

Commissioner Loots:

...I turn it over? Great. I have a prepared statement I would like to give. Uhh, welcome to the City of Monroe Planning Commission meeting, I will be presiding over tonight's meeting. Tonight's hearing has been called for the purpose of taking oral comments on the draft phased Environmental Impact Statement for the purpose...for the proposed East Monroe Amendment to the City of Monroe Comprehensive Plan and Concom...Concomitant Rezone. In addition to oral comments, you may also submit written comments to the City of Monroe. Comments will be accepted through Friday, March 30, 2012. The intent and purpose of this Environmental Impact Statement is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency determinations pursuant to the State Environmental Policy Act. The Environmental Impact Statement is not an authorization for action, nor does it constitute a decision or a recommendation for an action; in its final form, it will accompany a recommendation to city council and will be considered in making the final decision on the proposal. As the hearing is being recorded and a transcript will be included in the final Environmental Impact Statement, if you wish to speak tonight, please make sure you have already placed your name and contact information on the sign-up sheets so that you can, so that your remarks may be correctly attributed. When you begin your mark...remarks, please state your name for the record. And we will also take an oath. If you haven't had your name on the list, umm, I think we should allow for...for commenting so that there's an opportunity to add that, thank you. In the interest of providing everyone an opportunity to speak, a five minute limit will be placed on each speaker. If there is anyone here with a prepared comment in which they believe will exceed five minutes, uhh, for whom this time limit will present a hardship, please estimate how long you think your remarks will take prior to beginning your comments. Otherwise, you will be asked to conclude your remarks at the end of the five minutes and yield to the next speaker. No attempt will be made to limit the subject matter of any speaker, but you should be aware that only comments which pertain...pertain...pertain to the draft phased Environmental Impact Statement or to the environmental review process can be expected to have an influence on the process or outcome. As a courtesy to others, I urge you to try to limit your

remarks to issues which others have not already addressed. Tonight's meeting will not...is not an answer...question/answer session. Uhh, all comments and questions will be reviewed by the city staff and responses will be included in the final phased Environmental Impact Statement. A final Environmental Impact Statement in upcoming weeks will be made available in the same manner as the draft phased Environmental Impact Statement and hopefully Paul, you can go over, uhh, how people get it...acquire that at that time. Uhh, the proposal is considered in the draft...the proposal considered in the draft phased Environmental Impact Statement is an amendment to the City of Monroe's Comprehensive Plan to change the land use designation and a concomitant rezone changing the zoning classification of approximately 50 acres of land located north of US 2 near the eastern city limits of the City of Monroe from Limited Open Space to General Commercial. The proposed action involves six parcels totaling approximately 68 acres. However, the portions of these parcels within the shoreline boundary are not subject to this proposed action and will remain designated as Limited Open Space. And, uhh, we will have Paul give us an introduction to that but before we do I'd like to, uhh, see if there's any commissioners with any questions? No? Thank you, Paul, I'll go ahead and to turn it over to you then.

Paul Popelka: Before I do my presentation tonight, uhh, I think it'd be (*inaudible*) to go ahead and open the public hearing and solicit some comments.

Commissioner Loots: Alright, well thank you for...for coming tonight. I know last week some of you showed up and...and, uhh, the meeting had to be delayed till tonight and I thank you for your patience in returning, uhh, if you found yourself here not being able to comment, uhh, or at least not be able to be part of the public hearing. So, uhh, with that I guess we will take our first speaker here. First citizen wanting to make comments, uhh, the first name on the list is Jeff Roger and if you could give your name and address for the record.

Jeff Rogers: Sure, it's Jeff Rogers, I live at 127 East Rivmont Drive, Monroe, WA.

Commissioner Loots: Ok, and do you promise the testimony you're about to give is the truth and so say, I do?

Jeff Rogers: It's my opinion but I believe it's a truthful opinion.

Commissioner Loots: Great, thank you.

