

## Countryman, Ryan

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**From:** Countryman, Ryan  
**Sent:** Thursday, November 17, 2016 7:11 PM  
**To:** Gary Huff (GHuff@karrtuttle.com) (GHuff@karrtuttle.com); Brunner, Gretchen (gbrunner@eaest.com); Schipanski, Rich (rschipanski@eaest.com); MacCready, Paul  
**Subject:** Point Wells traffic assumptions follow up

Hi Everyone,

I am following up on part of today's conference call, specifically where Gary and I had a disagreement about transportation assumptions. Please let me know if I am forgetting anything key from that part of the conversation or if my further explanation and assumptions are in error.

Gretchen asked me if the 11/15/16 letter means that Snohomish County is putting its work on the entire Draft Environmental Impact Statement on hold. I responded "Yes." Expanding on this, I explained that while Snohomish County will not be resuming work on the DEIS – by which I meant the document itself – until after we have received a revised application. However, we do intend to continue working with Shoreline and Woodway on several remaining issues, mainly involving transportation.

Gary asked me if Snohomish County had final comments on the transportation analysis for the preliminary DEIS. I said that we did not. Gary asked why. I responded that we would need to compare the revised application against the assumptions used. The example I used to explain was the internal capture rate. If the revised application provides less commercial space relative to the number of units, then the internal capture assumption for the revised application would necessarily be lower because the basis for the current assumption would no longer be valid. This would then compel need for additional traffic analysis. Gary disagreed with my assessment, saying that the trip limit would prevent traffic from exceeding an acceptable level and characterized my reasoning as a "spurious argument."

Those of us on the call understood the "trip limit" to be a reference to an assumption that the proposed development at Point Wells would not exceed a certain threshold. This threshold is 11,587 average daily trips at the project access point into Shoreline and originates from an April 1, 2013 Memorandum of Understanding (MOU) between BSRE and the City of Shoreline.

Snohomish County is not a party to the MOU establishing 11,587 average daily trips as a limit. We have agreed – for impact study purposes only – to assumptions such as a 38% internal capture rate. This and a series of other assumptions, including a 15% transit ridership level, suggest that it might be possible for the proposed redevelopment to remain under the 11,587 average daily trips. While each individual assumption may be plausible, the compounding effect of possible but unprecedented assumptions results in an overall traffic study that represents a best-case scenario. In other words, substantial uncertainty exists concerning traffic assumptions and the likelihood that the project would not exceed the trip limit at buildout.

Significant impacts beyond those studied in the DEIS would occur if actual traffic exceeds the trip limit. Because of this and the best-case assumptions used in the analysis, Snohomish County must make clear in its comments and in the DEIS itself that substantial uncertainty exists regarding the traffic assumptions (WAC 197-11-080(2)). If work by Snohomish County proceeds on the DEIS without a revised application and new alternative, then we are required to indicated in the appropriate environmental documents, i.e. our comments on the preliminary DEIS, our worst case analysis and the likelihood of occurrence as well as discussion of the possible severity of adverse impacts not disclosed by the traffic study (WAC 197-11-080(3)(b)).

When the project goes to hearing, it is the applicant's burden to prove that the EIS addresses the probable significant impacts of the project. If we are required to prepare an EIS that states that the impacts and mitigation therein represent a best-case scenario only, then the applicant will be assuming the risk of needing to defend that position at hearing.

We therefore suggest that when revising the project application to comply with the November 15, 2016 letter, the applicant team should also consider whether traffic assumptions for the new alternative in the EIS should be the same as those used for other alternatives. The applicant, rather than Snohomish County, will need to defend the position that the EIS represents the probable impacts, not just a best-case scenario.

I had assumed that the applicant would not want an EIS characterizing the traffic analysis as a best-case scenario and which includes an assessment of the likelihood of a worst-case occurrence. My assumption is that the applicant would want an EIS that is not undermined by having the traffic analysis portion disclose the likelihood of a worst-case occurrence. If this is a spurious assumption, Gary, please let me know.

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