

East Monroe Rezone Comment Response Matrix

No.	Comment	Response
AG-1	<p>As a local resident and business owner, I strongly oppose the rezoning of the 43 acres of property on the east side of Monroe.</p> <p>Historically this land has been agriculture land. The City of Monroe needs to be encouraged to recognize the history and future importance of maintaining agriculture lands for further generations. The protection of agriculture land needs to be viewed as a community infrastructure investment. Current world and economic indicators suggest that the local and sustainable food production will continue to grow. Responsible land use and zoning that allows for local farmers to produce product<> that reduce carbon footprint impact, support local employment, and produce products available for local businesses must be supported. The average farm size in Snohomish County is just 46 acres; any reduction in the agriculture acreage reduces the potential for the industry that is growing. In ten years between 2002 and 2012 the county saw an increase by 100 farms. The Snohomish county agriculture industry was worth to the county over \$126 million dollars alone in 2007. Once paved over and built up, ag-land is too expensive to "undo" to make farming available again. The Local Farm, Food, and Jobs Act of 2013, Senate Bill 679 and House Bill 1414, encourage the creation of jobs and measures that spur economic growth through food and farms. All 50 states have farm to school programs in place and the reduction of agriculture land will reduce the effectiveness of such programs.</p> <p>Monroe is positioned ideally to support agriculture. Major transportation corridors, prime climate, farm land, and local family based communities all prime Monroe to continue to be on the cutting edge of the ever growing local agriculture enterprises.</p>	<p>Thank you for your comment. Land use was discussed in the September 2013 Final Environmental Impact Statement. Language has been included in the Fact Sheet to state that the September 2013 is adopted by reference. The DSEIS did not discuss land use such as agricultural land as it (Land Use) was not part of the GMHB Order.</p>
AG-2	<p>Susan Boyd, in the Economic Impact Statement, noted several constraints to the land in question that directly benefit the further support to maintaining this land as open farm land. The farm land, mountains, rivers and valleys create a natural separation that occurs by cresting the hill and exiting Monroe. This is a welcome feel after navigating the chaos of the City. Noise, aesthetics, public utilities, and traffic are all non-issues if this land is to be maintained as ag-land.</p>	<p>Thank you for your comment. Noise, aesthetics, public utilities and traffic are addressed in the September 27, 2013 Final EIS. These issues are not discussed in the DSEIS as these issues were dismissed by the GMHB in its (GMHB's) August 2014 Order.</p> <p>The site is not currently being used as farmland.</p>
AG-3	<p>Additionally, the flood mitigation and filling of the location would directly impact fellow farmers in the area. To ignore the fact that during flood occurrences the water that would be displaced would impact neighbors is concerning. Our farm is located upstream from this property. Therefore, any reduction or impingement in flow and dispersment of water has a direct result on my farm and fellow individuals upstream.</p>	<p>Compensatory flood storage to address the placement of fill for development would be provided onsite. As shown in the WSE report, Figures 2 and 3, there would be no reduction or impingement in the extent of flooding, and therefore no increased impact on farmlands as a result of fill placement.</p>
AG-4	<p>Please do not neglect the open space that this location provides for wildlife. This valley is rife with wildlife. Farm land provides habitat to animals large and small and any rezoning of this property will have dire consequences for the wildlife that thrive in these areas. Proper drainage, invasive species removal, and habitat restoration are reasonable improvements to the property but this can more realistically be accomplished by maintaining this land in open space and not paving it over with small habitat sanctuaries located within developed lots.</p> <p>As a fifth generation farmer in the Monroe-Snohomish area, I recognize that changes occur. However, I encourage you as individuals to consider both the immediate and long range consequences involved in rezoning this acreage. Protecting the land base for local-sustainable agriculture usage makes good stewardship usage. Please oppose the rezone of this property east of Monroe.</p>	<p>Thank you for your comments. Property drainage, invasive plant species removal and habitat restoration would be required as mitigation for development that adversely impacts wildlife..</p>
AS-1	<p>The culvert below our property- It is very evident that PACE is using this as their winning argument in the DSEIS. I'd like to point out that this culvert changes levels with the river which granted has a correlation with rain as well. However, it is not just sitting water and maintains a level throughout the year.</p>	<p>Comment noted.</p>
AS-10	<p>1. Most water flow testing etc. has been done during the summer months when the levels are obviously lower. Washington has also experienced one of its driest summer so these numbers are a false positive. It seems that these tests should have to take place in the rain season as well as even PACE says in the DSEIS that "landslide activity is generally expected to increase during periods of extended precipitation or rain-on snow events" (page 29)</p>	<p>According to Watershed Science and Engineering (WSE), the hydraulic study was performed using historic flood data as provided by government agencies.</p>

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AS-11	<p>7. This statement is from GeoEngineers page 17: "Some of the measures suggested above (e.g. cribwalls, riprap/rock buttress) for erosion mitigation along the abandoned meander channel could be designed and implemented along the north bank of the channel to help improve slope stability if slope movement becomes a concern. Such measures would only be effective for stabilizing the lower portion of the slope. However, it is our opinion that the likelihood that such measures would be needed is low, provided that conditions at the top of the slope are properly managed (i.e. yard waste or other materials are not deposited on slopes and runoff is controlled so as not to exacerbate erosion of the slope) . During design phase, appropriate setbacks will need to be established from the toe of the slope in the northeastern portion of the project property. It does not appear that additional setbacks from landslide hazards will need to be established for the primary development area where fill is to be placed." The highlighted area seems like a misrepresentation as I have not spoken to anyone who has had the City or Pace request testing. How can they state the likelihood of measures needed without testing to know the actual information.</p>	<p>No development is proposed on or near the steep slopes. The site evaluation was performed to assess erosion and landslide potential from future development in the proposed plan amendment/rezone property. According to GeoEngineer's, the mitigation methods described are conceptual in nature and based on their experience and judgment in western Washington.</p>
AS-12	<p>Conflict of interest- Pace has a substantial conflict of interest as they have a lien on the property. It is in their best interest to rezone this property and speed up the sale . Whether they have done this or not is speculation and some of the inconsistencies in the report suggest it to be fact. However, it should be plain knowledge that this is a conflict of interest</p>	<p>Washington Administrative Code (WAC) 197-11-420 (2) related to "EIS preparation" states how the lead agency (in this case, the lead agency is the City of Monroe) may have the EIS prepared. The lead agency may have an EIS prepared by agency staff, an applicant or its agent, or by an outside consultant retained by either an applicant or the lead agency. The East Monroe Comprehensive Plan Amendment and Rezone FEIS and FSEIS was prepared by a consultant retained by the applicant. This is one alternative provided for in the State SEPA rules. How the consultant is compensated for their work by the applicant is a matter between those parties (applicant and consultant). The City is unaware of any factor that would disqualify PACE from serving as the EIS consultant for this proposal.</p>
AS-13	<p>8. Pace did studies on other "like" sites around Monroe that could house the same type of commercial property. I suggest that the sites provided are limited and self-serving. I also would like to point out that Haggens is now closing as well. Monroe needs to focus on its core business corridor that is already struggling and not move people further away from the businesses that have trusted Monroe to cultivate an area of growth and opportunity for them and their employees.</p>	<p>Comment noted. Six sites throughout the City were evaluated to address the requirement of WAC 197-11-440(5)(b).</p>
AS-14	<p>Culvert: PACE suggests that there is no tie between the west end of the Culvert. However, even their drawing shows the Culvert crossing the road (Figure 4)</p>	<p>The DSEIS states that there is a culvert located on the east end of the property that crosses under SR 2, but does not cross under the BNSF railroad corridor. Site survey conducted by the professional hydraulic engineer (Watershed Science & Engineering) found no culvert or connection to the river at the east end of the property. There are two box culverts at the west end of the property that do connect to the river.</p>
AS-15	<p>Here is a snip it of the slide that from figure 3 that recently occurred on the bluff: The horribly written Letter A represents our property. The recent slide is exhibited in this drawing by the line labeled B. Please note this slide is not at all in the right place. It shows the slide in the neighbor's yard to the NE of us and then partially to the NE of them when in fact the slide is shared with our property. If this doesn't prove an erroneous report I don't know what will. The slide is clearly visible and should have been documented properly in a well-studied report. Furthermore here is another picture of the false location of the slide:</p>	<p>According to GeoEngineers, evidence of landslide activity was located as observed during site evaluation conducted onsite. No development is proposed on or near the steep slopes. The site was evaluation was performed to evaluate erosion and landslide potential from future development in the proposed comprehensive plan amendment/rezone property. The landslide mapped was observed during site reconnaissance from across the stream channel and photographed. The photograph was georeferenced using the GPS in the iPad used to photograph the feature. The location is further substantiated by the aerial photograph taken in June 2015. This landslide is, based on review of available literature, maps, and public data, in conjunction with the observations made on site, GeoEngineer's experience and professional judgment, representative of hillslope processes than can expected all along the slope. GeoEngineer's anticipate that such landslides have occurred in the past and will continue to occur across the steep hillslope area.</p>
AS-2	<p>I'd also like to point out that the effect of building below and having a parking lot and structure would definitely decrease the lands ability to absorb that water therefore increasing the culvert size and water flow/pressure</p>	<p>Loss of flood storage as a result of development would need to be compensated. There would be no need to increase the size of any of the culverts located at either end of the site or onsite.</p>
AS-3	<p>I do not want to be dramatic as I do not feel it helps our cause but many of earth's natural treasures were carved out by water. With this being said, that same water will continue to carve out the bluff that sits below the Rivmont neighborhood.</p>	<p>Site surveys conducted by Watershed Science & Engineering (WSE) and GeoEngineers found no evidence of erosion along the banks of the slough. There is no evidence of carving along the toe of the slope. The north bank of the slough is located at least 50-feet from the toe of the slope.</p>
AS-4	<p>1. People/lives- Of all the things that have been talked about in the DSEIS I feel that probably the most important has not been. There are hundreds of people that call the bluff above the proposed rezone home. People=lives and as Oso should have taught us, sometimes we give the least consideration to this. I'd like to note that I have walked this bluff and knocked on the doors of almost every neighbor and we have not been asked if we would be open to core samples from our properties</p>	<p>Comment noted. The purpose of conducting the additional hydraulic analysis and the erosion /landslide hazard analysis is to address issues raised about the hillside and slope.</p>

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AS-5	To state that developing the property below us will have no effect on the bluff we call home seems like an atrocious lie that the City should consider unacceptable especially when testing has not been done to ensure the safety of the bluff and those on it. I personally welcome you, and strongly encourage you to perform geotech studies of the actual bluff	No development is proposed on or near the steep slopes. The site evaluation was performed to assess erosion and landslide potential from future development in the proposed comprehensive plan amendment/rezone property.
AS-6	Yes, this comes at an additional expense but the City has used countless tax dollars to represent one land owner and it seems only right to help all land owners.	Comment noted.
AS-7	2. Property Rights- I actually am not in the same box as some members of our movement, if you will. I believe that people do have rights to their property. I also believe that those rights should not impinge on other people's rights especially when it is a huge financial gain plug for one property owner. The property owner of the east Monroe property bought the property as it is currently zoned, "Limited Open Space", and now he is seeking to make a large financial gain at the cost of the environment and the stability of others' homes. I would also like to point out that the said owner also does not attend informational meetings and often times does not have supporters .	Thank you for your comment.
AS-8	3. Landslide depiction and study: I reside at 20930 E Rivmont drive and our property shared a landslide earlier this year with our neighbors. The depiction of the landslide on the map doesn't even show the landslide on our property and it is not the right height. It is a sizeable slide that took fully mature trees with it. I would encourage the City to investigate this more and would like to reiterate that I am always happy to accommodate the City at my property for testing/observation. Furthermore I have observed that the bluff has become more steeply sloped over the last year .	No development is proposed on or near the steep slopes. According to GeoEngineer's, evidence of landslide activity was located as observed during site evaluation conducted onsite. No development is proposed on or near the steep slopes. The site was evaluation was performed to evaluate erosion and landslide potential from future development in the proposed comprehensive plan amendment/rezone property. The landslide mapped was observed during site reconnaissance from across the stream channel and photographed. The photograph was georeferenced using the GPS in the iPad used to photograph the feature. The location is further substantiated by the aerial photograph taken in June 2015. This landslide is, based on review of available literature, maps, and public data, in conjunction with the observations made on site, GeoEngineer's experience and professional judgment, representative of hillslope processes than can expected all along the slope. GeoEngineer's anticipate that such landslides have occurred in the past and will continue to occur across the steep hillslope area.
AS-9	5. The DSEIS states that the LIDAR was incorrect, so they made adjustments. Why are we adjusting a report that they are admitting is incorrect? Shouldn't we have required the proper testing for the land be done?	The initial FEIS use of Lidar information was to determine the feasibility of providing compensatory flood storage on site under a hypothetical, non-project case of maximum buildout. This was determined to be feasible in the FEIS. Ground survey information was provided in the DSEIS to comply with the GMHB request for more detailed survey information on the site. The resulting ground survey information provided in the DSEIS (now FSEIS) again supports the feasibility of providing compensatory flood storage on site.
BF-1	The intent of this letter is to request that you reconsider your position regarding this potential Comprehensive Plan Amendment and Rezone. The following is a list of substantive issues that the City should consider during the SEPA process related to this Comprehensive Plan Amendment and Rezone in order to properly inform your decision makers and the public of the environmental impact of this proposal. It is my expectation that you as part of the City's obligation to meet WAC 197-11-550 & WAC 197-11-560 will address these issues in your response to SEPA comments. In addition, I expect that this comment letter will remain in the City's record for the remainder of the East Monroe proposal process.	Thank you for your comment. The City will maintain all DSEIS comments and responses as public record as they are included in this FSEIS.
BF-10	This is not a site specific proposal under review it is an area wide rezone, that once adopted will not limited the development area to 11 acres. All the supporting documents (wetland, hydrology, geotechnical report) assume a project area of only 11 acres and caution that additional impacts are possible if additional impervious surface is added.	Comment is noted. As a non-project action, if the comprehensive plan map amendment and rezone were to be approved, additional environmental review will be required when a non-exempt (under SEPA) project specific development is proposed. For that matter, development that is non-exempt (under SEPA) under existing comprehensive plan designation/zoning would require environmental review.
BF-11	Resolve WSDOT access issue or accurately analyze the different access requirements under the LOS zoning and GC zoning based on realistic development potential for each zone.	Thank you for your comment. Transportation was discussed in the September 27, 2013 FEIS, which is adopted by reference in this DSEIS. The DSEIS does not discuss WSDOT and site access as it was not part of the GMHB Order.
BF-12	With an appropriate range of reasonable Alternatives including a SEPA consisted No- Action Alternative, Mitigation Measures will be more apparent and should be incorporated into a new EIS.	Mitigation measures are discussed in Section 3 of the Draft SEIS (and Final SEIS), for each possible development alternative, and in Table 1 of the Draft SEIS (and Final SEIS). The range of reasonable alternatives rests with the lead agency and for EIS purposes may just include a no action and a proposed action. In this case, additional alternatives were included. In addition, in response to public comment the "No Action-No Development Alternative has been revised to be a "No Action-No Development/Single Family Residential" alternative to provide for a less intensive development scenario under existing LOS zoning.