Jeff Rogers: Umm, I'm here not only on behalf of myself but Lowell Anderson would love to be here but he's recovering from knee surgery so, uhh, these words will be brief because you have...the record is replete with our opposition to the proposed comprehensive plan amendment and the proposed rezone from limited open space to general commercial, uhh, so I'm not gonna guild the lily, so to speak, uhh, you have a lot of that information already. Umm, I don't believe the proposed rezone and the comprehensive plan amendment is, umm, appropriate without a specific project proposal. Umm, if the comprehensive plan and the rezone is ultimately adopted it really opens the gate to just about any sort of general commercial development on that property. The property that's rife with sensitive areas, critical areas, environmental issues, traffic and safety access issues, uhh, there's a long list of issues that had been identified, uhh, by the city and it's review over the years. Uhh, this proposed rezone has been up before you numerous times and it's been rejected every time and we would ask that...that be consistent again, that you turn down any request related to the, uhh, proposed rezone. Umm, obviously the comprehensive plan amendment from our perspective and the proposed rezone does have significant environmental significance and the city acknowledged that back in July when it made a determination that it was of significance. Uhh, so we were somewhat surprised when the city, uhh, didn't require the applicant to go through a EIS but took it upon themselves to do a draft phase environmental impact statement which in effect resuscitated the project, umm, to our chagrin but that in fact is why we're here. Umm, so once again from our perspective, my perspective, the rezone, the comprehensive plan amendment, however we want to characterize it, would have profound and irrevoca...irrevocable environmental consequences so the mere fact that you're going through a rezone in my judgment does have significant environmental, uhh, consequences, whether it's the steep slopes. Obviously I live contiguous to the property, it's a 40% grade, umm, I'm sure others in the room share the concern I have that, uhh, we could be facing slides and, uhh, a loss of our homes, uhh, as the result of any development on the property. Obviously what

allows the development is a rezone in the comprehensive plan amendment so that does have environmental significance. Umm, I think the other thing that needs to be taken into account is the, umm, the FEMA issue. FEMA maps are in the process as you know probably much better than I, of being redrawn and the proposed FEMA map underscores that this property could be in the flood zone. Uhh, Lowell has put together and we've submitted a chart that shows that much of the property is below the 67 foot, uhh, flood base line so it is at some risk and, uhh, I think the city would be imprudent rezoning it and that rezoning it into a FEMA flood zone so that needs to be taken into account. Umm, obviously Department of Transportation has raised a whole host of issues and once again, why go ahead and rezone this, until those issues are ironed out. Umm, so for all those reasons we believe it's jumping the gun to proceed with the comprehensive plan amendment and the rezone so those are my comments and continue your consistent opposition of this proposal, thank you.

Commissioner Loots: Thank you, and, uhh, before I open to speakers I was going to mention one other thing. There's people who may not have been here last week and...and are, uhh, you know, kind of learning the process here. We're having two, uhh, public hearings, one is tonight and this is on the Environmental Impact Statement and, uhh, which was...which I had stated earlier and just want to make sure everybody understood that. There will be another public hearing in April for the project as a whole so there will also be another time to speak, uhh, with the project at whole, not that you can't tonight. Alright, our next speaker is Doug Hamar. And if you could give us your name and address for the record please.

Doug Hamar: Doug Hamar and that's 21122 Calhoun Rd.

Commissioner Loots: Great, and do you promise the testimony you're about to give is the truth and so say I do?

Doug Hamar: I do

Commissioner Loots: Thank you sir.

Doug Hamar: I think I can do this in five minutes but (*inaudible*). Well, I...I understand the concept, the logic seemed a little bit selective but, this, uhh, proposed zoning change in and of itself does not have any environmental impact. But I...I was trying to think of some

