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June 21, 2009

Dear Ms. Koch,

Please accept this letter as my comments to both the Initial UGA proposal for the Columbia Valley UGA. As such, please make sure that copies of this letter are filed in the appropriate public records as my Public Comment on these two issues. Thank you.

1. Initial UGA Proposal for Columbia Valley UGA

- Leaves out **110 acre discrepancy**, though discussed on page 2 of the Initial UGA Proposal. The Initial UGA Proposal does not address the failure to reduce the size of the UGA as required by the Growth Management Act.
- **Discrepancy between employment projections** on page 6 of 545 employees by 2031 and on page 8 of 455 employees growth allocation requested by Citizens Advisory Committee for 2031.

2. County-wide UGA Draft EIS:

a) General Comments

The decision by PDS and the GMCC to present the Draft EIS on a combined basis, organized by SEPA topic rather than by UGA with each UGA's issues under SEPA addressed separately, runs the risk of oversimplifying and in fact overlooking the independent impact of SEPA issues for each UGA. The way in which the SEPA topics for a single UGA collectively reflect the SEPA concerns for that UGA are not addressed. Weighting of concerns is instead addressed on a county-wide basis rather than the individual impact for a particular UGA. That would appear to fail to comply with the EIS requirements for this WWGMHB requirement for Whatcom County.

b) Summary Chapter:

page 1-21 the statement that the Columbia Valley UGA is not oversized under the *No Action Trends* is incorrect, and I presume left over from a draft prior to analysis of the boundaries based on the projected population of 5,000 in 2031 as mandated by the Whatcom County Council until such time as the UGA has capital facilities and financing plans in place. The **Initial UGA**

Proposal (see page _2_), indicated that the UGA has 110 excess residential acres; but does not address how to resolve that oversize problem.

page 1-18 in the list of UGAS which need attention for water, Columbia Valley UGA is not listed. However, the Columbia Valley UGA does have water problems for two reasons: 1) the need to have a quantitative groundwater modeling as required by the Final SEIS for the Columbia Valley and the Foothills Subarea. *See further discussion below.* 2) Also, look at **page 1-31**, which discusses potential water deficits for Evergreen Water District under the No Action choices and under Alternative Y.

c) Air Chapter:

- no detail re the air quality issues in the Columbia Valley, which have been reported on by the State of Washington Pollution Control Board;

d) Transportation Chapter: Although I was unable to review this chapter as the PDS website said that the document was 'damaged and could not be repaired', I submit several comments below in case my concerns were not addressed in the Transportation Chapter:

- PDS should be sure to address the need for transportation mitigation requirements for the Columbia Valley UGA and the Foothills Subarea, and funding requirements (which WSDOT has said will not be addressed until after 2024 due to limited state funding and preexisting committed projects;
 - WSDOT (Roland Storme) said, in an email dated Dec 12, 2008, *"The assumption that unfunded projects will be completed has a large influence on the Levels of Service modeled for the various intersections. If, in fact, the state highway improvements listed in the document are not funded, the transportation patterns and operations presented will be significantly different...The county may want to consider re-evaluating the assumed transportation patterns and Levels of Service without assuming the currently unfunded state facility improvements will have state funding."*
- independent traffic report which addressed issues with County Roads not addressed by the SEIS which focused merely on State Roads;
 - 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.
 - 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.

e) Water Chapter:

- Please review page 101 of Final SEIS-2008 for the Columbia Valley and the Foothills Subarea:

*“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.”*

- **aquifer drawdown testing and potential ‘cone of depression’ issues** do not appear to have been addressed, and could have several impacts:
 - 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 impact of projected future withdrawals.
 - a 1973 EIS for Peaceful Valley (located in the Columbia Valley UGA) discussed issues with a cone of depression which could

result from increased draws on the aquifer, but PDS has yet to make such analysis.

- **Kendall Hatchery** (just outside of the Columbia Valley UGA, but drawing water from the aquifer serving the Columbia Valley UGA):
 - The EIS should review the hydrology reports from 1970s done for WDFW when the Hatchery was renovated; the hydrology reports scrutinized the aquifers to the Hatchery and indicated, per Pete Castle of WDFW, 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 both in the UGA and outside of the UGA, which today would include the Kendall School. 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.
- **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 UGA. Depending on the results of that investigation, there could be adverse impacts to the local public wells for the Water Districts in the Columbia Valley UGA. The 10-year UGA Review EIS should include completion of the investigation of the landfill as part of its review.

f) Last, although the 10-year UGA Review EIS mentions, in Chapter 4.6, at page 10, that the 2007 Draft Subarea Plan for the Columbia Valley UGA and the Foothills Subarea is a pending initiative for Whatcom County, the EIS does not indicate that there is *no date set for review and adoption of the 2007 Draft Subarea Plan*.

Thank you for your consideration.

Please put my name on the list for distribution of any reply to Public Comments, and to the list for distribution of the Final EIS.

Sincerely,

Amy L. Mower