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BF-13	<p>A Supplemental EIS is not the appropriate process for correcting the type deficiencies determined to exist within the previously invalidated FEIS. A supplemental environmental impact statement is prepared if the new or amended proposal has likely significant adverse impacts that have not been analyzed in an existing EIS. The supplemental EIS adds to the analysis in an existing EIS without needing to duplicate it. In this case the original alternatives and analysis were determined to be inadequate; therefore the EIS needs to be redone not supplemented. Specifically in this case, scoping (per WAC 197-11-792) is required to re-address the Alternatives, Mitigations Measures, and Impacts Analysis; therefore the work needed to create an adequate FEIS exceeded the parameters of the SEIS process.</p>	<p>The City ordinances were invalidated by the GMHB. The GMHB identified deficiencies in the environmental analysis but did not direct how the additional analysis should be accomplished. The GMHB order included direction, based on comments from the Washington State Department of Ecology which stated that the "existing undeveloped site condition" be used as a baseline for "alternatives comparison", to include a "No Action" alternative and to additionally evaluate certain elements of the environment. A Supplemental EIS is an appropriate means to respond to the GMHB.</p>
BF-14	<p>No new draft ordinances have been issued for review, so it is assumed that no changes to the proposal have occurred.</p>	<p>The comment is unclear. However, the proposal addressed by the FSEIS is an amendment to the City of Monroe Comprehensive Plan Map ("Limited Open Space to "General Commercial") and a concurrent zoning map amendment (from Limited Open Space (LOS) to General Commercial (GC)) for five parcels of property as described in the FSEIS. The proposal requires a Planning Commission public hearing and recommendation to the Monroe City Council. The City Council will take final action to approve or not approve the comprehensive plan amendment/rezone.</p>
BF-15	<p>Furthermore, new information was not provided indicating that the proposal may have significant adverse impacts. In this case, the original FEIS was based on false assumptions and insufficient alternatives that were not consistent with the requirements of RCW 43.21C and the Growth Management Hearings Board determined it inadequate. WAC 197-11-405(4) (4) A supplemental EIS (SEIS) shall be prepared as an addition to either a draft or final statement if: (a) There are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts; or (b) There is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts. Preparation of a SE/S shall be carried out as stated in WAC , WAC 197-11-620 Supplemental environmental impact statement-Procedures (1) An SE/S shall be prepared in the same way as a draft and final E/S (WAC 197-11-400 to 197-11-600), except that scoping is optional. The SEIS should not include analysis of actions, alternatives, or impacts that is in the previously prepared EIS. (1) The fact sheet and cover letter or memo for the SEIS shall indicate the EIS that is being supplemented. (2) Unless the SEPA lead agency wants to prepare the SEIS, an agency with jurisdiction which needs the SEIS for its action shall be responsible for SEIS preparation. WAC 197-11-792 Scope (1) "Scope" means the range of proposed actions, alternatives, and impacts to be analyzed in an environmental document (WAC 197-11-060(2)). To determine the scope of environmental impact statements, agencies consider three types of actions, three types of impacts, and three types of alternatives.</p>	<p>The DSEIS/FSEIS responds to September 19, 2015 Order of the Washington State Growth Management Hearings Board. A no action alternative has been included in the FSEIS as provided for in the GMHB decision. As the Board Order stated, in part, on page 33 of 34 of its Order "2. The City failed to comply with RCW 43.21C.030(c), and the Final Environmental Impact Statement for Ordinance No's. 022-2013 and 024/2013 is inadequate because it failed to adequately analyze environmental impacts on the entire 43-acre rezone." and "3. The City's adoption of the Ordinances was not guided by and substantially interferes with the fulfillment of GMA Planning Goal 10". The FSEIS responds to these (and other) issues raised by the Board.</p>
BF-16	<p>3. The DSEIS has selectively chosen to address only a few of the many inadequacies and errors in procedure that lead to the Boards decision of inadequacy and invalidity. The deficiencies determined by the Growth Management Hearing Board necessitate a much more extensive overhaul of the previous FEIS than has been provided in this DSEIS. A list of other substantive issues that need to be addressed to produce an adequate FEIS are provided below:</p>	<p>The Draft SEIS addresses and further analyzes the Earth, Surface Water, and plant and wildlife Habitat elements presented in the September 27, 2013 FEIS, as mandated by the GMHB. This addresses the GMHB Order regarding Statewide Planning Goal 10 related to the Environment.</p>
BF-17	<p>In response to GMA Goal (10) Environment the Board notes that, Respondent declares that development of the site in compliance with applicable City regulations would actually enhance the currently degraded ecological function of the property, but the Board does not find evidence in the record to support a finding that the Property is currently in a degraded state.</p>	<p>The Critical Areas Study and Habitat Conservation Study and rating forms prepared for the site, give habitat a low overall value due to disturbances in vegetated corridors, dense invasive plant species. The stream/slough buffers provide low value for habitat functions for the stream/slough due to the nearby urban area development, dense invasive plants, a lack of trees that would provide thermal control. Wetland A was rated as having a moderate habitat value because of its connection to the slough. Enhancement and water quality improvement from the proposed mitigation would improve the value and function of the wetlands and slough.</p>

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BF-18	Further, because the FEIS (see arguments in Section Four) does not evaluate a legitimate "no-action" alternative, the Board finds no basis for the City's claim that the preferred alternative would result in enhanced ecological functions over the current LOS zoning.	A No Action – No Development Alternative was included in the Draft SEIS in response to the GMHB Order and its reference to a Washington State Department of Ecology comment for use on the undeveloped site to establish a true no action alternative. In response to public comment on the DSEIS, this no action alternative was revised to also include discussion of a development scenario featuring single family homes.
BF-19	Additional MMC analysis is needed justifying the finding that any development of the site under a Commercial zoning designation will result in enhancement of the existing ecological functions and values. A no-action alternative must be developed in accordance with RCW43.21C and WAC 197-11.	The Critical Areas Study and Habitat Conservation Study (Wetland Resources Inc.) and rating forms prepared for the site, give habitat a low overall value due to disturbances in vegetated corridors, dense invasive plant species under existing baseline conditions. The stream buffers provide low value for habitat functions score for the slough is also so due to the nearby urban area development, dense invasive plants, a lack of trees that would provide thermal control. Wetland A was rated as having a moderate habitat value because of its connection to the slough. Enhancement and water quality improvement from the proposed mitigation would improve the value and function of the wetlands and slough.
BF-2	To satisfy the requirements of SEPA we request the following actions: 1. As per WAC 197-11-440(5), the City should modify alternatives including the proposed action. The action alternatives should reflect a reasonable range of options. The No- Action alternative must reflect reasonably likely development under the current LOS zoning (single-family residential development at 1 home per 5 acres). This EIS needs to be re-done with a new set of Alternative: No-Action, the preferred Alternative and two (2) reasonable Alternatives to give the decisions makers and the public a realistic understanding of the potential impacts and options.	The "No action-No Development" alternative has been revised to be a "No Action-No Development/Single Family Residential" alternative to provide analysis of development for single family purposes. However, under SEPA, alternatives can consist of those that could achieve the proposal's objective. The determination of reasonable alternatives other than the No Action alternative and the Proposed Action rests with the Lead Agency.
BF-20	In response to GMA Goal (3) Transportation the Board commented that, While the Board does not buy Respondent's assertion that traffic impacts arising under proposed Alternative 2 would not vary significantly in comparison to development of the site under the current LOS, the underlying problem here lies with the lack of a true no-action alternative in the EIS design -discussed at length in Section Four. The Board found that the Petitioners had not met our burden of proof to show that the City had failed to consider RCW 36.70A.020(3), but they highlighted the underlying problem with the traffic analysis contained within the FEIS. Upon inclusion of appropriate alternatives the City needs to re-evaluate traffic impacts associated with this proposed Comprehensive Plan Amendment and Rezone.	Thank you for your comment. Transportation was addressed in the September 27, 2013 FEIS. The DSEIS (and FSEIS) does not discuss traffic as it was not part of the GMHB Order.
BF-21	<ul style="list-style-type: none"> In response to SEPA Compliance issues the Board found, The FEIS for the Property failed to consider meaningful alternatives to redesignation of the Property from LOS to GC because it failed to properly formulate the "no-action" alternative and assessed the impacts of the chosen alternatives in relation to each other rather than in relation to the existing conditions. The DSEIS formulated a "no development scenario," not a "no action" alternative. Furthermore, this DSEIS does not even address the inadequacies of the other three (3) alternatives or attempt to reevaluate those alternatives in relation to the existing conditions rather than in comparison to each other. 	The DSEIS includes a "No Action-No Development" alternative to address the Board's comments. In its order, the GMHB specifically references a Washington State Department of Ecology letter that states "...the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS.)" The DSEIS responds to the Board order and to the comment from the Washington State Department of Ecology. To be responsive to public comment received during the DSEIS comment period, the "No Action-No Development" alternative has been revised to be a "No Action-No Development/Single Family Residential" alternative in the FSEIS to provide information on impacts to the natural environment if five single family dwellings were constructed on the property.
BF-22	<ul style="list-style-type: none"> The Board found that the City failed to consider RCW 36.70A.020(10). In their consideration of GMA Goal (10) Environment the Board states, Frankly, the idea that substantially slopes above a Type I stream (currently home to endangered and listed species) while simultaneously adding tens of thousands of cubic yards of fill in order to raise the desired building site above the 100-year floodplain (which presently provides flood storage capacity) constitutes enhancement of ecological functions does more to suggest the City did NOT seriously consider GMA's environmental protection goal. 	The Geotechnical report (Appendix D), that also included analysis associated with flood events found that development of the site, south of the slough, would have no adverse impact on the hillslope. The GeoEngineers report states, "The excavation conceptually proposed to accommodate compensatory flood storage along the abandoned meander channel will not, in our opinion, result in removal of support of the slope north of the project property along the northern margins of the property." Landslides have occurred in the past and will continue to occur with or without the project. Furthermore, there will be no reduction in flood storage capacity and the area will be replanted.

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BF-23	<p>9. The DSEIS lacks a proper Summary in accordance with WAC 197-11. After reading both the original FEIS and the DSEIS it is often unclear that the proposal is a Comprehensive Plan Amendment and Rezone. What is the objective of the comprehensive plan amendment and rezone?</p>	<p>Text provided in the Fact Sheet states " The Proposed Action is an amendment to the City of Monroe Comprehensive Plan for certain properties from "Limited Open Space" to "General Commercial" and with a concurrent rezone from the Limited Open Space (LOS) zoning district to General Commercial (GC)."</p> <p>Section 1.2 in the Summary section, states, "The Proposed Action as put forth in the September 2013 FEIS is identified as Alternative 2 – an amendment to the City of Monroe’s Comprehensive Plan changing the land use designation from "Limited Open Space" to "General Commercial" and allowing for rezone of the property from Limited Open Space (LOS) to General Commercial (GC) for five adjacent parcels of land totaling approximately 43 acres."</p> <p>Section 1.4 states that "The Proposed Action is for a Comprehensive Plan Amendment from "Limited Open Space" to "General Commercial" and a rezone from Limited Open Space (LOS) to General Commercial (GC) for a 43 acre site located within the City of Monroe and entirely within the established Urban Growth Area (UGA).</p> <p>Section 2.1 states that "The Proposed Action is for an amendment to the City of Monroe’s Comprehensive Plan to change the land use designation from "Limited Open Space" to "General Commercial" and a rezone from Limited Open Space (LOS) to General Commercial (GC). "</p> <p>This language is also provided in Section 2.3.3 of the DSEIS.</p>
BF-24	<p>10. Are any specific mitigation measures being proposed?</p>	<p>Several mitigation measures are proposed for the potential development scenarios, as provided in Section 3 and Table 1 of the Draft SEIS. Monroe Municipal Code requirements also have the effect of mitigating significant adverse impacts.</p>
BF-25	<p>The SEPA Handbook section 3.3.4 EIS Summary Section clarifies that.</p> <p>The summary section, which should be at the beginning of the EIS text, is the portion most likely to be read by decision-makers and members of the public. It should include a summation of the main issues in the EIS, including a concise description or discussion of:</p> <ul style="list-style-type: none"> • the proposal, the proposal's objective purpose and need environmental impacts, alternatives, mitigation measures, and significant adverse impacts that cannot be mitigated. <p>The summary should also identify: (1) the major conclusions and significant areas of controversy, and (2) any remaining uncertainties and issues to be resolved. The discussion is useful because it presents the proposal as a whole, rather than separated by individual element.</p> <p>Matrices and charts, although not required, can be useful for summarizing alternatives, impacts and mitigation measures. See WAC 197-11-440(4) for additional detail.</p> <p>In this case, the proposal is the Comprehensive Plan Amendment and Rezone, but those documents are not contained within the DSEIS or referenced in a way that the public can find. It is not clear if any changes to the previous versions of Ordinances 022/2013 & 02/2013 have occurred. While at public hearings and information sessions, PACE refers to this as just a zoning map amendment, there are in fact accompanying changes to the Comprehensive Plan text.</p>	<p>The proposal itself is described throughout the DSEIS, including the summary section. The Fact Sheet states "The Proposed Action is an amendment to the City of Monroe Comprehensive Plan for certain properties from "Limited Open Space" to "General Commercial" and with a concurrent rezone from the Limited Open Space (LOS) zoning district to General Commercial (GC)." Main issues are also described in context of the GMHB decision and the areas which the DSEIS is addressing. Areas of controversy are identified in context of the response to the GMHB and summary conclusions are addressed in that discussion as well.</p> <p>Section 1.2 in the Summary section of the FSEIS, "The Proposed Action as put forth in the September 2013 FEIS is identified as Alternative 2 – an amendment to the City of Monroe’s Comprehensive Plan changing the land use designation from "Limited Open Space" to "General Commercial" and allowing for rezone of the property from Limited Open Space (LOS) to General Commercial (GC) for five adjacent parcels of land totaling approximately 43 acres."</p> <p>Section 1.4 states that "The Proposed Action is for a Comprehensive Plan Amendment from "Limited Open Space" to "General Commercial" and a rezone from Limited Open Space (LOS) to General Commercial (GC) for a 43 acre site located within the City of Monroe and entirely within the established Urban Growth Area (UGA).</p> <p>Section 2.1 states that "The Proposed Action is for an amendment to the City of Monroe’s Comprehensive Plan to change the land use designation from "Limited Open Space" to "General Commercial" and a rezone from Limited Open Space (LOS) to General Commercial (GC). "</p> <p>This language is also provided in Section 2.3.3 of the FSEIS. There are no text amendments associated with this proposal.</p>

