



Eastin, Darryl

From: Tom Jamieson <tomjamieson@hotmail.com>
Sent: Wednesday, April 02, 2014 5:01 PM
To: Eastin, Darryl
Subject: Point Wells scoping comments

Snohomish County Planning and Developmental Services
Attn: Darryl Eastin, Project Manager
3000 Rockefeller Avenue, 2nd Floor East
Everett, WA 98201-4046

Dear Mr. Eastin,

I would like to take this opportunity to provide Snohomish County with my comments on the Scope of the Environmental Impact Statement for the development at Point Wells, in response to the two Determinations of Significance and Requests for Scoping Comment issued by Snohomish County for Point Wells in February and March of 2014.

First I would like to submit by reference the February 21, 2014 scoping comments submitted by the City of Shoreline. In an April 1 telephone call with Ian Sievers, the city attorney for the City of Shoreline, I learned that the City's comments establish standing for the City of Shoreline, but not for its citizens. I also learned, that recent court decisions have held that a comment by reference is as good the comment referenced, for the purpose of establishing standing. Based on what I have learned from Mr. Sievers, I have concluded I may refrain from itemizing my agreement with the City's comments.

That being said, I have additional detailed comments I would like to submit as well. They are as follows.

Point Wells is not land-locked. One can get to it by water. So far as I know, littoral rights (ingress/egress by water) are never discussed by the City of Shoreline. There is no two lane road to Vashon Island, yet ingress and egress is not a problem for its inhabitants. The City of Shoreline has always been vague about what can and cannot be done legally to restrict ingress or egress by road for Point Wells. They have never cited any case law or Attorney General Opinions on the subject. I would like to see the scope include not only ingress/egress, but specifically ingress/egress and the extent to which littoral rights obviate the need to provide ingress/egress via road.

My understanding from Snohomish County is that the EIS under discussion pertains to construction and assumes a clean site. That is, it does not address cleanup. My concern is in the event it is determined during construction that the site is not environmentally clean, notwithstanding any prior determination of cleanness or environmental readiness by the State Department of Ecology or any other agency, that appropriate measures will be taken to address any contamination remaining. The EIS should plan for the possibility the DOE could miss something, and should plan for that scenario.

There is a railroad running through Point Wells. Both before, during, and after construction at Point Wells the structure and operation of the railroad and the cascading impacts that would affect the surrounding community.

The Shoreline residential community is completely built out. There is an aesthetic, a sense of place, already well established. Shoreline residents have already invested their capital and their lives into their property and neighborhoods, on the assumption the land use regulations would remain stable. I would like the scope to take into account the impact to that existing environment.

Thank you for taking these comments into consideration.

Respectfully,

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