

February 19, 2014

Snohomish County PDS,  
3000 Rockefeller, 2<sup>nd</sup> Floor East  
Everett, Wa. 98201



Re:  
File Number 11-101457-LU  
File Name: Point Wells Development  
Scope of EIS Comments:

Attention: Darryl Eastin, Project Manager

Dear Sir,

Thank you for this opportunity to submit comments regarding the scope of the Environmental Impact Statement (EIS) to be prepared for the Point Wells Urban Center Development. I am a nearby property owner, and have several environmental concerns regarding this project that I think should be addressed in the EIS. The following is a list of my concerns and a statement about what I think should be investigated and why, and a list of alternatives that should be considered.

1. Clean up of this oil contaminated site.

This property has been operated as an oil tank storage and transfer station by Standard Oil, and for years there have been many oil leaks and spills that have extensively contaminated the site. It is well known by the neighbors that the soil is so saturated with oil from spills that in some areas you could move your feet up and down and oil would ooze out of the ground around your shoes. The EIS should address the following:

- a. What is the extent of the soil and water contamination from the spilled oil on the site. Has the oil contamination entered the ground water or water of Puget Sound?
- b. Should the government take control of the site to assess the extent of the oil contamination and oversee the clean up of the site?
- c. Should the site be designated as an EPA Super Fund site to assess the extent of the contamination and insure the site is cleaned properly?
- d. Standard Oil presumably made a profit while operating this site as an oil storage operation. Should Standard Oil, the original company responsible for the oil spills and contamination of this site be held responsible and pay for the cleaning of the site?
- e. What is the best possible way to remove the contaminated soil to avoid contaminating the surrounding water and where will the contaminated soil be removed to, and how will

the contaminated soil be processed to remove the oil contamination?

## 2. Restoration of the Salt Water Marsh

This property was originally a salt water marsh on the edge of Puget Sound that presumably provided habitat for salmon, birds, and fish and other wild life. The streams from the hillside east of the site probably flowed into the saltwater marsh and were probably used by spawning salmon. Standard Oil filled the saltwater marsh and redirected the streams to create their oil storage tank farm.

a. What does the State Shoreline Master Plan call for this site? Does the Master Plan call for the restoration of saltwater marshes that have been destroyed and to return the site to a habitat and breeding ground for fish and wildlife?

Does the Department of Fisheries have an interest in having the site returned to a saltwater marsh?

b. Should a portion, or all of the site be re-established as a saltwater marsh?

c. Should Standard Oil, the company which originally filled and destroyed the saltwater marsh, be required to pay for restoring the site to a saltwater marsh?

3. The present owner of the Point Wells property presumably got a great deal on the property when he bought it from Standard Oil so he would clean up the contamination of the site, and it looks like he is now trying to improve on that deal by getting the County to zone the site as a an Urban Center to allow high rise development of the site to pay for and offset the cost of the clean up. (Does this seem like blackmail?: You have to zone my property high rise or else I won't have money to clean up the property that Standard Oil contaminated). Does it appear that the property owner is being rewarded for contaminating the site?: If I spill enough oil on my property will the County rezone my property for high rise development?.

This site looks like an unlikely Urban Center since it is located at the extreme edge of a quiet low rise and low density single family residential area, and accessed by a long 2 lane winding single family roadway, and is not in the center of an urban area. Urban Centers are usually located in the middle of densely developed urban areas in areas of commercial and high density residential, and accessed by high volume arterial streets and nearby freeways. The site of the former Aurora Village Shopping Center where Home Depot and Costco are now located at the intersection of Aurora Avenue and 205<sup>th</sup> St. is a much more likely and more appropriate location for an Urban Center designation. If Standard Oil is required to clean up the site, are developments with lesser environmental impacts an alternative development that should be considered? Are there other zoning designations and developments that should be considered that would be more appropriate for the site?

Spot zoning has long been prohibited because Spot zoning results in special development privileges allowed to one property owner that are not enjoyed by surrounding property owners, and it results in developments that are incompatible scale and intensity with their

surroundings. The EIS should consider the effects of this Spot Zone.

SEPA requires that the EIS look at alternative development that would reduce the environmental impacts of the proposal including the "No Action" alternative. Other alternatives that should be considered should include

- a. Lowrise Single family development alternative.
- b. Lowrise Multi family development Alternative
- c. Development with a saltwater marsh and public access. The State Shoreline Master Plan should be considered to determine if all or a part of the site should be restored to saltwater marsh and wildlife habitat. The Shoreline Master Plan should also be addressed to determine if Public access to the shoreline should be provided with the development of the site.

Thank you for this opportunity to comment on the scope of this EIS.

Sincerely, 

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