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January 23, 2008

David Stalheim, Director  
Whatcom County Planning and  
Development Services Dept.  
Northwest Annex  
5280 Northwest Drive  
Bellingham, WA 98226-6907

RE: SEP 07-181; 2007 Draft Foothills Subarea Plan

Dear David,

Thank you very much for meeting yesterday with four (4) of the eight (8) members of the Board of Directors of Foothills Friends. We appreciated the opportunity to provide you with background about Foothills Friends and to discuss with you Foothills Friends' concerns with the SEIS proposal for the Foothills Subarea.

We would like to confirm several concerns that we raised with you at our meeting:

1. PDS' failure to use the 1988 Subarea Plan as the subject '*proposal*' (under WAC 197-11-405 (4)) for the environmental assessment for the 2007 Draft Foothills Subarea Plan:

- The Foothills Subarea Plan Advisory Committee used the 1988 plan and was directed that the committee's primary mission was to replace that document, and to also make minor suggested revisions to the County Plan. In fact, the only revisions recommended by the Committee was a document to replace the 1988 plan;
- It is our understanding that the GMA does not void preexisting plans, although clearly there is a mandate for update and compliance with the GMA; thus, the 1988 plan remains in effect until replaced. The County Comprehensive Plan did not replace the 1988 plan.

Therefore, under the statute, only an EIS is appropriate for the 1988 plan since it is the subject '*proposal*'. Using the 1996 FEIS is inappropriate as that document was not generated for the 1988 Subarea Plan. As stated in Foothills Friends' letter of January 8, 2008, we urge PDS to instead utilize the 1988 Subarea Plan as the subject project, with consequent changes to the scoping and requirements of the environmental studies. The result would be that a new EIS, rather than an SEIS, will be required.

2. PDS' need to recognize flaws in the Aiki Homes traffic counts:

- City of Bellingham's requirement on November 13, 2007 for seven (7) additional intersection counts. The letter specifically asked PDS to '*withhold the SEPA threshold determination until the traffic analysis has been revised to adequately address impacts to City intersections...*'

- WADOT's recognition, on December 4, 2007, of the following flaws:
  - *"there is no figure to show the existing traffic volumes. This information needs to be added for comparison."*
  - the requirements of the City of Bellingham;
  - *'the intersection(s) of SR 542 and SR 547 have been analyzed improperly'* as per email from Mike Koidal of WADOT to John Everett on November 9, 2007;
  - Figure 3 to the October 2007 traffic study *'does not show the whole area that is affected by the project trips. The entire area must be shown, so that the distribution of trips can be analyzed.'*
  
- comments of FHF's expert Ross Tilghman as emailed by Amy Mower to John Everett on Oct 24, 2007; Sept 20, 2007; June 16, 2007; and Ross Tilghman's direct email to Mr. Everett on November 1, 2007 which amongst other concerns raise issues about:
  - failure to include certain land uses and their traffic in the analysis,
  - lack of seasonal adjustments,
  - lack of acknowledgement of seasonal uses of Mt. Baker Highway,
  - flaws in diverted link assumptions, and
  - In addition, in the November 1 email, Mr. Tilghman states: *"The delta configuration of the SR-542/SR-547 junction creates three intersections. The analysis evaluates only the "T" intersection for operating quality. This seems a serious oversight, especially since the project adds over 700 vehicles to the southern intersection in the PM peak hour."*

While Foothills Friends recognizes the cost savings to the County for using the Aiki Homes traffic count numbers, it is critical to incorporate the significant and serious concerns and qualifications raised by WADOT, the City of Bellingham and Mr Tilghman. Otherwise, any information derived from using those flawed numbers will likewise be flawed, and, as indicated by the nature of the comments, dramatically underestimate the impact on the Foothills.

3. PDS's failure to clearly address elements of the Natural Environment in addition to Built Environment issues (as required in the definition of *Elements of the Environment* under WAC 197-11-444, for SEPA). Therefore, there are many listed areas which were not included in the SEIS which should be considered in order to comply with the spirit and letter of SEPA. The cumulative effects of incremental changes to the environment due to increased population and development over the past 13+ years (since the 1994 baseline environmental study was done as part of the 1996 FEIS), let alone the 19+ years since the Background Inventory to the 1988 Subarea Plan, mandate an update analysis of the impacts of the proposed subarea plan on natural environment. Future increased population growth, as contemplated by any of the three alternatives being proposed by PDS, would certainly cause further degradation of the environment.


In closing, FHF stands by the points raised in its letter of January 8, 2008 (including without limitation issues with the methodology of the population analysis, and with the assertion of 50% growth in the Columbia Valley UGA from 2002 to 2007), and respectfully requests that you review that letter at your earliest opportunity.

We look forward to working with you and PDS on these issues so as to accomplish the best environmental impact study for the Foothills and its residents. We applaud the decision to require an environmental impact study, but feel it is imperative to expand the scoping. Waiting to make our comments until the Public Hearings would be too late and ineffective for impacting the process.

Thank you for your consideration.

Sincerely,

FOOTHILLS FRIENDS, a Washington Non-Profit Corporation



Amy Mower, President, and Board Member



Mike Head, Vice President, and Board Member



Heather Koon Swanson, Treasurer, and Board Member



Heidi Doornenbal, Board Member

cc.

Martin Blackman, Land Use Supervisor-SEPA  
Matt Aamot, Senior Planner  
John Everett, Senior Planner  
Planning Commission  
County Council