

Brownlie  Evans Wolf & Lee  
A T T O R N E Y S A T L A W

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June 11, 2010

Whatcom County Planning Commission  
5280 Northwest Drive  
Bellingham, WA 98226

Re: Foothills Subarea Plan; File # CMP2007-00007

Dear Commissioners:

On behalf of our clients, Red Mountain Reserve, LLC, Holly Associates, LLC and S.C. Goshen, LLC, we take this opportunity to highlight a few points from our testimony at the June 10<sup>th</sup> public hearing. In response to the materials submitted by Mower and Eskola, these letters date from 2007 to January of 2009 and include comments regarding traffic and environmental impacts, which were originally submitted in response to the 2008 EIS. All of the comments submitted as part of the EIS process were addressed in the FEIS and are not germane to the consideration of the current draft Subarea Plan.

The same comments along with the Minority Report were again submitted in early 2009 to challenge the Columbia Valley's UGA status. In November of 2009, the County Council decided to retain the Columbia Valley UGA primarily to ensure that needed services would be provided to an already densely developed area. We are well past the discussion of whether the Columbia Valley should be a UGA or a LAMIRD as the authors of the Minority Report continue to argue. The time has also passed for determining population projections for this area. The Council has made the final determination on these issues and they should not be revisited as part of this process.

The purpose of a Subarea Plan is to provide goals and policies to aid community planning. As explained by Staff, subarea plans augment the County's Comprehensive Plan and there are little if any requirements for what a subarea plan must contain. A subarea plan need not include transportation and/or traffic studies or environmental mitigation studies. These studies were part of the EIS process accomplished last year. We urge the Planning Commission to proceed with finalizing the latest Subarea Plan so that community planning may at last be established for this area.

Finally, we continue to urge that policies be included in the Subarea Plan to encourage mixed use zoning. We do not, however, recommend additional rezoning within the UGA at this time since we do not wish to see further delay in the approval of the Subarea Plan. We support

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the zoning proposed in the draft Subarea Plan, with the exception of the forty acres immediately east of the UGA that we have recommended for R5 designation.

Sincerely,

Brownlie Evans Wolf & Lee, LLP

A handwritten signature in black ink, appearing to read 'Heather Wolf', written in a cursive style.

Heather Wolf

cc: client  
Matt Aamott