other circumstance where that kind of logic would apply and the only thing I could come up with was, it'd be like if Genghis Khan applied to the Chinese for a few thousand tourist visas on the rational that granting those visas wouldn't have any effect on the Chinese sovereign. But I think really the...the zoning change itself, uhh, stands on even shakier ground as far as the logic goes. Uhh, I'd like to quote from the draft environmental impact statement that the purpose and need of the action, according to the project proponent, the purpose and the proposed action is to allow the...the commercial development of the subject property in order to bring valuable and economic development to the City of Monroe, unquote. Well, you can go to showcase.com right now and find forty-eight commercial properties available for a total of 674,977 square feet, 150,000 which is retail. So where...one, where's the need? And two, how's a bunch more commercial property, three quarters of a mile down the road, gonna be all helpful in what seems to me already a glut of commercial property. It would make more sense to me economically for the city to buy the property and turn it into a wildlife refuge with viewing paths and a...and a Sky Valley Cascade Range Nature Center of some kind and then you'd have a wildlife, uhh, all the way down at one end of town and the fairgrounds at the other which would bring people in from all over. The pro...proponent also says this zone change, it states that the proposed actions necessary bring land use of the project area into conformity with the Growth Management Act. Well, you know, I'm really glad that he brought that up, that they conform (*inaudible*) cause I...in talking to some investigators and it turns out that that property was put into the zone of limited open space specifically to comply with the Growth Management Act back in '94. And the protocol of the Growth Management Act is, if you want to change what they did...what was done under that Act, you have to take your proposal before the Growth Management Act hearings board which is where this prop...this proposal should be right now. Umm, let's see, I was...anyway it seems to...to say that now it needs to be upgraded to commercial to get it under the Act seems a bit of a stretch. Umm, the, let's see, let me...let me read from the, uhh, Growth Management Act here just to get an idea why, what they have to do before the Growth Management Act board is prove that the original decision was clearly erroneous, umm, in quotes, that's...that's their standard for

overturning that kind of decision. Requirements, uhh, for all kinds of, this is from the GMA, requirements for all counties, the GMA requires that all cities and counties in the state and this is...this is the number one thing on it, designate and protect wetlands, frequently flooded and other critical areas. Other GMA goals include focus urban growth in urban areas, which I think is probably the one sentence out of the Growth Management Act that the proponents are lying on. The next one is reduce sprawl, now if you put commercial development down on that property, it's gonna look like sprawl because it's on the other side of the hill. It's gonna act like sprawl cause any retail in there is...is only gonna serve to...to diminish the vitality of the downtown core and of no small consequence, it's gonna look ugly, more than likely, which is not the best picture you want to give to people coming and going from Monroe. Another...another, uhh, goal is provide efficient transportation. I don't think six thousand new cars coming and going on Hwy 2 is gonna be...make Hwy 2 any more efficient. Another is to protect property rights. Now I'm sure everybody that lives along that hill feels that their property rights, their property values, and indeed as was stated earlier, the actual property is undermined or will be undermined by this change. I'd also like...I would like to read the description of the zoning of this property, what's in at the moment, limited open space, the purpose of limited open space zoning district is to provide for rural density residential uses on lands that lack the full range of public services and facilities necessary to support urban development and that are severely impacted by critical areas including frequently flooded areas, steep slopes, or wetlands that this development potentially significantly diminish or in addition to meeting the criteria above may also provide buffers between developments or urban separators between transitional land uses on the urban growth boundaries of the city. Now to me that reads like Cliff Notes of the environmental analysis of that property right now. It's pretty clear why it was put under that designation in the first place. So...so what has changed since '94 on that property? Well, it's had a couple more of those five year floods but other than that the only thing that changed is the ownership and changing ownership in and of itself does not justify a change in zoning.

Commissioner Loots: Thank you, sir. Uhh, next on the list is Jan Kraft.

Jan Kraft: I'll pass.

Commissioner Loots: Alright, uhh, then Jim Kraft.

Jim Kraft: Pass.

Commissioner Loots: Thank you. Clive Ellard?

Clive Ellard: I didn't realize that the...the list actually states that, uhh, if you want to be on a mailing list not to actually speak tonight but since I'm on there, sure, I'll give my view.

Commissioner Loots: Alright, if you could give your name and address for the record.

Clive Ellard: Clive Ellard, 21804 Calhoun Road.

Commissioner Loots: Great, and do you promise the testimony you're about to give is the truth, and so say I do?

Clive Ellard: Yes, I do.

Commissioner Loots: Thank you, sir.

Clive Ellard: So, umm, not preparing anything, uhh, it, uhh, the...back when it was June, July, when this agenda, uhh, was placed, umm, this proposal was placed on the agenda at the last ten minutes of the county meeting after the planning commission guy, you know, exits as he just should not do it. We do roc...not recommend it. Most of the council seemed to agree with that except for the Baptist minister and/or the lady, I don't know the names, uhh, and boom, boom, boom, all of a sudden it was proposed if it didn't cost the city any money, that seemed to be the big criteria, that we should go ahead and let the new owner have his day in court. Well he certainly has done that and I can't imagine the city has not spent any money to this point? So I mean that in itself seems to be a little crazy. There's so many reasons why this property should stay open space, uhh, and you all should know it, I mean, you've got pages and pages of steep slope, uhh, flood plain, uhh, uhh, steep slope, my house is on a slope, it's...there's landslides two neighbors down, I mean, what's gonna happen, you know. Umm, no sewers, it won't perk, right, it's not acceptable to septic system, are...are you...are...is the city prepared to run sewers all the way down there or what. Umm, I mean there's so many things against it, why the hell has it even got this far and still it's gonna go to

