinance (TRAO) - eligible households which does not provide a complete picture of the number and types of households at risk of displacement. TRAO-eligible households represent only those households with incomes at or below 50% of Area Median Income (AMI). Lower income households in Seattle extend to 80% of AMI. Moreover, TRAO-eligibility is based

¹ See the table on p.108 of the Fair Housing Assessment.

on household income and underrepresents non-family, low-income households. In those households, the combined incomes of two or more unrelated low-income householders may exceed the TRAO-income threshold although separately each householder may be very low income. Further, while the number of households receiving HUD assistance was quantified and accounted for in the analysis, the number of households living in units subsidized through other programs, such as projects developed with funding from the Office of Housing, are not accounted for and likely skewed the analysis of the changes in the number of low-income households in areas with more housing production. This conclusion and the methodology used in the analysis requires further consideration.

Thank you for your efforts to make equity a key principle in our planning efforts. Analyses in an FEIS that addresses the issues and questions highlighted in this letter would be more consistent with the letter and spirit of the displacement analysis requested through Resolution 31733, in which the Mayor concurred. I look forward to working with you and my colleagues to ensure that future MHA implementation addresses impacts on our residents vulnerable to displacement.

Sincerely,



Lisa Herbold, Councilmember District 1

Cc: Councilmember Rob Johnson, Chair of Planning, Land Use and Zoning Committee
Councilmember Mike O'Brien, Vice-Chair of Planning, Land Use and Zoning Committee