

**City of Seattle
Comprehensive Plan
Amendment Application**

Date: January 19, 2004

Applicant: Marina Cofer-Wildsmith, CEO, American Lung Association of Washington

Mailing Address: 2625 Third Avenue

City: Seattle State: WA Zip: 98121 Phone: 206-441-5100

Email: marina@alaw.org

REQUIRED QUESTIONNAIRE

- 1) Provide a detailed description and explanation of the proposed text amendment. Include the element (environment) and the specific goal or policy to be amended.**

We are proposing an amendment to the Environment Element of the City of Seattle Comprehensive Plan. By adopting this amendment, Seattle would incorporate the precautionary principle as one of the City's core values and as a tool for decision-making. The amendment would amplify Seattle's existing value statements and policies emphasizing environmental protection without requiring additional resources.

Proposed Language

Every citizen of Seattle has an equal right to a healthy and safe environment. This requires that our air, water, earth and food be of a sufficiently high standard that individuals and communities can live healthy, fulfilling, and dignified lives. The duty to enhance, protect and preserve Seattle's environment rests on the shoulders of government, residents, citizen groups and businesses alike.

A Precautionary Approach

The City sees the precautionary principle approach as an integrating element across its policy framework that will result in a healthier Seattle on every level. Establishing and committing to this shared covenant will help ensure the enduring livability and ecological viability of local, regional and global environments. The intent of this effort is to help enhance Seattle's commitment to economic, environmental and social sustainability.

A central element of the precautionary approach is the careful assessment of current and potential alternatives using the best available science. The precautionary principle recognizes there is often uncertainty in evaluation of hazards but strives to incorporate an integrated assessment that emphasizes a health-based, whole ecosystem approach. One of the goals of the precautionary principle is to include citizens as equal partners in decisions affecting their environment and health.

The precautionary principle's emphasis on alternatives assessment and public involvement in decision making will enhance the City of Seattle's ability to make healthier and more sustainable choices — choices which will encourage us to move beyond finding cures to harm already done and, instead, look to prevent harm to our health and the environment in the first place.

Therefore, the City of Seattle adopts the precautionary principle as a policy framework for decision-making and defines the precautionary principle as follows:

Where threats of serious or irreversible harm to people or nature exist, anticipatory action will be taken to prevent damages to human and environmental health, even when full scientific certainty about cause and

effect is not available, with the intent of safeguarding the quality of life of current and future generations.

City of Seattle Roles

The City plays many different roles in preserving, protecting, and enhancing the natural and build environments. As a service provider, the City can continue to demonstrate its leadership by promoting and advancing environmentally responsible practices.

First, the City can lead by example, by running its operations in a more environmentally responsible manner.

Second, the City can act as an educator, promoting knowledge and awareness of personal choices and decisions' impact on the environment.

Third, the City can act as an advocate in regional, state and national arenas to promote sound environmental protection.

Fourth, the City can act as a regulator, effectively implementing and enforcing appropriate legal or regulatory requirements, such as through land use and building codes.

Finally, the City can act as a catalyst for business and individuals to improve the environmental outcomes of their activities, by providing technical assistance and incentives for actions that contribute to the City's environmental goals.

Because this Plan identifies environmental stewardship as one of the City's core values, the goals and policies in the Land Use, Transportation, Utilities, Housing and Neighborhood Planning elements are at least partially directed at finding environmentally sustainable approaches to growth management in the topics they address. This Environmental Elements augments the other elements of this plan by focusing on roles the City can play to protect the environment, beyond what it addresses in those other elements.

2) Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The proposed additions introducing the precautionary principle to the Environmental Element of the Seattle Comprehensive Plan reflect the values and goals expressed in a number of City policies and regulations. Endorsing the precautionary principle in the City's Comprehensive Plan would provide a fundamental value statement that encourages a more cohesive and integrated approach to decision-making for all City of Seattle departments. In addition, this amendment places Seattle's efforts to improve public health and the environment in a broader context — one that is compatible with large-scale efforts, occurring both regionally and globally, to ensure a sustainable environment in which all can prosper.

3) Why is the proposed change the best means for meeting the identified public need? What other options are there for meeting identified public need?

To ensure the quality of life for all Seattle residents, a consistent approach is required for to decision-making that protects public health and the environment, as described in the proposed amendment.

In addition, incorporating the precautionary principle within the City of Seattle's core values would provide important benefits. First, this amendment would underscore the City's goal to provide a healthy environment for all humans and other species in this area. Second, it would encourage environmental and public health professionals and agencies to work together. Third, it would result in more unified and streamlined City government by ensuring all City departments use the same fundamental values in their decision-making. Finally, by becoming a leader on using precautionary measures, the City could inspire businesses and residents to incorporate this approach in their own decision-making, which would reinforce the City's.

Another option for meeting this need might be to encourage the City Council to endorse the precautionary principle as a stand alone statement, but because the City of Seattle's Comprehensive Plan provides a unified, conceptual framework for City government, it seems the most appropriate place to include the precautionary principle as a policy framework for decision-making citywide and for ensuring a healthy environment for all.

