

## **Sammamish HomeOwners (SHO) Feb. Report on the East Lake Sammamish Trail (ELST)**

SHO has provided WSSA the following report recently delivered to our Lake Sammamish shoreline neighbors on the east side. While those of us not confronted by these issues may be thankful we're not involved, WSSA is concerned with the increasingly hostile attitude toward lakeside residents demonstrated by the County.

### ----- SHO Report to Trail Residents -----

#### **Background**

As we reported in January, King County Parks has announced their intention to either require removal or charge rent for any “encroachments”, as they call them, within the entire former rail corridor, not just those that might interfere with the trail or trail construction. This includes structures, gardens, parking... even landscaping. And it includes the entire former rail corridor, not just the remaining section yet to be constructed.

Further, the county has stated that it intends to require Special Use Permits (SUPs) just to cross the corridor in vehicles to get to our homes. They say they will charge each household \$500 for the permit plus \$50 a year. The county justifies this by the claim that the former rail corridor is now “public property” and that the county is required by state law to either deny or charge rent for “private use of public land”. This is despite the fact that the county only has a trail easement, or in the opinion of one federal judge, a railroad easement, on the former rail corridor, most of which it does not own in fee.

#### **Current situation**

To date the fee schedule for this rent has not been posted insofar as SHO is aware (and we keep asking). Nor have letters gone out to the general trailside community informing them of the requirement to obtain SUPs for specific encroachments. (If you have received such a letter, please let SHO know.) We have seen isolated examples of that, however, and expect that virtually all trailside property owners who at least use a vehicle trail crossing will receive such notices in the future.

SHO has recently retained a law firm with extensive background in the ELST issue to work on behalf of trailside property owners. This firm will be addressing both the SUP issue and the broader issue of rail corridor ownership and the right to dictate its use. SHO does not have a specific plan of action to report at this time, but we anticipate getting back to you soon with guidance on how to respond to the county if you are pressured to get a SUP or make concessions regarding ownership of the former rail corridor. If you feel your situation is particularly egregious, please inform SHO about it in brief (see email address below) so we can evaluate how best to respond.

#### **Remaining trail construction**

As for construction of the remaining section of trail, the ELST February Monthly Project Update says that construction of the southern 1.65 miles of Segment 2B is to start in spring of this year, and construction of the northern 1.85 miles is to start in the fall. Completion of the entire segment is slated to be in spring of 2024.