April and when's it gonna end so, umm, why don't you end it as soon as you can, I mean, it's crazy wasting this time. Uhh, the other thing that nobody's mentioned this yet and I do remember reading it, is there's an alternative, uhh, to commercial, open commercial, and that is some kind of residential, four houses and a place of worship, uhh, I don't know if...if that, even if the general commercial zoning was x'd, whether that would go into play, it probably would because whoever's the owner...land owner is pushing for whatever he can get at. Uhh, but still you have the major problem of septic, umm, plus all the other problems with ingress and egress and dudududuh. So that's my opinion, uhh, please let's end this thing.

Commissioner Loots: Thank you, next we have Margaret Ohlsen.

Margaret Ohlsen: I pass.

Commissioner Loots: Thank you, and Chad McCammon.

Chad McCammon: Yes

Commissioner Loots: And if I can ask you to give your name and address for the record, please.

Chad McCammon: Chad McCammon, 21624 Calhoun Road.

Commissioner Loots: And do you promise the testimony you're about to give is the truth and so, I do?

Chad McCammon: I do.

Commissioner Loots: Thank you.

Chad McCammon: Well, thank you all for letting us all come and talk to you about this. I, uhh, unfortunately I didn't have much time to prepare so I'm gonna sound like I'm all over the place so bear with me a little bit here but I like others, you know, did receive the letter that said in July that there was gonna be a full environmental impact study done on the property prior to the rezone which I do believe should really take place because once you put the zoning as commercial, whoever buys that property is gonna have a pretty strong stance to get commercial built on that property and actually could be...the city could be in a lawsuit position at that time if it is zoned commercial and then all of a sudden someone buys it as

commercial property and they're not allowed to buy. I think we're setting ourselves up for possible, umm, law issues there. Some other things that I came across are, in our current land use element on page, uhh, LU13, umm, it talks about US 2 and Rivmont Ridge and the reason that it was brought in as limited open space. It says the area was annexed seven years ago primarily as a means of protecting the city's scenic gateway from the east along US 2 and to prevent the proliferation of strip commercial uses along US 2. The area is significantly impacted by wetlands and while not in a hundred-year plain, is subject to local flooding due to restricted drainage to the Skykomish River. The area also lacks the public facilities and services to facilitate urban level development including sewer, water, and safe traffic access. Now this has been in our comprehensive land use element for years and years and years and nothing's changed about the property, it still has the same issues that it had when this was written. And, umm, when we get into the environmental impact statement, it's pointed out that in the, uhh, current adopted, umm, flood plain maps, that it's not in the hundred-year flood plain, but it's even noted in here that it is in the hundred-year flood plain in the ones that have yet to be adopted. They're currently being appealed for certain reasons, uhh, in other areas of our state, not on this property, that, umm, once they do pass, umm, I read through thirty pages of appeals against the, uhh, current opposed or the, uhh, proposed new maps and there's not one mentioned from...no one appealed this property, everybody knows that it's gonna be in a hundred-year flood plain because the base flood elevation is 67 and 68 feet, it's 68 feet right about here, 67 feet about here as is pointed out in...in this document and most of this property, all these areas here are at 60 feet, 64 – 60 feet in here, so that's seven feet under the flood plain and I've seen it seven feet under water and do we really want to get a commercial building in there and have it flooded? Who's gonna pay for all that, you know, is it, and that's just some of the issues. Other issues that we have are how do you get the utilities in place? Who's gonna pay for the (*inaudible*)? Is that gonna be something the city has to pay for? That there's all these flags on this, there's a lot of reasons not to proceed. Umm, and it's also pointed out in...in the flooding issues here and this is in the, uhh, EIS, that future development including grading and filling in placement of structures in the project area has the potential of