East Monroe Rezone Comment Response Matrix

No.	Comment	Response
BF-26	11. How are these GMA and SEPA documents combined? It is unclear what combination path the City has chosen for processing the Ordinances and SEIS. Please clarify in accordance with WAC 197-11-230.	The City is not using the optional SEPA/GMA integration procedures pursuant to WAC 197-11-210 for this proposed action.
BF-27	12. The City has not cited what authority allows them to waive the local administrative appeal procedures provided for this action under the provisions of MCC 20.04.200.8.1. The Notice of Availability prepared by the City and Draft Supplemental EIS prepared by PACE, each claim that "[t]here is no administrative appeal of the SEIS". However, WAC 197-11-680 and MMC 20.04.200.8.1 each appear to provide for an administrative appeal process for all Final EIS determinations. The City should also be aware that by not providing a local administrative appeal process, any appeals of this SEIS can be brought directly to the CPSCMHB and will likely be consolidated into the ongoing compliance proceedings associated with Case 14-3-0006c.	The City is not "waiving" its administrative appeal procedures. Monroe Municipal Code section 20.04.200 provides for SEPA administrative appeals. MMC 20.04.200 does not provide for administrative appeals of a Supplemental Environmental Impact Statements. This is based on a review of the code and administrative decision by the SEPA responsible official.
BF-28	Please consider extending the public comment period to allow the public additional time to comment on this DSEIS and consider allowing an administrative appeal process so that some of these substantive issues can be resolved at the local level rather than in front of the GMHB. The City has requested and been granted a series of extensions to the compliance schedule for the preparation of this DSEIS from the GMHB case 14-3-006c. However, the City is now pursuing a December 1st deadline for compliance as if it cannot be amended. The City should not rush the public phase of this action. The DSEIS was released for public review and comment on August 28th 2015 and the City plans to adopt the Comprehensive Plan Amendment and Rezone prior to December 1st 2015. That allows for an approximately 3 month public process, when the City spent over a year preparing this DSEIS (July 2014 August 2015). We understand that many other members of the public, some of which attended the Public Hearing on September 23rd 2015, would like an additional 14-days to review and comment on this DSEIS. We very much support that and think the City should show the same understanding to the public that the Board has shown the City.	The public comment period was extended from September 28, 2015 until October 9, 2015. Also, the Comprehensive Plan amendment and the zoning map amendment require a Planning Commission public hearing and recommendation to the City Council. Final City Council action must take place by December 1, 2015 to address a GMHB deadline.
BF-29	2. The Board found that "...the FEIS must properly assess the maximum development possible under the GC designation". Limiting the "proposed Development" or "potential development" area to only 11 acres is inappropriate. This limitation is not supported by the provisions and allowances contained within MMC. This is a proposed Comprehensive Plan Amendment and Rezone that converts 43 acres of Limited Open Space (LOS) to General Commercial (GC).	The City is reviewing a request from an applicant to amend the comprehensive plan map and rezone all parcels. The request should either be approved or denied for all five parcels. Regardless of whether the plan amendment and rezone are approved and denied, City regulations provide for protection of critical areas, critical area buffers, shoreline areas etc. Analysis is contained in the FSEIS that addresses existing conditions across the entire property and impacts across the entire property (and neighboring properties) that could be expected of a development proposal, recognizing also that impacts and mitigation will need to also be evaluated when a specific project is proposed.
BF-3	3. As per WAC 197-11-440(6), the City should utilize the existing baseline environmental conditions of the property to analysis the potential adverse impacts of the proposal (Comprehensive Plan Amendment and Rezone from LOS to GC).	In response to the GMHB order, additional analysis was performed to establish base line conditions for the entire 43 acre plan amendment/rezone site. Baseline conditions were discussed in detail in the DEIS in the form of a "No Action-No Development" alternative, which was discussed in detail in the individual reports provided in the DSEIS appendices. The Final SEIS has revised the "No action-No Development" alternative to be a "No Action-No Development/Single Family Residential" alternative to provide analysis of development for single family purposes.
BF-30	<p>The DSEIS does not address why the all three {3} action alternatives involve a rezone of 43 acres if the apparent objective is to convert the 11 acres of "developable area" to commercial uses. Once rezoned to Commercial all 43 acres are developable utilizing the provisions of MMC 20.05.050 and based on the existing floodplain designation contained within MMC 14.01; therefore the DSEIS must address the entire property.</p> <p>The DSEIS attempts to address this issue in the response to Growth Management Hearing Board Decision, but it fails to provide any new information to the record to substantiate conclusionary claims.</p>	The additional analyses performed for the Draft SEIS provided information on the existing conditions and potential impacts of development for the entire 43 acres as required by the GMHB order. This includes, for instance, buffer, habitat, erosion and other impacts resulting from compensatory storage activity that would take place outside of the 11 acres. Analysis of the on-site stream/slough and hillside (on abutting properties) was also analyzed.

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No.	Comment	Response
BF-31	<p>East Monroe Comprehensive Plan Amendment & Property Rezone 2015 Draft Supplemental Environmental Impact Statement at 5: As noted throughout the DSEIS, the regulatory framework pertaining to steep slopes, streams, shorelines and wetlands prohibit development of the majority of the site. A Native Growth Protection Area (NGPA) combined with critical area designations required by the Monroe Municipal Code limits the developable area to approximately 11.3 acres regardless of the land use development alternative. (Emphasis added).</p> <p>Prohibit is commonly defined by Merriam-Webster 6 as- : to order (someone) not to use or do something : to say that (something) is not allowed : to make (something) impossible to do</p> <p>Prohibit is not the correct verb to use to describe the development restrictions that exist outside the 11 acres of identified development area on this property. The City's Critical Areas Ordinance (MMC 20.05) and Flood Hazard Management regulations (MMC 14.01) do not prohibit expansion of additional development area outside the identified 11 acres.</p>	<p>Development is permitted within a flood hazard area floodplain, per MMC 14.01, with mitigation and compensatory flood storage.</p> <p>MMC 20.05.070 states that, "The NGPE imposes upon all present and future owners and occupiers of land subject to the easement the obligation, enforceable on behalf of the public of the city of Monroe, to leave undisturbed all trees and other vegetation within the easement. The vegetation in the easement may not be cut, pruned, covered by fill, removed, or damaged without express permission from the city of Monroe, which permission must be obtained in writing." and, "Before beginning and during the course of any grading, building construction or other development activity on a lot or development site subject to the NGPE, the common boundary between the easement and the area of development activity must be fenced or otherwise marked to the satisfaction of the city of Monroe."</p>
BF-32	<p>Based upon the Critical Area Ordinance The CAO allows for reasonable use of the property based upon the underlying zoning. So by changing the zoning from very low intensity to very high intensity the City is opening the property to additional intrusion into the on-site critical areas and buffers as necessary to accommodate a reasonable commercial use on each parcel.</p>	<p>The City critical areas ordinance has provisions for reasonable use exceptions (MMC 20.05.050). However, reasonable use exceptions require a public hearing by the Hearing Examiner and the need to address specific decisional criteria, including that the application of the critical areas chapter would deny all reasonable use of the property. That a reasonable use exception would be granted would be conjecture at this point in time for any property in the City. These criteria include:</p> <ol style="list-style-type: none"> a. This chapter would otherwise deny all reasonable use of the property; b. There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer; c. The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the property; d. Any alteration is the minimal necessary to allow for reasonable use of the property; e. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of the ordinance codified in this chapter or its predecessor; and f. The applicant may only apply for a reasonable use exception under this subsection if the applicant has also applied for a variance pursuant to Chapter 18.96 MMC.
BF-33	<p>MMC 20.05.050 allows exceptions to the Cities Critical Area regulations when the applicant can demonstrate it is needed to allow a reasonable use of the property based upon the uses allowed under the zoning code. Under the existing zoning of LOS a reasonable use exception would not likely be needed or approved, but under a rezone to general commercial an applicant would be far more likely to utilize this exception criteria thereby impacting or reducing the protective buffer. The DSEIS does not include any analysis of the eligibility of an allowed use under the LOS compared to the eligibility of an allowed use under the general commercial zoning.</p>	<p>Appendix B to the September 2013 FEIS includes an allowed use comparison table. As noted immediately above reasonable use exceptions require an applicant to demonstrate, and the Hearing Examiner to find, consistency with multiple decisional criteria. It is premature to presume a critical area exception would even be applied for under the existing or proposed Comprehensive Plan designations/zoning and/or if the Hearing Examiner would even act favorably on such a request.</p>
BF-34	<p>The DSEIS still fails to address issues with the adequacy of the alternatives analysis that go all the way back to the 2012 Hearing Examiners Decision. The HEX found that, "commercial developments that would logically locate along an arterial highway are usually land extensive and would want to maximize use of the available non-NGPA-restricted portions of the site."</p>	<p>Development of the site would be regulated by MMC 14.01 and MMC 20.05.10 and would most likely make use of those areas outside of the NGPA restricted portions of the site.</p>

East Monroe Rezone Comment Response Matrix

No.	Comment	Response
BF-35	<p>The Native Growth Protection Easement (NGPE) is referenced as one of the limiting factors restricting development to the 11 identified acres; however the NGPE is just a notice on title easement that restricts actions that could impact native vegetation at the discretion of the City</p>	<p>The note on the Short Plat and lot line adjustment states that all areas identified as native growth protection areas shall remain undisturbed in perpetuity and that no filling, grading or construction are permitted in these areas without prior written approval of the City of Monroe Community Development Department. The intent of this provision to protect the native growth protection area in perpetuity is clear. The provision for written approval provides additional protection from any activity that may proposed to occur in the area, and provides clearer enforcement capability to the City were activity to occur in the NGPA without City written approval.</p>
BF-36	<p>MCC 18.02.140 N Definitions "Native growth protection easement (NGPE)" means an easement granted to the City of Monroe for the protection of native vegetation within a critical area or its associated buffer. The NGPE shall be recorded on the appropriate documents of title and filed with the Snohomish County recordings division.</p> <p>MMC 20.05.070 Protection and mitigation measures. Subsection A. Native Growth Protection Easements. A native growth protection easement (NGPE) is an easement granted to the City for the protection of a critical area and/or its associated buffer. NGPEs shall be required as specified in these rules and shall be recorded on plats, short plats and final development permits and all documents of title and with the county recorder at the applicant's expense. The required language is as follows: Dedication of a Native Growth Protection Easement (NGPE) conveys to the public a beneficial interest in the land within the easement. This interest includes the preservation of existing vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The NGPE imposes upon a/1 present and future owners and occupiers of land subject to the easement the obligation, enforceable on behalf of the public of the City of Monroe, to leave undisturbed all trees and other vegetation within the easement. The vegetation in the easement may not be cut, pruned, covered by fill, removed, or damaged without express permission from the City of Monroe, which permission must be obtained in writing. (Emphasis added).</p>	<p>Thank you for your comment.</p>
BF-37	<p>The DSEIS Summary concedes that, "...compensatory storage and enhancements may occur as mitigation measures within portions of the NGPA and stream buffer and wetland buffer areas. The DSEIS continues to refer to this mitigation measure as enhancement and mitigation, when although it may be necessary to provide compensatory storage mitigation it will in fact create wetland/stream buffer impact. On a site with such a complex variety of critical areas and their buffers covering nearly 75% of the 43 total acres extra care needs to be taken to ensure the mitigation intended to compensate for one impact doesn't in itself create additional impacts to another critical area.</p> <p>The City's August 28, 2015 Draft Supplemental EIS does not resolve this issue and has still not seriously considered RCW 36.70A020(10). No Monroe Municipal Code sections have been referenced that would require enhancement of the ecological functions. In fact, mitigation of any kind is only required if adverse impacts occur. Then impacts are mitigated in order to restore or provide compensatory actions to not result in a loss of functions. The City's Critical Areas regulations contained within Monroe Municipal Code (MMC) 20.05 does not require that development proposals improve upon the existing ecological conditions.</p>	<p>Comment noted. Regardless of the comprehensive plan designation and zoning, site specific development would require the preparation of critical area reports. The City has provisions for peer review of these reports to evaluate impacts to critical area values and functions and related criteria to be addressed in critical area reports,. The City may require mitigation in the form of creation, restoration, or enhancement as required by MMC 20.05.080, for impacts to critical areas or buffers.</p> <p>"Compensatory mitigation" means types of mitigation used to replace project-induced critical area and buffer losses or impacts. Compensatory mitigation includes, but is not limited to, the following:</p> <ol style="list-style-type: none"> 1. Restoration. Actions performed to reestablish functional characteristics that are lost or degraded due to unauthorized alteration, past management activities, or catastrophic events within an area that no longer meets the definition of a critical area. 2. Creation. Actions performed to intentionally establish a critical area at a site where it did not formerly exist. 3. Enhancement. Actions performed to improve the condition of an existing critical area so that the functions it provides are of a higher quality.
BF-38	<p>Based upon the City's Floodplain</p>	<p>According to Watershed Science and Engineering, the current hydraulic analysis used the 2007 FEMA flood map data (best available data) as a starting point. The model developed for that study was updated and refined with site specific and more accurate data for the current study. The 1999 FEMA study did not show the East Monroe site as within the 100-year floodplain so there were no base flood elevations from that study.</p>
BF-39	<p>The limitations associated with cut/fill quantities and compensatory storage clearly do not belong in this DSEIS as they are based upon proposed 2007 FIRM Maps and not Implementable by the current flood management code which regulates to the 1999 FIRM Maps.</p>	<p>Under the 1999 FEMA floodplain maps adopted by the City, compensatory flood storage would not be required as the property is not identified as being in the FEMA effective Flood Insurance Rate Map (FIRM) 100-year flood hazard area. The DSEIS used the Preliminary FIRM maps as best available science. Until these maps are superseded by new information or effective FIRM's, the City relies on the preliminary FIRM maps to implement its Flood Hazard requirements.</p>

