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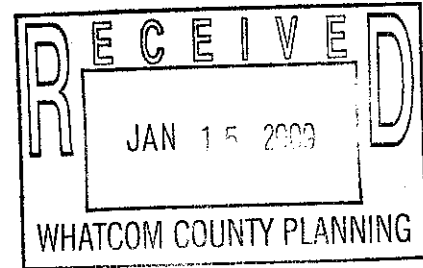
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January 15, 2009

Whatcom County Planning Commission
311 Grand Avenue
Bellingham, WA 98225



Re: Foothills Subarea Plan
File# CMP2007-00007

Dear Planning Commissioners:

Please accept this letter as the comments of Marble Falls, L.L.C., to the Staff Report given by the Whatcom County Planning & Development Services to the Planning Commission for the Foothills Subarea.

Marble Falls, L.L.C., is the largest land owner in the Foothills UGA. It has a subdivision application for approximately 290 lots pending. It has participated extensively in the Foothills Subarea planning process.

The Staff Report was not sent to Blair Murray, who is the consultant for Marble Falls, L.L.C., but came indirectly to him from another source. It was not received by him until the 9th day of January, 2009.

The Staff Report raises new and unexpected issues concerning population projections that were not discussed or evaluated during the "alternatives analysis" under the EIS, nor have they otherwise been discussed with Marble Falls, L.L.C. representatives.

The short time given Marble Falls, L.L.C., to respond is unfair and unreasonable. An open public process requires adequate notice and dissemination of information so that reasonable responses can be made to proposals and recommendations. Marble Falls, L.L.C., objects to the short time frame and requests additional time to respond to the Staff Report.

The Staff Report is internally inconsistent. The population projection of 5,000 people in the UGA by the year 2029 is inconsistent with the UGA boundary recommended by the Staff. The recommendation for retaining the UGA is simply a ruse, as the UGA boundaries that are recommended are inconsistent with the recommended growth projections. If followed, Staff recommendations will not meet the requirements of the Growth Management Act.

The population projection analysis contained in the Staff Report was based upon the premise that schools, fire districts, water districts and sewer districts in the area had not planned for growth in the UGA, and, therefore, growth should not occur. All of those agencies are required to plan for future growth and must respond as growth occurs.

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The water and sewer districts will fund most of their required expansion through developer extension agreements. There is adequate water supply, water rights and area to support all of the water and sewer needed for 7,000 units. Schools would have the benefit of additional tax base, and, if necessary, impact fees. Fire districts have a number of funding mechanisms that can be utilized to expand service and will benefit from new tax revenues. All those districts are in place and are capable of expansion to handle the amount of population growth projected in the Foothills Subarea Plan.

Failure of the various districts serving the project to have plans adopted is not a basis for reducing population projections for an area.

The population projections adopted by the Foothills Subarea Plan Advisory Committee were thoroughly considered and developed with the assistance of staff and consultants and the community. To make a significant reduction the population projection at this late date without any basis to support such a reduction is inappropriate.

The decision to reduce the population projection for the Foothills Subarea will have an effect on other areas. The growth must go someplace and such a decision must change the analysis in other subareas within the County and cities. The issue is a County-wide issue that will be addressed by the Growth Management Coordinating Council, which was formed for the purpose of development and adoption of a coordinated management strategy among all jurisdictions of Whatcom County that addresses growth and development over the next 20 years. The Staff population projection is precisely the kind of issues that this committee was appointed to discuss. Any population projections should not be made until the work of the Growth Management Coordinating Council has been completed.

Marble Falls, L.L.C., requests that the Planning Commission adopt the population projections and the UGA boundaries established in the Foothills Subarea Plan Advisory Committee Report.

Very truly yours,



CHESTER T. LACKEY

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