displacing flood storage and increasing flood heights on other properties both upstream and downstream of the Skykomish River. I think a more thorough investigation of this needs to take place that if you feel that most of that property that we're saying is buildable, up seven or eight feet, how many acres of water is that and where is it going to go? Is it gonna go up the Ben Howard Road which already has a lot of flooding issues, is it gonna go downstream, you know, what...who's gonna be impacted by that? Umm, other issues that were brought up, most issues in here, I...I keep reading about negative issues in here, noise, light, all these different issues and they're unavoidable is how they're written in here but I keep also reading that it has no impact because there's no planned development. Well, yeah, it doesn't yet but once we rezone it commercial then it would have a plan and, you know, then we're gonna get into these issues but at that point it's probably too late and I don't know if this is really the right place or time but this property is already being advertised for sale as general commercial use by Wallace Properties. On their main web page it says general commercial property for sale, five million dollars, four million dollars, something like that, and then once you get into the ad, if you read the fine print it says, umm, that it's going through a rezone right now but they're already advertising it as commercial, you know. I think they feel like they have already won this thing and they have not fulfilled to us what they had stated when we started this, that they were going to take on doing an environmental impact statement on their own, if it was docketed which it has been, so I'm still waiting to see that full environment impact statement. That's, uhh, my comments, I guess I'm out of time so I really appreciate your...your, uhh, time to speak, thank you.

Commissioner Loots: Thank you, thank you, well that was the end of our list, is there anyone else who hasn't spoken yet tonight, uhh, who did not get their name on the list that would like to speak? Alright, sir, if you could, uhh, then come up to the mic and give us your name and address for the record if you'd like to speak.

Harold Ohlsen: Me?

Commissioner Loots: Yes sir.

Harold Ohlsen: I'm not on the list.

Commissioner Loots: That's ok, if you could just give us your name and address for the record and.

Harold Ohlsen: I'm Harold Ohlsen, I live at, uhh, 21616 Calhoun Rd.

Commissioner Loots: Alright, do you promise the testimony you're about to give is the truth and so say, I do?

Harold Ohlsen: Yes

Commissioner Loots: Thank you

Harold Ohlsen: I do. Hey, in 19...in 1883 my grandparents came to that property right there, I just wanted to bring that up. And the river at that time came through this way and in 1913, somewhere in there, the river jammed up and went back behind, my grandpa's property used to take in Buck's Island and now Buck Island is, uhh, disappearing very quickly. The river cut that off so that that (*inaudible*) no longer was ours, now I live right up, right up in here somewhere. I don't know where the old farm that I used to milk cows on and I live right down this driveway, that is right...where's the first driveway, right here. And the last big flood there's a pickup sitting down there and it got stuck in the flood water and pretty quick the pickup disappeared in the flood water and now if you go out walking in that, you hardly can walk any of that area because of all the rain and there's probably a foot of water over most of it. They had to get the cattle out of there just lately because they ran out of grass and they're about that deep in mud. I just want on record that my...I just can't believe that anybody would consider putting a building or developing that land other than leave it...go what it is. It, umm, it just the wrong decision to make if you go and try to put...develop that area. I think that's it, I thank you for letting me have the opportunity but I've seen this land, my family's seen that land and it's the wrong spot to put any developments.

Commissioner Loots: Alright, thank you sir. Alright, is there anyone else? Alright, then I would entertain a motion to close the pub...public testimony portion of this public hearing.