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No.	Comment	Response
BF-4	5. Re-evaluate the on- site and adjacent wetlands with the current WA State Department of Ecology 2014 Rating Forms.	The wetland delineation was conducted prior to Ecology's implementation of the 2014 rating forms and the existing conditions have not changed. Therefore, it is appropriate for the biologist to retain the existing rating forms.
BF-40	Additionally, the DSEIS focuses on flood elevations and flood storage capacity, but still neglects to recognize or analyze this proposals potential adverse impacts to the Floodplain habitat, especially as it relates to ESA listed species. The DSEIS fails to recognize the role of ecosystems such as the slough/stream in providing off channel habitat and flood refuge. The compensatory storage mitigation discussed within the DSEIS does not compensate for lost refuge, recharging, and off-channel habitat functions of the reduced floodplain area. See Attachment A (NOAA Fisheries Service, Importance of Healthy Floodplains to Puget Sound Salmon, January 2011) and Attachment B (WA Department of Ecology, Focus on Flood Plain Management Assistance Program, March 2008) for additional information on this topic.	The Wetland Resources Inc. Critical Areas Study and Habitat Conservation Report (FSEIS, Appendix B) addresses potential impacts to listed species known to be on or in the vicinity of the property. The U.S. Fish and Wildlife Service, Washington State Department of Fish and Wildlife and other agency notification would take place when environmental review for a project specific development is conducted.
BF-41	<p>The 11 acres is defined as the buildable area, but significant development will occur outside of this envelope. However, the SEIS and original FEIS do not quantify this area. Only argues that it will not occur within the critical areas themselves (except floodplains, maybe?). This section of the EIS is misleading as it states that development is limited to 11 acres when it is acknowledged that development, as defined by MMC 14.01, 18.02, and the SMP, in the form of dredging, filling, and grading will have to occur outside the 11 acres in all three (3) action alternatives in order to accommodate compensatory storage and mitigation.</p> <p>Flood Hazards 14.01.090.G and Planning and Zoning 18.02.040.D define development as, "Development" means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. "Development" also means subdivision of a parcel or parcels into two or more lots.</p> <p>Based on that definition of development the all alternatives (except the new "no development" alternative) include development actions within the critical areas buffers and shoreline designation.</p>	MMC 14.01 and MMC 18.02 and the Shoreline Master Program allow for development in a floodplain with mitigation and use of the required construction materials and methods.
BF-42	The DSEIS continues to confuse and blur the distinction between "non-project actions" and "private project proposals". When convenient the DSEIS defers to the non-project actions provisions to explain why detailed information has not been provided, but when reviewing the range of potential impacts the DSEIS defers to this arbitrary 11 acre development envelope and refuses to acknowledge that this is a rezoning effecting 43 acres not only 11	Comment noted. The proposed Comprehensive Plan Amendment and the rezoning apply to the entire 43 acres. That does not necessarily mean all 43 acres can be developed with buildings, parking lots etc. under current codes and regulations. The FSEIS makes this distinction.
BF-43	All three (3) Alternatives provided in the original FEIS and this DSEIS are the same and as such do not provide the decision makers or the public with a reasonable range of options. This is not appropriate for a non-project policy action taken by the City. The Board noted and concluded that "...all three of the FEIS alternatives include activity within the shoreline environment on the Property to create developable area by using the area within the Urban Conservancy designation for provisions of compensatory flood storage, i.e. excavating and removing soils along the slough. The FEIS simply fails to provide alternatives that inform City Council members of the range of environmental impacts of their action."	As noted earlier, the DSEIS included a "No Action-No Development" alternative to address the Board's comments. In its order, the GMHB specifically references a Washington State Department of Ecology letter that states "...the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS.)" The DSEIS responded to the Board order and to the comment from the Washington State Department of Ecology. To be responsive to public comment received during the DSEIS comment period, the "No Action-No Development" alternative has been revised to be a "No Action-No Development/Single Family Residential" alternative to provide information on impacts to the natural environment if five single family dwellings were constructed on the property.
BF-44	The Board also found that "[t]he assumption that commercial development is the goal, and therefore alternatives for more intensive development should shape the analysis, is inappropriate for a nonproject policy action."	See comment immediately above regarding the DSEIS/FSEIS inclusion of a no action alternative..
BF-45	<p>The Focused Geotechnical Hazards Evaluation, East Monroe Rezone -Heritage Baptist Church Monroe, Washington for PACE Engineering, Inc., June 10, 2015 provides the following project description:</p> <p>A total of four alternatives are being evaluated for the SEIS. The "No Action- No Development" is for the project property to remain in its existing state and not be developed. The other three options include commercial development of the properties. Each of the alternatives would require placing fill pad to elevate the developed area above the 100-year elevation. We understand that the fill pad for each of these alternatives would have the same dimensions. In addition, the impervious area for each alternative would have the same dimensions ...Therefore, from the perspective of geologic hazards, there are essentially only two alternatives: the No Action-No Development Alternative and a developed alternative. "</p>	In general, from the standpoint of certain elements of the environment, it is possible that environmental analysis for certain elements of the environment could be similar. For example, impacts to certain elements of the natural environment could be similar if the development envelope were similar under different plan amendment/rezoning alternatives, but impacts to other elements of the environment (e.g. traffic) could be different since the mix of land uses on that same development envelope have different traffic generation.

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No.	Comment	Response
BF-46	<p>8. The No Action Alternative in accordance with Non-project actions must include a development scenario reasonably foreseeable absent the proposed action (Comprehensive Plan Amendment and Rezone). WAC 197-11-402 General Requirements (9) The range of alternative courses of action discussed in EISs shall encompass those to be considered by the decision maker. If the decision makers do not move forward with this Comprehensive Plan Amendment and Rezone the property will remain in LOS with its existing development potential. The No-Action - No Development Alternative included in this DSEIS is not a realistic outcome as the property owner has existing development rights under the existing zoning. The City does not have the authority to implement a No Development Alternative, so it is not within the realm of alternative courses of action that the decision makers can take.</p>	<p>The DSEIS included a "No Action-No Development" alternative to address the Board's comments. In its order, the GMHB specifically references a Washington State Department of Ecology letter that states "...the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS.)" The DSEIS responds to the Board order and to the comment from the Washington State Department of Ecology . To be responsive to public comment received during the DSEIS comment period, the "No Action-No Development" alternative has been revised to be a "No Action-No Development/Single Family Residential" alternative to provide information on impacts to the natural environment if five single family dwellings were constructed on the property.</p>
BF-47	<p>The previous No-Action Alternative proposed within the September 2013 FEIS was also inappropriate as it was based on Conditional Use provisions for the City's Zoning Code rather than permitted uses. The Board notes that, "[b]y formulating a 'no-action' alternative under conditional use provisions rather than permitted uses, the FEIS avoided a true analysis of the environmental impacts of the GC designation." The City should refer to WAC 197-11-440(5) to re-evaluate the No-Action Alternative and make adjustments to be consistent with the letter and intent of this section.</p>	<p>Please see response immediately above.</p>
BF-48	<p>The DSEIS erroneously places restrictions on the development envelope based on floodplain regulations that currently don't apply to the property subject to the rezone. The DSEIS still reviews potential environmental impacts and bases the "developable area" on the un-adapted 2007 FIRM maps, which placed the East Monroe property with the 100-year floodplain. However, the City has not adopted the 2007 FIRM, but rather uses the 1999 FIRM maps that place the Property in the 500-year floodplain. As such, under the existing codes the Property is not subject to the provisions of MMC 14.01 related to floodplain development.</p>	<p>The property is not currently within the 100-year flood hazard area per the effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain in the 2006 study (the Preliminary FIRM). The 2006 maps have not been published by FEMA or adopted by the City of Monroe. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulations therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time that new FEMA floodplain mapping data are developed.</p>
BF-49	<p>The DSEIS has failed to evaluate the impacts allowed under the changed designation based on the provisions of MMC in effect at the time of this proposed non project action. As PACE has pointed out, the 2007 FIRM maps may never be adopted by the City, therefore the potential environmental impacts should be analyzed based on the existing 1999 FIRM map designated 100-year floodplain or the FSEIS should include mitigated actions that require the application of the 2007 FIRM maps.</p>	<p>The property is not currently within the 100-year flood hazard area per the effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain in the 2006 study (the Preliminary FIRM). The 2006 maps have not been published by FEMA or adopted by the City of Monroe. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulations therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time that new FEMA floodplain mapping data are developed</p>
BF-5	<p>7. The FSEIS must clearly identify and incorporate the zoning code, Shoreline Master Program provisions, applicable development standards of MMC to accurately reflect the maximum development scenario under each alternative (including a No-Action Alternative consistent with WAC 197-11-440(5)).</p>	<p>The DSEIS went to great effort to do this, identifying chapter titles throughout the document when a Monroe Municipal Code Section was referenced. Table 1 of the Draft SEIS (and FSEIS) provides information on the applicable Monroe Municipal Code Chapter/Section that applies. The Draft SEIS (and FSEIS) states that any proposed development would be required to meet all applicable City, state and federal codes.</p>
BF-50	<p>Western Board case, Whidbey Environmental Action Council v. Island County 13 the Board's Western Board case, Whidbey Environmental Action Council v. Island County 13 the Board's decision paralleled the facts of this case (emphasis added): The [environmental] impacts that must be considered for this non-project action are the impacts that are allowed by virtue of the change in designation itself. While project level impacts may properly be deferred to the permitting stage, the County must evaluate the impacts allowed under the changed designation at the time of that non-project action. The [environmental] impacts that must be considered for this non-project action are the impacts that are allowed by virtue of the change in designation itself. While project level impacts may properly be deferred to the permitting stage, the County must evaluate the impacts allowed under the changed designation at the time of that non-project action.</p>	<p>Comment noted. The environmental analysis for the East Monroe proposals is extremely detailed, thorough, and significantly exceeds the requirements applicable to non-project actions.</p>
BF-51	<p>According to CPSGMHB Case No. 14-3-0006c, FDO, 9/19/2014, at 13, Respondent declares that development of the site in compliance with applicable City regulations would actually enhance the current degraded ecological function of the property, but the Board does not find evidence in the record to support a finding that the Property is in a degraded condition. Further, because the FEIS (see arguments in Section Four) does not evaluate a legitimate "no-action" alternative, the Board finds no basis for the City's claims that the preferred alternative would result in enhanced ecological function over the current LOS zoning. Frankly, the idea that substantially slopes above a Type I stream (currently home to endangered and listed species) while simultaneously adding tens of thousands of cubic yards of fill in order to raise the desired building site above the 100-year floodplain (which presently provides flood storage capacity) constitutes enhancement of ecological function does more to suggest the City did NOT seriously consider GMS's environmental protection goal.</p>	<p>As shown in the information provided in the Wetland Resources Inc. Critical Areas Study and Habitat Conservation Report (Appendix B), the habitat values and functions onsite (wetlands and slough) are low to moderate due to nearby urban development, breaks in wildlife corridors such as SR 2 and the BNSF corridor, and lack of vegetation diversity. Onsite mitigation for development would remove the non-native, invasive plant species where possible, improve water quality by providing more diverse plantings of native species, while also providing needed shade to the slough, which would improve onsite habitat.</p>

East Monroe Rezone Comment Response Matrix

No.	Comment	Response
BF-52	<p>The DSEIS still seems to argue that the site is not in the floodplain while simultaneously saying that compensatory flood storage will be needed as part of any future development proposal. The City appears to be considering undated unaccredited City photos of the property as evidence that flooding didn't occur in 2006. However, residents have also provided personal photos showing the property flooding. We would like to add to that collection a newspaper article with the subject property on the front page and an accompanying photo showing the entire property underwater in the 1970's (see Attachment C). Keeping in mind that a photo of the property dry does not substantiate that flooding never occurs, while it only requires one photo of the property underwater to demonstrate that it does flood. If the City determines, as our previous Hearing Examiner and the GMHB have, that the actual occurrence or likelihood of flooding is more relevant to this review than the currently adopted floodplain designation maps, then the City must include mitigation. This EIS must address the gap in floodplain regulatory authority at this site.</p>	<p>The property is not currently within the 100-year flood hazard area per the effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain in the 2006 study (the Preliminary FIRM). The 2006 maps have not been published by FEMA or adopted by the City of Monroe. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulations therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time that new FEMA floodplain mapping data are developed.</p>
BF-53	<p>The existing condition is necessary as a baseline to compare each alternative's potential environmental impacts. The existing condition is not intended to be the No- Action Alternative, as interpreted by PACE and the City. The existing conditions including the presents of endangered and listed species, should be acknowledged and utilized to analyze the potential impacts of each alternative including the "no-action" development potential. The Wetland Resources, Inc. Critical Areas Study and Habitat Conservation Report for East Monroe Rezone, as revised June 2015 does not appear to actually add any additional information or analysis. The same out dated 2013 rating forms are still attached, despite the fact that the WA Department of Ecology updated their rating forms in 2014 and has required use of these new forms for all state reviewed proposals since January 2015.</p> <p>WAC 197-11-440(6) Affected environment, significant impacts, and mitigation measures outlines the existing condition requirement and is provided in part below:</p> <p>This section of the EIS shall describe the existing environment that will be affected by the proposal, analyze significant impacts of alternatives including the proposed action, and discuss reasonable mitigation measures that would significantly mitigate these impacts. Elements of the environment that are not significantly affected need not be discussed. Separate sections are not required for each subject (see WAC197-11-430(3))</p>	<p>See response to comment #BF-4. Information on the Affected Environment, significant impacts, and mitigation are provided in Table 1 and Section 3 of the FSEIS.</p>
BF-54	<p>If WSDOT access issues are not resolved prior to the Comprehensive Plan Amendment and Rezone, this action could render the site undevelopable, therefore infringing on the property owner's development rights. WSDOT provided a serious of comments during this process, all of which are part of the City's record. It is important to note that WSDOT owns the access rights in front of the East Monroe Property, so WSDOT has final approval of any new, expanded or change in access proposals. Therefore, their business need to comment vigorously in this process is limited. WSDOT did comment that the existing access can continue for the purpose of single-family residential uses and that more intensive uses would need to work with WSDOT on a traffic plan. This section of the highway is 55 mph and has been the site of many accidents (including fatal ones) in the recent past. If this Comprehensive Plan Amendment and Rezone is accomplish and WSDOT does not grant access improvements for commercial uses at this location, the site would not be developable. The WSDOT approved access is for single-family residential (which is a prohibited use under a commercial zoning designation) would be useless. And as part of the State Highway system with a limited access easement, the City does not have the authority to authorize the improvements that would be necessary to provide access to this property. This property does not have commercial access approval off SR-2.</p>	<p>Thank you for your comment. Transportation is discussed in the September 27, 2013 Final Environmental Impact Statement. The DSEIS does not discuss traffic or WSDOT access rights as it was not part of the GMHB Order.</p>
BF-55	<p>Recent Landslide was not fully investigated or properly sited and needs additional evaluation for compliance with WAC 197 11-440(6). The DSEIS attempts to address the landslide potential on and adjacent to the site, but fails to provide the level of detail necessary to achieve the clarity on the potential impacts of this Comprehensive Plan Amendment and Rezone. The geotechnical work added to this DSEIS is only reconnaissance, and did not include actual field data test pits or other site-specific information from the slope itself. The level of detail provided in the recent geotechnical reconnaissance is mostly available as public information from the WA State Department of Natural Resources (see Attachment D). The reports were based on site observations for the subject property. It was referenced that they did not have access to the slopes due to property rights issues, but access was not requested from the slope property owners and there is street right-of-way and/or easements on the slope that could be more extensively investigated.</p>	<p>The recent slide on your neighbor's property two lots to your east (Salzgiver) is discussed in the Focused Geological Hazards Evaluation prepared by GeoEngineers. While no slides were observed on the property six lots to your east, there is aerial evidence of tree removal at the top of the hillslope in that area and other areas to the east of your property. The removal of vegetation on top of steep slopes is a contributing factor in soils erosion. No development is proposed on or near the steep slope. The geotechnical site evaluation was performed to evaluate erosion and landslide potential from future development on the rezone property. Hand augers were performed at the toe of the slope to characterize soils and soil stability, as shown on Figure 2 of the geotechnical report.</p>

