

FOOTHILLS FRIENDS
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February 14, 2009

Whatcom County Council

attn: Whatcom County Council Members
311 Grand Avenue
Suite 105
Bellingham, Washington 98225

Whatcom County Planning Commission

attn: Whatcom County Planning Commissioners
Whatcom County Planning and Development Services
attn: David Stalheim, Matt Aamot, Gary Davis, Kate Koch
5280 Northwest Drive, Suite B
Bellingham, WA 98226-9097

Re: Public Comment; Scope of EIS for 10-year UGA Review

Ladies and Gentlemen:

Please accept this letter for the public record as the Public Comment of Foothills Friends to the Scope of the EIS for the 10-year UGA Review for Whatcom County.

First, it is Foothills Friends' position that the OFM's lowest population projection should be utilized for Whatcom County, and that is approximately 220,000 residents for 2031. Foothills Friends supports this low projection as the choice for one of the three Alternatives under the EIS. If the County chooses to keep the other two alternatives as having the identical target population but with different geographical allocations, that range should be the 251,000 number chosen by the GMCC. To quote Futurewise Whatcom:

- "a) The Whatcom County Council should plan our future population based upon policy considerations, not simply accept past trends.*
- b) Whatcom County citizens strongly favor slower growth.*
- c) Whatcom County is losing its rural areas to sprawl at an alarming rate, and a lower population projection will support agricultural preservation.*
- d) The technical analysis in support of the GMCC projection is flawed and out of date."*

The GMCC projections are based on updates of 2002 EcoNorthwest projections, and include flaws from those 2002 analyses. In addition, the updates of the 2002 projections fail to acknowledge the impact of the current national housing and credit crises, which will surely have an adverse impact on following historical trends as was done by the GMCC's consultants.

Please revise the EIS Alternatives to include an Alternative to reflect 220,000 residents for 2031, and revise the other two Alternatives to have a target of 251,000 residents.

Second, there are ongoing current issues as to whether or not the Columbia Valley UGA will remain a UGA or be converted to a LAMIRD as voted 5-2 by the Whatcom County Planning Commission on January 29, 2009. Although Foothills Friends supports the Planning Commission's vote, in the interest of covering our bases should the County Council determine in its wisdom to overturn the Planning Commission's vote, **we are submitting our specific comments on the Scoping Notice dated January 28, 2009 as it affects the Columbia Valley UGA.**

Given the scope described in the Determination of Significance and Scoping Notice dated January 28, 2009 for the 10-year UGA Review, we request that the EIS for the Columbia Valley UGA not only include the Final SEIS issued in December 2008, but also include the following additional issues which were not addressed or resolved in the Final SEIS:

1. the **quantitative groundwater analysis** suggested in the SEIS but not mandated, should be included.

- page 101 of Final SEIS:

"Without such detailed study [quantitative groundwater modeling], the potential impact of additional groundwater withdrawals is assumed to be significant since Kendall Creek is known to be frequently below the MIF during the summer and fall, and any groundwater withdrawals during this time have the potential to either create or exacerbate a MIF violation.

Any significant impact to minimum streamflow in Kendall Creek is also assumed to have a significant impact on wild fish in Kendall Creek. Impacts to minimum streamflow in Kendall Creek may also impact operations at the Kendall Creek hatchery by forcing the hatchery to rely on groundwater withdrawals for their operations more often."

- page 18 of Lead Agency Reply to Public Comments; interestingly enough, we could find no similar language in the Final SEIS-

"With regard to water quantity for exempt wells inside the UGA: the Water Quantity and Quality Report indicates that increased volumes of infiltrated stormwater will offset groundwater use on an annual basis resulting in no negative impact on groundwater resources within the UGA. Impacts of pumping on a seasonal basis would be best evaluated through a quantitative groundwater model."

- page 32 of Lead Agency Reply to Public Comments – interestingly enough, we could find no similar language in the Final SEIS-

"Within the Columbia Valley/Kendall UGA, the impacts of the timing of additional groundwater withdrawals on downgradient wells could be evaluated with a quantitative groundwater model."

2. Aquifer: please see page 100 of Final SEIS – *"the withdrawals could create significant impacts on particularly sensitive areas of the aquifer"*. We suggest that the EIS needs to provide more detail regarding the Columbia Valley aquifer and the potential additional withdrawals to make this evaluation.

3. Hatchery: the EIS should review the hydrology reports from 1970s done for DFW when the Hatchery was renovated; the hydrology reports scrutinized the aquifers to the Hatchery and indicated, per Pete Castle of DFW, that the Hatchery does draw from both the Columbia Valley and the Nooksack Aquifers. In addition, apparently that 1970s report included information about impact of the Hatchery wells on local private wells; conversely, it might well be that actually the impacts of development on Kendall Creek and the Columbia Valley Aquifer will also impact the Hatchery since according to the 1970s report, the Hatchery wells draw from both the Columbia Valley Aquifer and the Nooksack Aquifer, contrary to the statements on page 103 in the Final SEIS.