Commissioner Kristiansen: So move

Commissioner Rodland: Second

- Commissioner Loots: Motion made by Commissioner Kristiansen, seconded by Commissioner Rodland. Any further discussion? All those in favor, say aye.
- Commissioners: Aye
- Commissioner Loots: Opposed? Ok, Commissioners, is there anything, uhh, else to discuss about this EIS before we close the public testimony? Dave?
- Commissioner Demarest: I understand that perhaps, I mean, the permitting manager will hopefully help clarify this. Not only is this an opportunity for citizens to comment with regard to the, uhh, phase EIS but also an opportunity for planning commissioners to comment. If so, do the planning commission want to make a comment on this from their own perspective, uhh, as planning commissioners and I suppose as members of the community, this is the time it needs to be done before we actually formally close the public hearing, is that correct?
- Paul Popelka: Yes, that would be correct.
- Commissioner Demarest: Mmm, k, take that just a step further then, once we close the public hearing the decision really moves on from the EIS to the (*inaudible*) in planning them in itself and as we well know, there's gonna be a number of workshops on that before we actually get to a public hearing on the comprehensive amendment that's proposed.
- Paul Popelka: Yes
- Commissioner Demarest: On track still?
- Paul Popelka: Yes, on track.
- Commissioner Demarest: Good, I've read the draft EIS, draft phase EIS, and I...I, we've heard a lot of comments here tonight that we've heard many other times before, uhh, and certainly under other applications in the past years. I'd like to make two comments with regard to the draft phase EIS and my comments relate to the alternative proposed within the document as well as I guess a certain amount of confusion that I have is through the purpose of a phased EIS overall. I'll start with the alternatives, from what I understand and from what I've seen in the past many times when we've talked

about a proposal that's being evaluated through an environmental view process, when we get into an EIS, we also need to talk about alternatives. One of the alternatives is...is a no action, in other words it doesn't change from what it is today and that no action is in the documents in front of us this evening. The document however goes on and also shares or presents a second alternative and that's being called a reduced scope alternative. Now as I understand it, alternatives are intended to explore different land use options, different ultimate build outs, densities, umm, different, perhaps compromises between the no action proposal and the proposal that's being put forth. As I look at the...at the reduced scope alternative set forth in the cumulative phase EIS this evening, I see that it calls for a shrinking, if I may, of the area within the original proposal which encompasses about sixty-five or sixty-eight acres of land, I believe, and when I say shrinking, I mean in a sense it's going to simply remove any areas that are currently identified or would be identified, I guess, as maybe protection growth areas, wetland streams, or critical area buffers from the proposal, effectively shrinking the proposal from what's proposed to the i.e. reduced scope alternative by some twenty-five acres or so. But if I understand that correctly it doesn't in any way provide for or suggest any different use of the remaining land and as I read this and as I look at this, it seems to me that what we're taking out or is being proposed to take out in the reduced scope alternative, really is a portion of the original proposal that isn't going to get developed anyway and so I can't help but ask is that true? And an adequately or reasonable defined alternative? Question number one. My second question is a little bit more broad and it refers to the whole phase EIS in general. As I understand it, the environmental impact statement including the phased EIS' needs to evaluate the cumulative effect of the change whether it be a proposal, an action, or a, in this case non action proposal as in a designation plan change. At no other time as we move down the road do we have one, two, three, four, five, six parcels here involved, six legal lots. As I understand it, and I could be wrong but at no other time will individual project review look at the cumulative effect of the change in land use design...designation and to quote a section of document here that's put out by the state. It is in effect, bear with me a second here, it's...the idea is to take first a broad approach, look at the

cumulative effect of the proposal and then as individual projects come in, zero in on those projects and the impact specifically related to those projects. But as I look back and think about it, I see those individual projects which we hear will be addressed later on, never at any point addressing that cumulative effect and I don't see how the documents in front us this evening adequately addresses any cumulative effect of the change in land use designation which as someone put tonight, opens the door to the rezone and a different type in level abuse. I think those two issues need to be, from my perspective, addressed in this meeting period, umm, cause I...I just don't, again from...from my perspective and certainly I'm not an expert on SEPA, uhh, a lay person planner up here, it just doesn't seem to me that those issues are adequately or perhaps even correctly addressed in the document as it purposes. I think that's it, thank you.

Commissioner Loots: Thank you, Commissioner Demarest.

Commissioner Demarest: Yes?

Commissioner Loots: Thank you, Commissioner Demarest.

Commissioner Demarest: Oh

Commissioner Loots: Commissioners, anyone else wanting to chime in?