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BF-56	<p>Unsubstantiated conclusions about the sites hydrology have been incorporated into this DSEIS which leads to a misrepresentation of the existing site conditions. The DSEIS concludes, "that the 100-year flood elevation, under developed conditions, is at 65.35 feet. That is 1.7 feet lower than the flood elevation shown on the FEMA Preliminary (unadapted) Flood Maps and used in the September 2013 FEIS. Reduction of the floodplain elevation is primarily due to the lack of connectivity to the Skykomish River at the eastern (upstream) side of the stream/slough." 15 This conclusion is based on field observations and an undocumented reference to BNSF maps. This apparently casual observation was then misconstrued to conclude that, "there is no connection between the stream/slough and the Skykomish River at the southeast corner of the property ."</p>	<p>Field work was performed by WSE in February of 2015 as part of the hydrologic study. The railroad embankment at the east end of the slough was specifically inspected to look for a connection to the river; no culvert was found. Railroad embankments are constructed of compacted structural fill with riprap slope protection. No hydraulic connection between the river and the site exists as the east end of the site.</p>
BF-57	<p>This DSEIS does not include any analysis of the Proposals compatibility with the City's Shoreline Master Program (SMP). Portions of the subject site included in this Comprehensive Plan Amendment and Rezone are located within the Urban Conservancy (UC) environment designation. The existing LOS zoning was reviewed and determined consistent with the UC when the SMP was comprehensively updated in 2008; however this Comp Plan Amendment and Rezone also rezones the area within the Shoreline Jurisdiction and that has not been reviewed for consistency with the City's SMP. UC is generally a low intensity designation when water-oriented uses, public access/recreation, and environmental protection/preservation are given priority. The City's 2008 SMP Shoreline Restoration Plan (at 113 & 114) and the 2005 Snohomish River Basin Salmon Conservation Plan actually identify the subject property as one of four potential salmon recovery project sites within Monroe's boundaries. This Comp Plan Amendment and Rezone from Limited Open Space to General Commercial appears to be inconsistent with those priorities and the goals of RCW 90.58.020.</p>	<p>Thank you for the comment. The September 27, 2013 FEIS, adopted by reference in the FSEIS, provides for discussion and analysis of land and shoreline use, including analysis of the "Urban Conservancy" Shoreline Master Program designation.</p>
BF-58	<p>Mitigation is not included. The first step in mitigation sequencing is avoidance, then minimization, restoration and finally compensatory mitigation. This OSEIS fails to consider basic avoidance and minimization actions that could reduce the adverse environmental impact of this proposal. For example,</p>	<p>The development concepts in the Draft SEIS/FSEIS attempt to provide a maximum build out scenario without impacts to the onsite critical areas. Actual avoidance measures would be provided in detail when a development proposal is submitted to the City for approval.</p>
BF-59	<ul style="list-style-type: none"> Parcel D and E could be eliminated from the Comp Plan Amendment and Rezone. 	<p>The City is reviewing to a request from an applicant to amend the comprehensive plan map and rezone for all five parcels. The request should either be approved or denied for all five parcels. Regardless of whether the plan amendment and rezone are approved and denied, City regulations provide for protection of critical areas, critical area buffers, shoreline areas. Additional analysis is contained in the DSEIS that addresses existing conditions across the entire property and impacts across the entire property (and neighboring properties) that could be expected of a development proposal, recognizing that impacts again need to be evaluated when a specific project is proposed.</p>
BF-6	<p>Clearly identify what Flood Hazard regulations are currently applicable to the subject site and evaluate potential adverse environmental impacts of the each Alternative based on the existing regulatory framework.</p>	<p>Development of the site would be regulated by MMC 14.01 (Flood Hazard Area Regulations) and MMC 20.05.110 (Flood hazard area development standards), as discussed in Table 1 of the Draft SEIS. The potential environmental impacts of each alternative is also discussed in Section 3 and Table 1 of the Draft SEIS.</p>
BF-60	<ul style="list-style-type: none"> These two parcels are almost entirely covered in critical areas and buffer plus commercial access upgrades would need to cross the slough/stream and would likely have an adverse impact. In fact, many intrinsic impacts associated with creating a commercial ingress and egress (especially for access to Parcel D) are not even included within the development area even though commercial development could not occur on that parcel without crossing the slough itself. The existing crossing may be sufficient for single-family residential or agricultural access, but would require extensive upgrades including expansion, impervious surface and a new culvert in order to provide commercial use access. 	<p>Pace Engineers have indicated that it would be possible to improve the existing access road crossing the stream, by making improvements outside of the OHWM of the stream/slough. Options for accessing Parcel D would be addressed when a development proposal is submitted to the City for approval.</p>
BF-61	<p>The Rezone could be limited to only areas outside the floodplain, wetlands, streams and steep slopes therefore not requiring the compensatory flood storage and other impacts that would likely occur within the Shoreline Jurisdiction and/or within critical areas buffers.</p>	<p>The City is reviewing to a request from an applicant to amend the comprehensive plan map and rezone all parcels. The request should either be approved or denied for all five parcels. Regardless of whether the plan amendment and rezone are approved and denied, City regulations provide for protection of critical areas, critical area buffers, shoreline areas. Additional analysis is contained in the DSEIS/FSEIS that addresses existing conditions across the entire property and impacts across the entire property that could be expected of a development proposal, recognizing that impacts again need to be evaluated when a specific project is proposed.</p>
BF-62	<p>The proposed action could be placed on hold pending an approved access plan.</p>	<p>Site access would be proposed as part of an actual project specific development proposal whether under existing comprehensive plan designation/zoning or a different plan designation/zoning. State and City review of an access proposed by an applicant would take place at that time.</p>

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BF-63	In accordance with WAC 197-11-420 EIS preparation this SEIS "...is the responsibility of the lead agency, but or under the direction of its responsible official ...no matter who participates in the preparation of the EIS, it is the EIS of the lead agency. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with these rules and the procedures of the lead agency." As the City's responsible SEPA official, we hope that you will take the time to review and careful consider our comments. We believe that they demonstrate that this DSEIS does not comply with WAC 197- 11 and that it is still inadequate to properly inform the decision makers and the public of the environmental impacts of this proposed Comp Plan Amendment and Rezone. For the above outlined reasons, we respectfully request that the City reconsider the adequacy of this EIS as a matter of law.	Comment noted. Thank you for your comments.
BF-7	Floodplain habitat and flood storage impacts associated with allowing 100% lot coverage under GC needs to be addressed.	The Monroe Municipal Code defines "Permitted lot coverage" as the percentage of total lot area, based on square footage, covered by impervious surfaces, divided by the total lot area." The maximum lot coverage allowance does not, however, allow for impervious surface to be placed in areas where other code requirements prohibit it (e.g. cannot pave over a wetland). Under any alternative, maximum lot coverage is constrained by the presence of critical areas, shoreline jurisdiction, critical area buffers, and the native growth protection area.
BF-8	The FEIS should be revised to accurately reflect the development potential of these parcels under the LOS zoning restrictions and GC zoning restrictions.	The alternatives do provide for development scenarios with uses identified under the LOS zone and the CG zone. The "No Action-No Development" alternative has also been modified to be a "No Action-No Development/Single Family Residential" alternative to supplement the discussion with a scenario featuring a single family dwelling on each lot.
BF-9	9. The EIS should be redrafted. The level of detail is excessive for some project components and lacking altogether for other environmental components under review. The FEIS should be reframed to answer this question - Would rezoning the property from LOS to GC have unavoidable environmental impacts that are not or could not be mitigated by the Cities other regulatory codes during the future development phase?	Development of the property could have unavoidable impacts. The FSEIS follows the format as provided for in the SEPA rules, which generally consists alternatives, existing conditions, impacts, mitigation, unavoidable adverse impacts and cumulative impacts. As shown in Table 1 of the FSEIS, unavoidable impacts would be temporary or beneficial to the site.
CM-1	My first concern is that the company PACE Engineers which has prepared the statement has a vested financial interest in the property since they have filed a lien on the property	Thank you for your comment. The SEPA Rules provide for the ability for EIS's to be prepared by a consultant for an applicant.
CM-2	It is not apparent in the DSEIS that they have used the best available information in their research and may not be using all available information.	The information responds to the GMHB Order with site specific information prepared by a licensed, professional geotechnical engineer, hydraulic engineer, and wildlife biologist.
CM-3	Over the past several years the citizens of Monroe have presented many photographs of the property showing a vast majority of the property underwater during higher water levels of the Skykomish River. The photos are not of just one flooding event of the property but of many floods over the past few decades	The DSEIS and FSEIS acknowledge that the site is subject to flooding. The property was identified on preliminary FEMA Flood Insurance Rate Maps. This provides best available science which the City relies on to consider the property as being located in a Flood Hazard area subject to the City's Flood Hazard area regulations.
CM-4	Another item I found interesting in the wetland studies were conducted in June this year in which the average rainfall by June was about 14" below normal. The water levels are much lower than an average year as well as the water levels during the winter.	Field evaluation for the wetland delineation conducted for the FEIS was completed in June, during the growing season, as mandated by the Regional Supplement to the Corps of Engineers Wetland Delineation Manual for the Western Mountains, Valleys, and Coast Region (Version 2.0)
CM-5	It is also interesting that the report indicates no fish where noticed in June. Salmon are not in the river this time of the year. When the Salmon run in the fall is when they would need to check for Salmon. How did they arrive at this data- just look at the water and didn't see a fish jump. The document doesn't mention any scientific data or studies	As stated in the Wetland Resources Critical Area Study and Habitat Conservation Report (FSEIS, Appendix C), the presence of fish is assumed due to the slough's connection to the Skokomish River. Because the slough is connected to the river, it is expected that fish species using the Skykomish River, may also enter the slough. However, no fish were observed during site evaluation.
CM-6	Bald eagles have nested in trees just to the South along the Skykomish River just across the highway from this site.	The Wetland Resources Critical Areas Study and Habitat Conservation Report (FSEIS, Appendix B) addresses potential impacts to listed species known to be on or in the vicinity of the property. The bald eagle is not a listed species. The U.S. Fish and Wildlife Service and the Washington State Department of Fish and Wildlife notification would take place when environmental review for a project specific development is conducted.
CM-7	One of my other major concerns is the amount to taxpayer dollars that continue to be poured into this project. I would like to see a report of how many man hours of City employees this has taken. Under normal projects the landowner would bear all costs and not the City.	Thank you for your comment. The comment does not pertain to an environmental issue that the City is responding to in response to the GMHB Order.
CM-8	The report on page 9 discusses that the steep slope is characterized by thickly vegetated deciduous trees and shrubs. This is not true as it is mostly covered in blackberries except on the very Western end and near the bottom of the bluff. This would not be known by only researching from the pasture below though. The document does not mention that any survey was done from the top of the bluff.	Thank you for your comment. There were no surveys conducted from the top of the bluff. Field surveys, mapping and historical aerial photographs and digital imagery were among the information used to assess existing conditions and evaluate potential impacts. The methodology is discussed in the GeoEngineers Focused Geological Hazards Evaluation (Appendix D).
CS-1	During this time frame of 44+ years, we have seen that land flooded on four (4) occasions. While I have never measured the depth of the water during those episodes, we distinctly recall seeing someone in a rowboat traversing the area on one occasion.	The Draft SEIS/FSEIS acknowledges that the area is subject to flooding and the area has been identified on preliminary FEMA flood insurance rate maps as subject to flooding. As noted in responses above, development of the property would be subject to the City's flood hazard requirements.