4) What do you anticipate will be the impacts caused by changes in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community? If not, what type of benefit can be expected and why?

No specific geographically area will be affected, nor are there any anticipated negative impacts from the proposed changes.

The primary benefit to the community is the reduced likelihood of ongoing and episodic hazard exposures to the environment, humans, other living creatures and ecological systems. Preventing and reducing exposures to toxic contaminants or other hazards will result in economic, social and environmental benefits. For example, taking preventative measures to improve air quality could result in a smaller number of children contracting asthma, a costly disease for individuals, family and society. Similarly, using alternative technologies can prevent costly spills and the contamination of our waterways with various persistent pollutants, which can threaten the viability of individual species, such as orcas and salmon, and local biodiversity.

The precautionary principle can also provide a fundamental framework for more sustainable land use planning decisions. For instance, careful, upfront planning of transportation corridors can result in a number of benefits. These include the reduced fragmentation of wildlife habitat, provision of adequate drainage for local communities faced by flooding hazards and the preservation of functioning ecological systems.

Another benefit of adopting the precautionary principle in the City’s Comprehensive Plan would be to provide a consistent framework for decision-making — one which encourages the government, businesses and citizens of Seattle to work together in sustaining and improving our environment. In addition, incorporating the precautionary principle would:

- Encourage businesses and the general public to consider a precautionary approach in their own decision-making;
- Encourage local environmental and public health agencies to work together; and
- Establish Seattle as a leader in the effort to provide a sustainable and high quality environment in which all can prosper.

A more far reaching goal is to educate the citizens of Seattle about the precautionary principle and its application to our personal lives. For example choosing not to smoke, washing one’s hands, eating healthy, and exercising are all precautionary approaches to managing our health. A precautionary approach involves considering the available data and the consequences of ones actions at many levels. In this light, public and environmental health are all supported by a precautionary approach.

5) How would the proposed change comply with the community vision statement, goals, objectives and polices of the Comprehensive Plan? Include any data, research, or reasoning that supports the proposed amendment.

The City of Seattle currently has a number of policy statements and resolutions that apply a precautionary approach to issues related to the environment. The following examples make a strong case for explicitly endorsing the precautionary principle as the underlying foundation for decision-making in city government.¹

A. The Washington State Growth Management Act. This policy applies to situations when there is incomplete scientific evidence about whether a development or land use action could harm established critical habitat areas. In such cases, this legislation directs cities and counties to use, “a *precautionary or a no risk approach*, in which development and land use activities are strictly limited until the uncertainty is sufficiently resolved.”²

B. The City of Seattle’s Endorsement of the Earth Charter. Section 6 of the Earth Charter states that we should “prevent harm as the best method of environmental protection and, when knowledge is limited, apply a *precautionary approach*.” More specifically, the Earth Charter encourages its endorsers to:

- a. Take action to avoid the possibility of serious or irreversible environmental harm even when scientific knowledge is incomplete or inconclusive.

¹ See the Office of Sustainability and Environment website for a more comprehensive look at these policies <http://www.seattle.gov/environment/>

² See full text for the Washington Administrative Code (WAC) Chapter 365-195, Growth Management Act on the website, <http://www.leg.wa.gov/wac/index.cfm?fuseaction=chapterdigest&chapter=365-195>

- b. Place the burden of proof on those who argue that a proposed activity will not cause significant harm, and make the responsible parties liable for environmental harm.
- c. Ensure that decision making addresses the cumulative, long-term, indirect, long distance, and global consequences of human activities.
- d. Prevent pollution of any part of the environment and allow no build-up of radioactive, toxic, or other hazardous substances.
- e. Avoid military activities damaging to the environment.”³

In September 2002, the Seattle City Council and Mayor Greg Nickels formally endorsed the Earth Charter and pledged their intention to “assertively working towards the realization of its aims so that we can assure a healthy future for our community and for our earth.”⁴

C. The Office of Sustainability and Environment Mission Statement.

The Office of Sustainability & Environment (OSE) mission is consistent with the precautionary approach and pledges the following:

“to provide the leadership, tools and information to help City government and other organizations use natural resources efficiently, prevent pollution and improve the economic, environmental and social well-being of current and future generations”⁵

In addition, the OSE mission specifically emphasizes the importance of preventing pollution and integrating long-term economic, environmental, and social costs and benefits into City plans for actions and expenditures — both important elements of the precautionary principle.

D. The City of Seattle Purchasing Policies. The City of Seattle Environmentally Responsible Purchasing Policy states, “The City shall promote the use of environmentally preferable products in its acquisition of goods and services.”⁶

Seattle’s purchasing policies follow a key element of the precautionary principle, that of evaluating alternative products and using those that cause the least harm.