Commissioner Kristiansen: Uhh, I would, uhh, I would like to jump in here. Uhh, couple things that are a concern to me on this document. Umm, one it says, it was mentioned earlier, umm, through citizen comment, the wording of the, umm, this document, that basically the land use change doesn't really have an impact but yet the final objective does and, uhh, I guess I'm somewhat paraphrasing what others have said tonight but that is a concern for me. Obviously we wouldn't re-designate an area to be commercial and then not rezone it, we have to rezone it to the...comply, it has to, the zoning will have to change and once it does then, uhh, someone could come in and...and do their best to build some commercial development on there and I think that this document needs to seriously take all of that into account. Uhh, the other thing is it's been discussed about the five hundred year flood plain and the one hundred year flood plain and...and those kinds of things and, uhh, although I don't think it's in the document, there's been discussion that Hwy 2, uhh, is not currently considered a...a levy or a dike at

this moment and that, you know, maybe someday it will and as it has been mentioned in previous meetings, there are two culverts, I guess, from what I understand, I haven't looked at it myself, that go into this property that would have to be sealed I would imagine before it could be considered a dike. Now I don't...I don't know if that's a fact or not but it just makes sense to me that it would have to be, uhh, so I don't see how that could completely have an impact, it's just my opinion, not a professional opinion. Uhh. those are my concerns as far as the EIS is concerned, as far as this document is concerned.

Commissioner Loots: Commissioners, any other comments on...on the EIS?

Commissioner Kristiansen: Uhh, yes.

Commissioner Loots: Commissioner Kristiansen.

Commissioner Kristiansen: I...I just had the one comment, uhh, kind of goes in with, uhh, what, uhh, Commissioner Demarest, uhh, stated earlier was in the summary in the proposed action there's a sentence that says future development within project area will be required to supplement or amend this environmental impact statement when more specific development actions are proposed which means to me that, you know, you can't really, umm, rely on...on this until we have a defined project as to how it's gonna affect the environment and (*inaudible*) so, umm, that, uhh, to me, right away concerns so.

Commissioner Loots: Thank you, any other commissioners wanting to speak on this?

Commissioner Rodland: Yeah

Commissioner Loots: Commissioner Rodland? You look like you did.

Commissioner Rodland: Uhh, the other night we had a gentleman here who was Safety Coalition for Highway 2 and I don't see him out here tonight but, uhh, he had a very...comment to make about access to this property and that he works for the State of Washington and they said that they would probably, will not allow any roads or roundabouts to be built at that intersection so that kind of concerns me too. It probably isn't anything to do with the environmental part of it but I thought I'd throw that in and also, umm, I've heard some very nice comments right out there and, uhh, I think these people have a one opening for the planning commission, a vacancy

and, uhh, I heard some pretty good comments from the crowd out here and, uhh, there is an applications that could be (*inaudible*)

Commissioner Loots: Thank you, commissioners? Demarest?

Commissioner Demarest: Yes, I'd like to add one more comment if I may.

Commissioner Loots: Yep

Commissioner Demarest: I know there's a lot of things that are gonna get flushed out on this as we move, flushed...flushed out? More thoroughly evaluate as we move along, uhh, but sixteen times in this document, it says this action itself does not have any environmental impacts and I can understand where that statement is coming from but at the same time I can't fully accept it because a rezone to general commercial will change what can happen out there no matter how you look at it. We've heard some ideas put forth by the applicant, do this, do this, but quite frankly if those proposals didn't work out once it rezones, someone could put a car lot out here and, it just, again it goes back against my comment about the breadth of the process, it...I don't see how we could say that it doesn't have an environmental impact, it does change the land uses. Umm, and I don't see how you can avoid that. Umm, that's all, thank you.

Commissioner Loots: Thank you, commissioners, any further comments? If not, then I would enter a motion to close the public testimony or, excuse me, the public hearing.

Commissioner Demarest: I'll make a motion the public hearing be closed.

Commissioner Sherwood: Second

Commissioner Loots: Motion made by Commissioner Demarest, seconded by Commissioner Sherwood, any further discussion? All those in favor say aye.

Commissioners: Aye

Commissioner Loots: Opposed? Thank you, uhh, one thing I would like to say is, umm, as mentioned earlier in my prepared statement here, there are, uhh, is opportunity for more comment by the public in written form and, uhh, (*inaudible*) maybe I'll have you address that if you could when you get a chance and then of course, there'll be more discussion, more workshops with the planning commission on the

project in and of itself beyond the scope of this environmental impact statement. And then there will be another public hearing, a decision made in April on what to recommend to city council. We are a recommending body so we don't make the final decision, we recommend to city council, then city council reviews this and, uhh, takes our recommendation into consideration and will make their own decision, uhh, may...will make the decision on what is to happen with this and, uhh, I think at this point, uhh, no more public involvement is allowed tonight.