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No.	Comment	Response
CS-2	With regard to slippage of the bluff; one neighbor two lots to our east and another 6 lots to the east experienced significant loss of hillside as well as another to the west of us.	Based on comments related to this issue, that matter has been reviewed again. The recent slide on your neighbor's property two lots to your east (Salzgiver) is the same landslide that was discussed in the DSEIS's Focused Geological Hazards Evaluation prepared by GeoEngineers. While no slides were observed on the property six lots to your east, there is aerial evidence of tree removal at the top of the hillslope in that area and other areas to the east of your property. The removal of vegetation on top of steep slopes is a contributing factor in soils erosion.
CS-3	The flooding and hillside loss have occurred with the combination of an early heavy snowfall in the mountains, followed by a warm spell and accompanied by heavy rains. It is foolish to assume this constellation of events will not occur again, which makes commercial development of this area a silly undertaking.	Your comment is noted. The FSEIS acknowledges that the site floods. The Geotechnical report states that hillside slippage can be triggered by increased periods of precipitation, resulting in soil saturation and elevated groundwater levels, among other factors such as uncontrolled stormwater from the top of the slope and tree removal.
CS-4	During this 44 years we've also had the opportunity to observe the significant increase in traffic on Highway 2. Accessing or leaving the property in question will require a left turn at least once; a disaster waiting to happen.	Thank you for your comment. Transportation is discussed in the September 27, 2013 FEIS. The September 27, 2013 FEIS has been adopted by reference in the FSEIS Fact Sheet.
DF-1	I would like to add my objection to the many who have already objected to this rezoning for very good reasons. Wildlife corridor from the river to valley and beyond	As stated in the Critical Areas report, the habitat value for wildlife is low to moderate due to the disruption of the vegetated corridor; SR 2 and the BNSF corridor, and because of nearby urban development.
DF-2	natural water overflow	Thank you for your comment. The Draft SEIS acknowledges that the site is subject to flooding. The hydraulic model used the most recent available quantitative data to perform the study. The property is not currently within a 100-year flood hazard area per an effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain area in preliminary FIRM maps. Those maps are not in effect by FEMA. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulations therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time the current best available science s superceded.
DF-3	hillside erosion	Erosion on the steep slope is accelerated by activities on the hilltop such as removal of vegetation and stormwater runoff. Concentrated runoff from developed areas can be particularly troublesome in this regard. Erosion will continue so long as these erosive activities continue.
DF-4	the beginning of open space.	Comment noted.
DF-5	I agree whole heartedly with these important concerns. No one has yet to talk about the traffic problems from creating an access to and from the propose commercial site. Another roundabout is not what we need on state highway 2. If you look at the roundabout in east Sultan for example, it backs up traffic during commute times and on the weekends it brings traffic coming west bound to a standstill. East bound traffic thru Monroe is already at a standstill with people trying to get home from work. You can just imagine what a roundabout would add to all of this	Thank you for your comment. Transportation was addressed n the September 27, 2013 FEIS. The DSEIS does not discuss traffic as it was not part of the GMHB Order.
DF-6	Another point I would like to add is the concern for open space, once you open the door for commercial development to this farming area, there will be no end to the destruction of our quiet and pleasant valley	Thank you for your comment. Land use was addressed in the September 27, 2013 FEIS. The DSEIS does not discuss farmland as it was not part of the GMHB Order.
DF-7	As far as alternate locations for commercial space I would suggest the Fryelands commercial, industrial park. Seems to be several vacant spaces there. No rezoning needed.	Thank you for your comment.
DH-1	The scenic value of this gateway is a great asset to Monroe and worth preserving. This peaceful environment is a mile down the road from Monroe's notorious traffic congestion and a large retail area that has been plagued with a considerable glut of retail space-also for many years. The last thing Monroe needs is a totally auto-dependent retail area that draws consumers away from its walkable retail areas and stretches out the City's traffic congestion several miles to the east.	Comment noted. The proposed Comprehensive Plan map amendment and the proposed rezone require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.
DH-10	If the community intends to appeal preliminary data, it must be done during the official appeals period Otherwise, you will have to wait for the new map to become official and submit a request for a map amendment or revision. NIPA requirements, Unit 5, p 14 I believe the appeal period referenced above is long past; but, even if it wasn't, it seems unlikely that FEMA would approve lowering the BFE when every climate change study out there, including those sponsored by FEMA itself, predict drastically increasing flood levels in the riverine environments of the Northwest.	Comment noted. Across the nation, the process to update certain flood insurance rate maps was discontinued by FEMA to address concerns raised regarding FEMA's methodology to address issues such as, for example, levee decertification. The City is using the preliminary maps as best available science for the purposes of applying its flood hazard regulations. It is possible that if the remapping process is initiated by FEMA again that new preliminary FEMA maps may be different from the preliminary maps that were developed.

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No.	Comment	Response
DH-11	<p>Riverine Environment- By the year 2100, the relative increase in the median estimates of the 1percent annual chance floodplain (floodplain) depth and area (Special Flood Hazard Area or SFHA) in riverine areas is projected to average about 45% across the nation, with very wide regional variability. Depths and areas may increase by over 100% in some areas of the Northwest and in the vicinity of the Great Lakes, whereas smaller relative increases of about 20 to 40% may be typical of areas of the central and Gulf regions.</p> <p>The Impact of Climate Change and Population Growth on the National Flood Insurance Program Through 2100, June 2013, prepared for Federal Insurance and Mitigation Administration, Federal Emergency Management Agency. Prepared by AECOM in association with Michael Baker Jr., Inc. and Deloitte Consulting, LLP6.1.1 Technical Findings.</p> <p>Changes in river-related flood risk depends on many factors, but warming is projected to increase flood risk the most in mixed basins (those with both winter rainfall and late spring snowmelt-related runoff peaks) and remain largely unchanged in snow-dominant basins.... This increase in heavy downpours could increase flood risk in mixed rain-snow and rain- dominant basins, and could also increase stormwater management challenges in urban areas.</p> <p>Climate Chcmge Impacts in the United States, Chapter 21, Northwest, p.489 and 490, Thomas R Karl, Jerry M Melillo, and Thomas C. Peterson, (eds.). Cambridge University Press, 2009, 2014</p> <p>Overall, the entire region is projected to undergo elevated flood magnitudes</p> <p>Impacts of 21st century climate change on hydrologic extremes in the Pacific Northwest region of North America, Changes in Flood Risk, pg7, Ingrid Tohver, Alan F. Hamlet, Centerfor Science of the Earth System, Climate Impacts Group, University of Washington, Dept. of Civil and Environmental Engineering, University of Washington, 2014</p> <p>Clearly, under "present conditions," raising the BFE makes more sense than lowering it.</p>	<p>Thank you for your comment. Greenhouse gas emissions were not identified as part o fthe GMHB Order.</p>
DH-12	<p>Furthermore, the DSEIS for the East Monroe rezone contains no provision for raising the elevation of the approximately 1000 feet of "internal street system" on the property above the flood plain, or the compensatory flood storage required for that amount of fill.</p>	<p>Any "road system" surfaces would be within the developable area and was therefore included in the studies.</p>
DH-13	<p>Pace knows they don't have enough compensatory flood storage even under their lowered BFE scenario, so, on page 45, they hedge with "To completely compensate for lost flood storage due to fill placement, some compensatory storage will most likely also be required within the developable areas." Just how small will the developable area be by the time they get the real numbers figured out?</p>	<p>Compensatory storage needs to be provided. If necessary, options for compensatory flood storage within the developable area include stormwater vaults and onsite detention. That may or may not affect the developable area in terms of area available for parking, buildings, etc.</p>
DH-14	<p>Alternative Sites</p> <p>Lets take a closer look at Site 3:</p> <p>It is larger than the East Monroe site It is already zoned General Commercial</p> <ul style="list-style-type: none"> • It has none of the environmental restrictions, or the flood hazard • It is walkable and within walking distance of much of Monroe's existing retail space • It is more easily accessible from both SR2 and 522 <p>It is owned by the City!</p> <p>Shouldn't the City see Site 3 developed to its full potential before adding more empty retail space a mile out of town-and in the process- lowering the property values of an entire neighborhood of 40 family homes?</p>	<p>Thank you for the comment. Comment is noted. The discussion in the FSEIS regarding Site 3 acknowledges its size and that it offers less environmental costs as it is not in the shoreline designation or floodplain. The discussion does, however, reference that it is a former landfill site and that other environmental issues may be associated with it.</p>
DH-15	<p>The DSEIS calls the alternative sites out for not having direct access to SR 2 as if the East Monroe site does have direct access. It does not. WSDOT has only allowed for access at the existing driveway of the adjoining property to the east. Meaning, the "developable" area nearest the highway will need a 700ft frontage road and a bridge over the slough.</p>	<p>Comment noted. Site access would be part of an actual development proposal and subject to WSDOT and City approval. Transportation is discussed in the September 27, 2013 FEIS. The DSEIS does not discuss traffic or WSDOT access rights as it was not part of the GMHB Order.</p>

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No.	Comment	Response
DH-16	Does the owner of the East Monroe property have a legally binding right-of-way to that driveway? Or can the owners of the adjacent property decide they don't want "5,230" vehicles a day coming and going in their driveway and leave the newly zoned GC property with no commercially viable access at all?	Thank you for your comment. Transportation is discussed in the September 27, 2013 FEIS. The DSEIS does not discuss traffic as it was not part of the GMHB Order.
DH-17	<p>Landslide History and Potential</p> <p>My concern for the stability of the steep slope that connects my home with the East Monroe property was heightened when the City required my next door neighbor to drive 16 reinforced concrete columns 20 feet into the ground to support the foundation of their house. Then after the OSO slide, Snohomish County's first reaction was to call for a ban on all construction within a half a mile of their portion of this same slope only a couple of thousand feet to the east of my house. They did not follow through with that ban, but they must have seen sufficient hazard in this slope to call for the ban in the first place .</p>	Comment noted.
DH-18	In Appendix D of the DSEIS, Figure 2, The slide labeled as "Interpreted Older Slide" is on my property. On page 11 and 12 of Appendix D, under "Observed Slope Conditions", I do not find any reference to this slide. The only "older" interpreted slide is described as relatively small and shallow. In Figure 2, the "Interpreted Older Slide" is about 200 feet in length and slightly wider than the "Recent Slide" they estimate to be 40-50 feet wide. In Figure 9, which depicts a cross section of this area, the lines representing "Geologic Contact Uncertain" are cause for alarm, particularly the one running across the page at the 150ft elevation. When a major earthquake strikes, I will be running for the street!	No development is proposed on or near the steep slopes. The site evaluation was performed to evaluate erosion and landslide potential from future development in the proposed comprehensive plan amendment rezone property. In terms of landslides, the slide on your property is considered "relatively small" especially in contrast to some of the deep-seated landslides that have occurred in Washington state in the last 20 years.
DH-19	If I understand correctly, GeoEngineers was interpreting these slides by examining satellite photos with a microscope. As I recall, that is the level of analysis that got the US into the Iraq war. Had GeoEngineers asked for access to that slide, I would have given it. Though, granted, it is not easy to get to.	<p>Historical aerial photographs taken by fixed-wing airplanes over a period of six decades were interpreted for changes in vegetation cover, land-use, slope movements, and channel conditions at the base of the slope using methods that are part of the standard of practice of geologists.</p> <p>Evidence of landslide activity was located as observed during site evaluation conducted onsite in February 2015. In addition, a recent aerial photograph taken in June 2015 displays the active landslide in the approximate location that was mapped.</p>
DH-2	In the 2015 DSEIS, the proponents of this rezone continue their strategy of drowning inconvenient truths in volumes of data and professional-looking graphics. In the following I will bring some of those inconvenient truths to light for your consideration	Comment noted.
DH-20	Speaking of the street, the DSEIS fails to mention the nearby half mile stretch of Calhoun road which used to connect it to SR2. It has been closed for years because the repeated efforts to keep the road bed from sliding down the hill all failed. Nature always wins in the end.	Thank you for your comment.
DH-21	<p>The 2015 DSEIS, on page 1 makes the following claim:</p> <p>Based on the Board's Final Decision and Order, this DSEIS evaluates:</p> <ul style="list-style-type: none"> • A No Action- No Development Alternative, to provide a baseline to inform decisions-makers of the relative impacts of other alternatives. • Alternative sites in the City of Monroe. • Environmental values of the entire property, including those related to wetlands, the stream/slough, and habitat, with additional analysis on potential impacts to stream/slough, wetlands and salmon habitat. • Volumes and placement of fill. • Flood hazards and hydraulic analysis related to flood water velocities and potential erosion of stream banks. • Landslide history and potential. <p>The following environmental elements are analyzed in response to the Board decision:</p> <ul style="list-style-type: none"> • Earth (Topography, Soils, Erosion and Landslide Hazard). • Surface Water (Streams, Wetlands and Flood Hazards). I believe it fails on every point. I hope you agree. 	Thank you for your comment. The FSEIS includes consultant and subconsultant reports with updated information and conclusions. This information will inform decision-makers so they can decide on the issues of whether or not the comprehensive plan amendment and rezone should or should not be approved,

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DH-3	<p>Flood History of the Property</p> <p>44 CFR Section 60.3(b)(4) requires that you make every effort to use any flood data available in order to achieve a reasonable measure of flood protection. NFIP requirements, Unit 5, pg 10</p> <p>On page 55, Figure 9 of the DSEIS we find:</p> <p>The "Historical Peaks" graph to the left shows the year 2006 had the highest recorded flood water elevations in the history of Snohomish County. The images below are official City photos (date) and show the site conditions of the project area during the 2006 flood, under the highest river levels for the Skykomish river since 1928.</p> <p>Note; even when flood waters reached their highest elevations, the conceptual developable area remained above water.</p> <p>These statements are completely and shamefully false. Snohomish County includes more than just the area surrounding the flood gauge at the east end of Gold Bar. Anyone familiar with flooding in the area can easily recognize that the images here were not taken during the peak of any flood. The river is only bank full. The flood way-everything to the south of the railroad tracks and SR2 in these photos-is always under water in a major flood. In these photos it is not. The area south of the tracks is designated "flood way" because there is plenty of historical evidence to support that designation.</p>	<p>Thank you for your comment. The hydraulic model used the most recent available quantitative data to perform the study. The property is not currently within a 100-year flood hazard area per an effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain area in preliminary FIRM maps. Those maps are not in effect by FEMA. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulations therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time the current best available science is superceded.</p>
DH-4	<p>The City has heard many eyewitness testimonials from those who experienced it, stating that the subject property was completely under water during the 1990 flood, that people were traversing it in row boats, and that the residents of the home just to the east of the subject property had to be rescued by helicopter. I heard the same from my relatives when I arrived on the scene a few days after the peak of the Thanksgiving 1990 flood. It is my-albeit fuzzy-recollection that the entire property was still under water at that time, but I definitely remember a pickup truck halfway along the drive to that house being submerged up to the very top of the cab. Depending on the make of the truck, this would put the water level at or over the highest point on the so-called "developable" portion of the property.</p>	<p>Thank you for your comment. The Draft SEIS acknowledges that the site is subject to flooding. The hydraulic model used the most recent available quantitative data to perform the study. . The property is not currently within a 100-year flood hazard area per an effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain area in preliminary FIRM maps. Those maps are not in effect by FEMA. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulation therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time the current best available science is superceded.</p>
DH-5	<p>The graph in the DEIS and the aforementioned testimony do beg the question, why was the flooding in the lower Skykomish Valley so much more severe in the 1990 flood? The flood gauge at the east end of Gold Bar is measuring the flow upstream from where the Wallace river, the Sultan river, and a multitude of smaller tributaries enter the Skykomish-about 150 square miles of watershed. As with</p>	<p>The modeling for this project accounted for additional flow as was done for the FEMA modeling. The new analysis builds on the prior analysis with new information over the FEMA study, which was managed by Larry Karpack, P.E. who is now with Watershed Science and Engineering (WSE).</p>
DH-6	<p>Most river flooding, the severity is highly dependent on where the rain is falling.</p>	<p>Thank you for your comment.</p>
DH-7	<p>The Lack of Compensatory Flood Storage</p> <p>As I pointed out at the September 23 hearing, throughout the proceedings for the 2013 SEIS, Pace kept insisting that the blackberry bushes on the property were actually solid ground and that excavation and removal of those bushes could provide the necessary compensatory flood storage. Those within Monroe's City government eager to give this rezone a pass at every opportunity were not bothered by the notion of blackberries providing flood storage. Fortunately, the Growth Management Hearings Board was not subject to the same pressures. But, even with the blackberries as solid ground, there was not enough flood storage because Pace was low-balling the amount of fill needed to raise the project area a foot above the Base Flood Elevation (BFE). Pace's only option is to lower the BFE.</p>	<p>The WSE hydraulic study followed industry standards and utilized FEMA data (with corrections) to reach its conclusions. Pace has indicated that the 2014 LiDAR is, to the best of their knowledge, the best comprehensive topographic data set available for this site. The information provided indicates that the absolute accuracy of the LiDAR was within 0.6 feet of the additional data collected for the DSEIS. For any large scale topographic data set the consultant team indicates this is outstanding. Even if a topographic map was created from field surveys it would not be expected that the data would be more accurate than +/- 1.0 feet unless the surveys collected enough data to create a 1 foot contour map, which would require exhaustive field surveys. While ground surveys are more accurate at the actual surveyed points, 99.9 % of the topographic map data produced from these surveys would be based on interpolation between the surveyed points. With LiDAR there is no need for this interpolation - data is collected directly for every square foot of the area. There is always a possibility of issues with penetration through dense vegetation and there might sometimes be an issue with the survey control, but overall there is no better current technology for topographic data development than LiDAR. Given this, it was appropriate to make the small (0.6 foot) adjustment in the LiDAR data to better match the ground shots that were available.</p> <p>□</p>

