## Eastin, Darryl

steve calandrillo <scalandrillo@hotmail.com>

From:

Sent:

Sunday, March 16, 2014 1:35 PM

To:

Eastin, Darryl

Cc: Subject: deligani EIS Comments on Pt. Wells Projects

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Mr. Eastin,

I write in response to your request for comments regarding the scope of the EIS for Point Wells Urban Center Development. As you're well aware by this stage in the process, the development of the Pt. Wells property has been a hotly contested subject, most crucially because of the deeply unjust way in which the project proceeded at the outset. Snohomish County turned a blind eye to the negative externalities associated with the project, both environmental and otherwise, in order to create a custom "urban center" rezoning at the developer's request. This is despite the fact that an urban center or urban village has absolutely no credible justification on this plot of land, located well away from major thoroughfares and with no services or substantial public transportation options. It's not difficult to see how this could occur though, as Snohomish County reaps the gains while its neighbors to the south shoulder all the losses, specifically the Richmond Beach area of Shoreline where the traffic flow and negative environmental and safety impacts will fall. Decisions like these are why the public is so skeptical of the motivations of elected officials. Several additional lives will surely be lost on the already dangerous Richmond Beach Rd. in the decade following development; but I doubt any Snohomish County officials are losing sleep over it. If the developer or Snohomish County were serious about the EIS comments received, or about mitigating the environmental impacts, the scale of the project would have to be drastically reduced. But no developer wants to see profits disappear, and no county or city wants to forego an enormous additional tax base.

I am anything but an "anti-development" crusader. In fact, I am generally a strong supporter of private property rights and the free market, having litigated property law cases and written many papers in favor of individual property rights. But this case is very different: the benefits to development are great, but when the winners reap all the gains without compensating the losers, when developers trump common-sense environmental safety responsibility in the name of profits and government officials are complicit in that effort, you can hardly claim that the society benefits overall. Apparently, that is no longer a goal of the developer; it's own pockets are the true interest. I hope it is still a goal of Snohomish County and the Project Manager. Otherwise, the Pt. Wells development will remain tied up in litigation, delays and bitterness for many years to come. I urge you to reduce its massive scope to mitigate the environmental and safety impacts, and to bring the project in line with sensible development goals.

Sincerely, Steve Calandrillo Charles I. Stone Professor of Law University of Washington School of Law

PFN: 11-101457-LU, et. al