Several resolutions apply to this overall policy, which specify that departments should make purchasing decisions to achieve the following goals:

- To increase the procurement of recycled and recyclable products. (Resolution #28737)
- To improve efficiency of water and energy use. (Resolution #29048)

³ For full text of The Earth Charter see http://earthcharterusa.org/earth_charter.html

⁴ For media coverage on Seattle’s endorsement of The Earth Charter, see <http://www.ci.seattle.wa.us/news/detail.asp?ID=2914&Dept=28>)

⁵ For a list of specific Office of Sustainability and Environment responsibilities, see http://www.seattle.gov/environment/About_OSE.htm)

⁶ For more information on Seattle’s Sustainable Purchasing Program see <http://www.seattle.gov/environment/purchasing.htm>)

- To reduce products which result in hazardous pollution during manufacture, use, or disposal. (Resolution #29268)
- To reduce products which result in persistent toxic pollution, i.e. pollution from persistent bioaccumulative toxins or PBTs. (Resolution #30487)

These broad purchasing policies are now being implemented for specific types of products. For example, the policies have guided a proactive set of environmental criteria for janitorial products to ensure the health and safety of city workers.⁷ Other product-based decisions impacted by the city’s purchasing policies include computer and printer purchasing, battery disposal, and the selection of office supplies.⁸

E. The City of Seattle Environmental Action Agenda. This policy articulates the city’s goals for protecting environmental quality, promoting environmental justice, and improving quality of life in Seattle for current and future generations. More specifically,

“The agenda creates a framework for integrated City environmental action, robust tracking and reporting, coherent communication on environmental issues and links environmental stewardship, economic development and social equity.”⁹

In this statement, the city follows another main tenant of the precautionary principle, which is the careful monitoring and reporting of short- and long-term environmental impacts. As part of the precautionary approach, the responsibility for such monitoring should fall to the proponents of the activity.

F. The City of Seattle’s Pesticide Reduction Program. The two main goals of the program are the following:

- to eliminate the use of the most potentially hazardous herbicides and insecticides; and
- to achieve a 30 percent reduction in overall pesticide use.¹⁰

This example demonstrates how precautionary action to prevent harm can be taken by setting target goals. Such goals encourage us to succeed in creating a safer and healthier environment by setting milestones for which we can strive over time.

G. The City of Seattle Comprehensive Plan. The City of Seattle has clearly adhered to elements of the precautionary principle in its overall commitment to meaningful community involvement and transparency in decisions making and in developing its comprehensive plan.

⁷ For the City of Seattle’s Environmental Criteria for Janitorial Products see <http://www.seattle.gov/environment/Documents/JanitorialCriteria.pdf>

⁸ For additional reports related to purchasing and city contracts see <http://www.seattle.gov/environment/purchasing.htm>

⁹ See http://www.seattle.gov/environment/action_agenda.htm

¹⁰ See <http://www.seattle.gov/environment/pesticides.htm>

In preparing the City's Comprehensive Plan in the mid-1990s, local citizens were empowered to envision what types of amenities, such as parks or transportation, they would need to support this growth. Community-based decision-making such as this is a core value for Seattle and for the precautionary principle.

6) Is there public support for this proposed text amendment (i.e., have you conducted community meeting, etc.)? Note: All applications will be subjected to full public participation, notice, and environmental review.

This application was prepared by the Seattle Precautionary Principle Working Group a subcommittee of the Collaborative on Health and the Environment – Northwest (CHE-NW). CHE-NW is part of a national network of researchers, health professionals, health affected groups and advocacy organizations concerned about the rise in chronic illness and disability related to environmental exposures. CHE-NW represents a wide range of local and regional organizations and has over 200 people in government, academia, business, philanthropy and community-based organizations on its listserv. The group has met five times in person in Seattle since its inception in March 2003 and has also held several conference calls. Elise Miller, executive director of the Institute of Children's Environmental Health, coordinates the CHE-NW.

The precautionary principle was first addressed at the CHE-NW's meeting in Seattle the summer of 2003. During the fall of 2003, the Seattle Precautionary Principle Working Group formed and began to develop the white paper on the precautionary principle to be introduced to both King County and the City of Seattle this winter. The CHE-NW members have been kept apprised of the latest drafts of the white paper and have offered feedback throughout this process. Many of the members have also stated that they intend to be very engaged as this proposal goes through public hearings and other reviews.

Seattle Precautionary Principle Working Group includes the following:

Elizabeth Davis, J.D., League of Women Voters of Washington
Kate Davies, D.Phil., Antioch University
Sibyl Diver, Toxic-Free Legacy Coalition
Pam Emerson, Environmental Protection Agency Region 10
Robin Evans-Agnew, American Lung Association of Washington
Steve Gilbert, Ph.D., Institute for Neurotoxicology and Neurological Disorders
Bruce Herbert, Newground Investment Services
Elise Miller, M.Ed., Institute for Children's Environmental Health
Linda S. Park, Ph.D., Seattle Biotech Legacy Foundation
Janna Rolland, M.P.A., Community Toolbox for Children's Environmental Health (former director)
Ivy Sager-Rosenthal, Washington Public Interest Research Group (WashPIRG)
Gregg Small, Washington Toxics Coalition
Tim Takaro, M.D., Washington Physicians for Social Responsibility
Linda Westbrook, R.N., Ph.D., Washington State Nurses Association