4. Landfill: as discussed in the Final SEIS at pages 112,113, 117,118, there is an ongoing investigation of an old landfill in the Columbia Valley. Depending on the results of that investigation, there could be adverse impacts to the local public wells for the Water Districts. The Final SEIS should not have been issued until that investigation of the landfill was completed. The new EIS should include completion of the investigation of the landfill as part of its review.

5. Analysis of Road Capacity:

The EIS should address the information provided in the Independent Traffic Report provided by Foothills Friends, prepared by Tilghman Group dated April 2008, as well as all correspondence between PDS and Tilghman Group. The SEIS did not address the Independent Traffic Report, and dismissed the issues of seasonal traffic on the Mount Baker Highway as well as the road capacity issues of the State and County Roads. The SEIS only addressed the road intersections. That failure means that none of the following were addressed:

- by way of background, the consultant and PDS did not utilize the County's own formula for identifying LOS of the subject roads, which would have included looking at the *traffic volume* as a ratio to the *capacity* of the subject roads. Instead, the Final SEIS determined merely to look at *intersections*, and specifically discusses that decision. Please see page 48 of the Final SEIS.

- However, given the rural constraints of the county and state roads in the Subarea, with many narrow winding two-lane roads with limited passing ability, doglegs, numerous speed restrictions, little to no shoulders, and some sections with significant grades, the "conditions do not support any significant increases in traffic volume." See February 15, 2008 Letter to John Everett, formerly of PDS, from the Tilghman Group.
- The Final SEIS states unequivocally that since the County does not monitor capacity of State Roads, then the capacity of the Mt Baker Highway and the capacity of Kendall Road were not addressed in the Final SEIS (see page 50 of the Final SEIS). In addition, since the SEIS determined merely to look at "traffic delay at intersections as a better indicator of actual impacts that should be evaluated under SEPA", there was no analysis or discussion of the capacity of County roads such as South Pass Road and other county roads in the Foothills.
- Thus, the Final SEIS failed to address an important road characteristic of all roads in the Subarea. Merely to focus on intersections, and to state that all intersections on the Mt. Baker Highway are 'urban corridors' (see page 9, Bullet #7 of the Lead Agency Responses, although not mentioned in the Final SEIS) without looking at capacity of the actual roads, has avoided a very important question.

6. Other Issues not addressed in SEIS:

Quoting from the Determination of Significance, and the EIS Scope, these issues were not included in the SEIS:

"earth, air quality, water resources, plants and animals, land and shoreline use, plans and policies, and cultural resources."

Amongst these issues, air quality is particularly an issue in this valley, with temperature inversions and frequent air quality issues from wood smoke. All of these issues should be included in the new EIS for Columbia Valley.

7. Population and Employment need to be revised

The analysis of population and employment in the Columbia Valley both as set out in the SEIS and as more recently described in the Staff Report for the Planning Commission's Work Session on January 29th, and as more recently described in the ATTACHMENT: ALTERNATIVE ALLOCATION TABLES to the Alternatives - Suitability Analysis Approach Memo from ICF Jones & Stokes to David Stalheim dated January 30, 2009, in Exhibits 4 and 5, and 9 and 10, respectively, needs to be revised.

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The current suggestions of a 2031 population for Columbia Valley of 7,608 for Historical Share Scenario and 6,410 for Current Comp Plan Scenario would represent respectively over a **50% increase** of the proposed (by PDS) 5,000 population in 2029, and over a **25% increase** of the proposed 5,000 population in 2029. Those suggested increases would have to occur over a 2 to 3 year period. It is unclear what such projections are based on, and they are quite dramatic. They do not appear to be realistic.

The GMCC projections are subject, for all communities, to the questions raised by Foothills Friends earlier in this letter, and by other parties previously throughout the entire Foothills Subarea Plan review process, regarding both the EcoNorthwest 2002 projections and the EcoNorthwest 2006 projections. Those comments equally apply now to the new extension of the 2002 projections to the 2031 projections.

In addition, the projections are flawed, as indicated earlier in this letter, due to failure to account for the national credit and housing crises, as well as the decreasing supply of oil and increasing costs. Mere reliance on historical trends which were not subject to these crises is destined to produce unrealistic and inappropriate projections.

Regarding the employment projections for Columbia Valley, to go from a current base of 43 employees to a projected 910 employees, as suggested by the ATTACHMENT: ALTERNATIVE ALLOCATION TABLES, is nothing short of astounding given that the 43 employees have developed at least over the course of 9+ years, since the UGA was established in 1999, and likely some of those employees existed prior to 1999. Surely then the UGA is unlikely to have a **21-fold increase in employment**, from 43 to 910 employees, even over the course of 32 years.

Please incorporate all of these comments, including but not limited to our request that the lowest OFM population projection of approximately 220,000 for 2031 be utilized as one of the Alternatives in the EIS, into the Scope of the EIS for Whatcom County's 10 - year UGA review.

Thank you for your consideration.

Sincerely,

FOOTHILLS FRIENDS
By *Amy Mower*
President and Member of the Board of Directors