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DH-8	<p>In Appendix C, on page one of the memorandum from Watershed Science & Engineering (WSE), we find the following statement:</p> <p>Currently, the only water entering the slough at its upstream end enters via roadside ditches from a local tributary area of about 273 acres, including areas north of SR 2 and areas between SR 2 and the BNSF tracks.</p> <p>Frankly, I was more stunned by the absurdity of that statement coming from a firm that purports to know something about watersheds and hydrology than I was about the blackberries. We've been experiencing a drought. Those ditches had been dry for months and yet there is always water entering from the east end because the slough is fed by the old river bed that runs right under those tracks. Yes, during a flood, a culvert would bring the water in more quickly, but if WSE has no clue how the water is getting there now, they certainly have no idea how fast the water would work its way through that railroad bed or how likely it is to be breached as it has in the past during flood conditions.</p>	<p>While seepage of groundwater into the slough may occur this would be proportionally a very limited amount of flow during flood events, far smaller than the runoff from the 273 acre basin local drainage basin and negligible compared to the flow coming from the Skykomish River via the culverts at the west end of the site.</p>
DH-9	<p>Consider this from Physical Processes, Landscapes and Riverscapes, Jack A. Stahford 2006:</p> <p>Pg. 5 Hence, water from the river may penetrate deeply into the substrata of the river bottom. Moreover, substrata of floodplains are composed of alluvial gravels and/or sands and silts, which allow lateral flow of river water. Hence, interstitial flow pathways constitute a vertical dimension in the river channel and on the floodplains.</p> <p>Pg. 6 Overland flooding from the channel to the floodplain is obvious as bankfull flow is exceeded and water spills out of the channel network. Flooding from below ground is less intuitive, but in gravel-bed rivers the initiation of overbank flooding usually is preceded by filling of the alluvial aquifer to the extent that the surface is saturated and hypohetic water erupts into swales and abandoned channels, creating wetlands and spring brooks. Change from dry to wet condition associated with above and below ground flooding is called the flood pulse, and it allows aquatic and terrestrial biota to use the same space but at different times, thus vastly increasing biodiversity and bioproductivity of the riverscape (June 2005).</p> <p>Just as the blackberry bushes served to prop up the sham findings in the 2013 EIS, this fiction of river water entering only the west end of the slough supposedly allows PACE to come up with the numbers to justify lowering the BFE by 1.7 feet. Where is their certificate from FEMA allowing this reduction?</p>	<p>The new hydraulic analysis, reported in WSE 2015, documents that it started with the FEMA model (best available data) and refined and improved that model to accurately represent actual conditions of the slough. The model was then use to evaluate current and proposed conditions on the project site for the 100-year flood. WSE's work was done to the highest professional standard and there has been no evidence yet presented that the new work has any technical flaw.</p>
DO-1	<p>The thing that keeps me involved in trying to find balance on this issue is that there are rarely opportunities in life to revisit a topic over and over again until you get the answer that you want. Yet that appears to be the status of this rezone request. It has been rejected multiple times by multiple sources over multiple issues. However the Monroe City Council has on more than one occasion refused to accept that this rezone is flawed and has allowed further action. They have even reversed their own actions!</p>	<p>Thank you for your comment. In this case, the City is responding to an Order from the Growth Management Hearings Board which invalidated a section of the comprehensive plan amendment ordinance and the entire rezone ordinance. The proposed Comprehensive Plan map amendment and the proposed rezone again require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.</p>
DO-2	<p>I can list again my concerns as a Monroe citizen and taxpayer:</p> <p>The amount of time and resources (both human and financial) that have been expended by the City of Monroe on this issue is alarming.</p>	<p>Thank you for your comment. Your comment is noted.</p>
DO-3	<p>I have two questions:</p> <p>1. Where else in the City has such a biased approach been used? I certainly don't know all of the City's business, but if this is common than as a citizen I would like to see a list of similar projects that have been revisited over and over before a final determination is reached and accepted. It would certainly inform my future view of City Council elections as I look for elected officials to govern.</p>	<p>Thank you for your comment. In this case, the City is responding to an Order from the Growth Management Hearings Board which invalidated a section of the comprehensive plan amendment ordinance and the entire rezone ordinance. The proposed Comprehensive Plan map amendment and the proposed rezone again require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.</p>

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DO-4	2. If this situation is unique, what makes it so? Is it because of the special interest of the landowner and their relationship to certain council members?	In some respects, this current proposed comprehensive plan amendment and rezone process is unique. The DSEIS/FSEIS and process responds to an Order from the Growth Management Hearings Board which invalidated a section of the comprehensive plan amendment ordinance (Ordinance No. 022/2013) and the entire rezone ordinance (Ordinance No. 024/2013). That Order sets timelines for the City to comply.
DO-5	- Our property overlooks the proposed rezoned area. We have lived here for over 25 years. In that time, this land has seen multiple occurrences of flooding. To not consider this as a flood plan is incomprehensible. I don't care who is hired to give an assessment - I have to trust my own eyes and common sense. This land should not be rezoned for development just because it is not underwater at the moment.	As noted in previous responses above, the Draft SEIS (and FSEIS) acknowledges that the proposed plan amendment/rezone site is subject to seasonal flooding. FEMA has the property identified as 100 year flood hazard area on preliminary Flood Insurance Rate Maps, but those maps are not in effect. Based on these maps, the City does consider the area as a flood hazard area subject to the City's flood hazard regulations
DO-6	Several issues in the Table 1 Potential Impacts & Mitigation Measures list "unavoidable impacts". This area contains wetlands, a stream, wildlife, and vegetation. While most impacts are listed as temporary, what assurances are there that they will not cause permanent change?	There would be a permanent change in the loss of vegetation if the property were to develop under any zoning. As noted in the Critical Areas Study and Habitat Conservation Report, permanent change could occur in the form of habitat enhancement through the removal of invasive species and replacement with native plant vegetation, and water quality improvement as a result of mitigation measures that would be required for development.
DO-7	For example, we already see wildlife in the residential area above this proposed rezone. Will further disruption of that area bring more coyotes to my front lawn? Not a welcome outcome, trust me!!	Thank you for your comment. Proposed mitigation for the comprehensive plan amendment/rezone site provides for the improvement of habitat. Increased coyote activity in your area cannot be predicted.
DO-8	- Traffic on Highway 2 leaving Monroe to the east (past this proposed rezone area) is often bumper to bumper. Again, I don't need a traffic study - I can see the highway with my own eyes. Common sense says that there is no way to seamlessly add additional traffic entering at the exact point that is already jammed up. And what about the proposed bypass - how would that affect this area in the future?	Thank you for your comment. Transportation is discussed in the September 27, 2013 FEIS. The FSEIS does not discuss traffic as it was not part of the GMHB Order.
DO-9	As elected officials of the City of Monroe and all of its citizens, please use some common sense and vote to reject this rezone forever.	Thank you for your comment. The proposed Comprehensive Plan map amendment and the proposed rezone require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.
ECO-1	The DSEIS has incorporated a No Action Alternative that describes the existing conditions on the site and updated information related to habitat value (Critical Area Study and Habitat Conservation Report; Appendix B) and potential flooding (Hydraulic Analysis; Appendix C). The remaining alternatives have not been appreciably revised from those in the final environmental impact statement (FEIS) and it is still difficult to distinguish significant differences (and impacts) from the various development proposals.	A No Action – No Development Alternative was added to the Draft SEIS and the No Action Alternative has been modified in the SEIS to address development potential for five single family dwellings under the current LOS zoning. No changes were made to Alternatives 1, 2 and 3.
ECO-10	Conclusions in two sections of the DSEIS are not entirely supported by available information and Ecology recommends that additional information on these sections be provided in the FSEIS. These two sections include the assessment of existing conditions for surface water and also fish and wildlife habitat.	Existing conditions information was summarized in the DSEIS and is provided in detail in the Critical Areas study prepared by Wetland Resources and included in the FSEIS as Appendix B.
ECO-11	The Surface Water discussion (Section 3.2.1), as well as a statement in the Summary (Section 1.3, p. 9), concludes that because there is no culvert beneath the railroad at the southeast end of the slough, there is no surface water connection between the slough and the Skykomish River and that the southeast end of the slough receives water from the State Route 2 roadside ditches. It is my understanding that the railway base is composed of relatively porous rip rap that does have a hydrologic connection with the river during high flows. The railroad base does preclude fish access to the southeast end of the slough, but it is not an impermeable barrier	The railroad embankment is constructed of compacted structural fill. The side slopes are armored with riprap to protect the embankment from possible erosion. There is no surface hydraulic connection to the river under the railroad embankment at the east end of the site. While some seepage may flow through the fill if the Skykomish River remains above flood stage for an extended period of time this would be a very limited amount of flow, far smaller than the runoff from the 273 acre basin local drainage basin and negligible compared to the flow coming from the Skykomish River via the culverts at the west end of the site.
ECO-12	Also, wetlands to the east of the site on the north side of State Route 2 appear to drain towards the slough; input from the ditch system to the southeast end of the slough is not simply road runoff.	The modeling included contributions from 273 acres of hillside and properties to the east that drain toward the site. This includes the wetlands east of the site.
ECO-13	The Hydraulic Analysis (Appendix C) modelled flood elevations on the site based on the current flood model prepared for FEMA (Northwest Hydraulic Consultants, Inc., 2006), available LiDAR data and field-surveyed elevations. The modelled 100-year flood elevation used in the Hydraulic Analysis for the existing conditions is 65.31 feet which would increase by 0.04 feet under the built out condition. The Hydraulic Analysis used a 100-year event discharge of 64,600 cubic feet/second (cfs) at the Gold Bar Skykomish River gage. However, the USGS and FEMA list the 100-year event discharge as 119,300 cfs for this gage. More explanation should be provided for the rationale of using 64,600 cfs as the 100-year event discharge, when the FEMA model was developed using the 119,300 cfs discharge. Figure A-1 in the Hydraulic Analysis should also be revised to show 119,300 cfs discharge.	WSE modeled a flow at the upstream end of the modeled reach of 142,000 cfs. The fact is that adjacent to the project site the Skykomish River splits into 3 separate flow paths (the main channel, Haskell Slough, and Riley Slough). The figure WSE included in its May 28, 2015 memorandum (Appendix C) showing flows upstream of the project site was only intended to show flows and water levels in the main channel, not the flows which leave the river via Haskell and Riley sloughs.

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ECO-14	The fish and wildlife analysis concludes that because the slough is not accessible to fish at the upstream end, the in-water habitat value of the slough is greatly diminished. Because the southwest (downstream) end of the slough is fully accessible to Skykomish River fish, it still has the potential to provide critical off-channel refuge for fish, particularly during high flow events. The velocities in the slough would be much lower than in the main channel and would provide resting and foraging areas for fish. This type of habitat has been identified as critical for juvenile Chinook salmon by the National Marine Fisheries Service (Federal Register, 70:170 52630-52858). The fact that fish were not observed during a single site visit in June and that the slough is not accessible at the upstream end does not negate the potential importance of the slough as fish habitat.	Page 61 of the Draft SEIS states that because the slough is connected to the Skykomish River, which is a salmon bearing stream, it is expected that fish species found in the river, would be found in the slough. The Draft SEIS does not say that fish would never be present in the stream/slough; it states that none were observed at the time of field survey. Fisheries issues are discussed in the FSEIS Wetland Resources Inc. Critical Area Study and Habitat Conservation Report. (Appendix B).
ECO-2	The DSEIS did not include updated drawings of the development proposals for each of the alternatives	Updated drawings were not provided because there has been no change possible parking and building development envelopes in Alternatives 1,2, and 3 from the September 27, 2013 FEIS.
ECO-3	and Table 1 only compares the No Action Alternative with the other combined alternatives, leaving the impression that there are only two alternatives being assessed (no new development and development).	As noted earlier, the DSEIS included a "No Action-No Development" alternative to address the Board's comments. In its order, the GMHB specifically references a Washington State Department of Ecology letter that states "...the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS)." The DSEIS responded to the Board order and to the comment from the Washington State Department of Ecology. To be responsive to public comment received during the DSEIS comment period, the "No Action-No Development" alternative has been revised to be a "No Action-No Development/Single Family Residential" alternative to provide information on impacts to the natural environment if five single family dwellings were constructed on the property.
ECO-4	In addition, the proposal is to rezone all five parcels within the 43-acre site, yet the analyses in the DSEIS only focus on development of 11.3 acres outside of critical areas and a designated Native Growth Protection Area (NGPA), stressing that this is the only development footprint allowed under the current Monroe Municipal Code (MMC).	The DSEIS analyzes the entire 43 acre site. Existing topography, habitat, plants and other elements of the environment across the entire 43 acre site are discussed. The FSEIS discusses activities that could take place on the 43 acre site, including compensatory storage and discusses mitigation to control impacts such as erosion or removal of invasive species. The development of the 11.3 acres is presented as the buildout scenario with the least impacts on the critical areas located on-site.
ECO-5	More information is needed on whether the NGPA has already been recorded for all of the critical areas on the site and their associated buffers. The note on DSEIS Figure 5 states that NGPA boundary is representative and to see the recorded Snohomish County survey documents for more accurate information. It would help the City and reviewers understand potential impacts from future development if the recorded easements were provided as a figure or figures in the Final Supplemental Environmental Impact Statement (FSEIS).	A copy of the Boundary Line Adjustment which includes the reference to and identifies the boundary of the native growth protection area and its limitations was provided in Appendix E of the Draft SEIS and is also included in the FSEIS.
ECO-6	As a clarification, development within wetlands and fish and wildlife habitat areas is not outright prohibited as the DSEIS would seem to indicate. Rather, development within these critical areas requires additional analyses and unavoidable impacts typically need to be mitigated, but development is not prohibited.	Thank you for the comment. Additional environmental analysis will be conducted when an actual development proposal was submitted to the City for approval.

