

**From:** jlniemi@frontier.com  
**To:** [Davis, Kris](#)  
**Subject:** Comment for Wells Point Hearing  
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King County should be protecting the Puget Sound for the citizens and the wildlife inhabiting its waters. Studies already show that toxic runoff from streets near the Sound is making it unsafe. To build a development at Wells Point will make this toxicity much worse. The risks being assumed are among the most costly and time consuming to mitigate with a high risk that costs will be assumed by city, county and state governments. The following two points illustrate to me that the applicant does not demonstrate the ability or the will to manage a project of this magnitude.

The application fails to meet the County's Shoreline Management Program (SMP) regulations that control development near the water.

- There is no analysis of how the project will comply with SMP requirements.
- The plan appears to have prohibited commercial uses on the pier.
- After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.

The plan fails to properly document critical areas including landslide hazards and wetlands.

- The plans ask for a deviation from landslide hazard setback requirements but offer no reason why alternate plans that follow the requirements are not possible.
- The deviation request fails to demonstrate that ignoring the setback requirements will not result in a reduction in resident safety.
- The application does not include a critical areas site plan.
- After waiting 5 years for a response there's no reason to believe BSRE will be any more diligent if given another delay. These problems are critical enough for you to reject the application.

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