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ECO-7	If the current rezone were to be approved without a recorded NGPA on each parcel and parcels were sold off separately, then each new owner could then apply for development under a reasonable use exception. The cumulative impact from this scenario has the potential for significantly more environmental harm than development of the site with a recorded easement (NGPA) already in place.	<p>The NGPA was identified on the Boundary Line Adjustment (BLA) and short plat recorded in 2004. A copy of the recorded BLA document is provided in Appendix E of the Draft SEIS and Final SEIS. An individual/applicant could make application for a reasonable use exception under the current Plan designation/zoning. A change in a plan designation/zoning does not change the ability of an applicant/individual to make such a request. The City critical areas ordinance does have provisions for reasonable use exceptions (MMC 20.05.050). However, reasonable use exceptions requires a public hearing by the Hearing Examiner and the need to address specific decisional criteria, including that the application of the critical areas chapter would deny all reasonable use of the property. They are not necessarily granted just by virtue of making a request. These criteria include:</p> <ul style="list-style-type: none"> a. This chapter would otherwise deny all reasonable use of the property; b. There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer; c. The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the property; d. Any alteration is the minimal necessary to allow for reasonable use of the property; e. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of the ordinance codified in this chapter or its predecessor; and f. The applicant may only apply for a reasonable use exception under this subsection if the applicant has also applied for a variance pursuant to Chapter 18.96 MMC.
ECO-8	The cumulative impacts analysis in the DSEIS (Section 1.6) did not address independent development of the five parcels, and the associated impacts. If the proponents are sincere about minimizing environmental harm and in only developing 11.3 acres of the site, then the rezone request should only consider 11.3 acres and not the entire 43 acre site.	Text has been added to the SEIS to discuss potential development under the LOS zoning, and the potential impacts of that development.
ECO-9	The DSEIS indicates that impacts to critical areas will be avoided under all of the development proposals. It is unclear how development of Parcel D (northeast corner of the site) will occur without impacting the slough and associated wetlands since the parcel is located on the far side of the slough and the current farm road and bridge are not adequate for commercial traffic or emergency access. Based on the wetland boundaries shown in Figure 5, it is hard to imagine how a new road accessing Parcel D could be constructed without impacting wetlands and their associated buffers.	According to PACE, Engineers, it would be possible to make improvements to the existing access road without disturbing the area of the slough within the OHWM. There would be a need for a driveway to access through a buffer to get to the developable portion of the property (assuming the property were developed and would require vehicular access). This access would be needed for any development of the site, whether under existing zoning or proposed zoning. These options would be addressed when a development proposal was submitted to the City for approval.
G-1	As local residents and business owners, we strongly oppose the rezoning of the 43 acres of property on the east side of Monroe.	Thank you for your comment. The proposed Comprehensive Plan map amendment and the proposed rezone require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.

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G-2	<p>Beginning in the late 1930's and continuing through today, our family lives the rich history of farming in the Skykomish Valley. We are very conscious of the transformation of this majestic area, the Skykomish Valley that we call home. Because of this longevity in the greater Monroe area we are keenly aware of the importance of open spaces, farm land, and riparian buffers. As the land in this hotly contested issue is considered for rezone, one simply describing it as "merely changing the colors on the map", the importance to the community that open space and farmland provide cannot be ignored. The land must be considered a community infrastructure investment not simply a print color on a piece of paper.</p> <p>Much of the following argument has been stated before; however it is no less important today. Perhaps one could argue that it is more relevant today than two years ago.</p> <p>As the City of Monroe considers future development plans, the recognition of its vital position in relation to transportation corridors, climate, farm land and communities place the City in a unique situation. As current indicators suggest, the local and sustainable food movement is growing. The City itself supported this movement over this past summer through "The Farm to Table Farmers Market" that was located on Wednesdays in the small park at the east end of town. Responsible land use and zoning that allow for local farmers to produce products that reduce carbon footprint, support local employment, and still market products to local businesses must be supported. As we stated in a previous letter, but still relevant, the Local Farm, Food, and Jobs Act of 2013, Senate Bill 679 and House Bill 1414, encourages the creation of jobs and measures that spur economic growth through food and farms. All 50 states have farm to school programs in place and the reduction of agriculture land will reduce the effectiveness of such programs. Once paved over and built up, former ag-land is too expensive to "undo" to make farming available again.</p> <p>Fallow farm land and natural or undeveloped lands provide areas for what the Natural Resources Conservation Service consider important for animal pollinators. Without these insects and animals, much of the food consumed, as much as one out of every three bites would not be available.</p>	<p>Thank you for your comment. Land use was discussed in the September 27, 2013 FEIS. The DSEIS does not discuss farmland as Land Use was not part of the GMHB Order.</p>
G-3	<p>Additionally, large animals including elk, deer, and others utilize these open spaces. Small habitat sanctuaries in a rezoned lot do not provide the same habitat for many of these species, large or small.</p>	<p>Comment noted. The Critical Areas Study and Habitat Conservation report (FSEIS Appendix B) discusses wildlife. It concludes that development of the site, especially within critical areas, buffers or shoreline jurisdiction may present impacts to fish and wildlife. An evaluation of specific impacts will occur when a development project is proposed; however, the FSEIS notes that impacts to wildlife can be beneficial with development through removal of invasive species and planting of native vegetation that will improve the values of critical area buffers for wildlife habitat.</p>
G-4	<p>The greater Monroe area and Skykomish river basin pride themselves on the local fishing that draws visitors to the area; described by some as "home to some of the best salmon and steelhead fishing in the world".</p>	<p>Fishing in the Skykomish would not be impacted by the proposed Comprehensive Plan map amendment and rezone.</p>
G-5	<p>As the rezone is considered the argument cannot be made that this land or the resulting consequences will not impact the nature of the environment. Perhaps the small amount of wetland and adjoining acreage, wildlife habitat and waterways will not significantly impact the fishing in the river. The larger concern is the precedent that is set. The change and rezone of the proposed land opens the door to future rezoning that has the potential to create one large urban sprawl from Monroe east thus compromising the environmental stability of the area.</p>	<p>The property proposed for the Comprehensive Plan map amendment and rezone is located within the City of Monroe and Snohomish urban growth area boundary. Urban development served by urban services is envisioned for land within the urban growth areas. The Cumulative Impact analysis in the FSEIS acknowledges that additional plan amendments/rezone requests could occur.</p>
G-6	<p>Progress and change must occur simultaneously with the actual needs of the community and the environment. The long range consequences of rezoning this acreage must be evaluated. Good stewardship and evaluation of past land uses and current and future needs must be carefully considered.</p>	<p>Thank you for your comment. SEPA process is intended to thoroughly evaluate environmental impacts associated with the proposed comprehensive plan amendment and rezone at a non-project level. The proposed Comprehensive Plan Map amendment and rezone are also subject to approval criteria that must be met, one of which speaks to need for the change.</p>

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No.	Comment	Response
JK-1	<p>From SEIS: "A key new finding of this Draft SEIS is that the onsite stream/slough is not directly connected to the Skykomish River at the "upstream" side, at the southeastern corner of the site.</p> <p>This is contrary to longstanding previous assumptions that, during flood conditions, water from the Skykomish River entered the stream/slough at the upstream corner of the property and drained back to the River through culverts at the downstream end of the slough.</p> <p>Instead, the stream/slough is fed by a combination of local drainage ditches draining to the stream/slough at the southeastern corner of the site and backwater from the Skykomish River, during high water events, through a culvert located at the southwestern corner of the site".</p> <p>In fact, according to the EPA, the connectivity to rivers is often unseen, with no apparent connection to surface water, like the river. Often wetland areas have critical groundwater connections. Pace seems to fail to address this upstream source of flooding through groundwater.</p> <p>The longstanding assumptions, was undoubtedly observed as flood waters entered and receded over the years and should be considered as a true observation.</p>	<p>The hydraulic analysis and the FSEIS acknowledge that the site is subject to flooding. The only surface water entering the slough on the east side is via the roadside ditches. According to Watershed Science and Engineering, groundwater discharges also occur but these are tiny compared to surface inflows during a flood. Field research for the DSEIS/FSEIS found that there is no hydraulic connection to the river at the east end of the slough.</p>
JK-2	<p>An acre of wetland has the ability to store 1-1.5 million gallons of floodwater.</p> <p>One half of the lower 48 states original wetlands have been converted to other uses. The increasing flood damage, drought damage, declining bird population are in part the result of degradation, fill and destruction of wetlands.</p>	<p>The conversion or degradation of wetlands is not proposed. The Draft SEIS/FSEIS identifies wetland and habitat improvements and enhancements that would increase the value of the wetlands onsite.</p>
JK-3	<p>The beauty of this green space as an entry to the City of Monroe has greater economic value than one isolated building outside general shopping/commercial areas that adds sprawl of roads, parking lots; costs to City for utilities and maintenance. This area is the first part of the Cascade Greenway ...it is time to protect the areas we consider scenic, agricultural, and irreplaceable wetlands ...from random acts of commercialism. Growth management has no meaning when we allow sprawl.</p>	<p>Thank you for your comment.</p>
LA-1	<p>Please give me a list and/or a map of available property in North Kelsey area (Walmart, and Lowes)?</p>	<p>Information on commercial properties within the City is provided in Section 2.4 and Figure 6 of Draft SEIS. Additional information regarding properties in the North Kelsey area was provided under separate cover during the DSEIS public comment period.</p>
LA-2	<p>2) Per Water Shed Memo</p> <p>a. Currently, the only water entering the slough at its upstream end enters via a roadside ditch from a local tributary area of about 273 acres, including areas North of SR 2 and areas between SR 2 and the BNSF tracks.</p> <p>b. What is the elevation of the water at the bottom of the upstream culvert?</p>	<p>In response to your request for information, the consultant/sub-consultant who worked on the Draft Supplemental Environmental Impact Statement (DSEIS) provided the following information.</p> <p>Figure 1 of Watershed Science and Engineering Memorandum from Shaina Sabatine P.E. and Larry Karpack P.E. to Pace Engineers, Inc. dated May 28, 2015, that is included in the DSEIS, includes culvert location and identifies four (4) culverts as follows:</p> <ol style="list-style-type: none"> 1) 6 foot Concrete Pipe culvert (under Railroad tracks discharging to the Skokomish River) 2) 5 foot x 6 foot Concrete Box Culvert (under SR 2 draining from the Slough to the railroad tracks) 3) 24 inch CMP (under the access road over the slough near the northeast part of the site) 4) 3 foot Concrete Pipe Culvert (under SR 2 draining from south to north near East end of the project area) <p>Information regarding invert elevations for these culverts provided by the consultant/sub- consultant are:</p> <ol style="list-style-type: none"> 1) 6 foot Concrete Pipe culvert; Upstream invert elevation: 54.14 feet NAVD ; Downstream invert elevation: 52.92 feet NAVD 2) 5 foot x 6 foot Concrete Box Culvert Upstream invert elevation: 54.75 feet NAVD; Downstream invert elevation: 53.82 feet NAVD 3) 24 inch CMP Upstream invert elevation: 56.34 feet NAVD; Downstream invert elevation: 56.43 feet NAVD 4) 3 foot Concrete Pipe Culvert; Upstream invert elevation: 55.23 feet NAVD; Downstream invert elevation: 55.33 feet NAVD <p>Adding any measured water depth at the culvert inverts to these invert elevations would provide the water surface elevation at each culvert.</p>

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LA2-1	<p>Where are the copies of the field surveys and supporting data?</p> <p>Please send me a copy for our use. There is a huge discrepancy between the topographical survey (Rod on the ground) and LIDAR from the September 2013 FEIS.</p>	<p>2015 Information was provided via regular mail on 9/22/2015 and 10/5/2015.</p> <p>The difference between the Lidar information used in the September 2013 FEIS and the survey data used in the August 2015 DSEIS is about 0.6 feet. Survey data was used in the DSEIS in response to the GMHB Decision</p>
LA2-1	<p>The City of Monroe should not rely on the EIS prepared by Pace Engineering given that it has a vested financial interest in an outcome that would support the rezone from LOS to General Commercial. As such, the report is not objective and prepared by an independent, unbiased firm. Pace Engineering has secured a lien on the subject property that is intended to provide the necessary funds to compensate Pace for its EIS related work. Realistically, Pace will only be able to realize on its lien if the subject property is rezoned so that the property value is increased and subsequently sold. An EIS prepared by a firm that has a clear conflict of interest should not be the basis of the City's decision on the environmental impacts of a potential rezone. The City should require that any EIS be prepared by a qualified firm with no financial stake in the outcome other than receiving financial remuneration from the property owner at the time the EIS is completed.</p>	<p>Comment noted. WAC 197-11-420 (2) entitled "EIS preparation" states that an EIS may be prepared by an outside consultant retained by the applicant and states,</p> <p>"(2) The lead agency may have an EIS prepared by agency staff, an applicant or its agent, or by an outside consultant retained by either an applicant or the lead agency. The lead agency shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document." We are unaware of any provision that would disqualify the applicant consultant from preparing the Draft/Final SEIS.</p>
LA2-10	<p>EARTH</p> <p>Per FEMA 100-year flood plain the elevation is set at 67 feet. Unless and until the 65.31 100 foot elevation is approved by FEMA the City will use Chapter 14.01 Flood Hazard and Regulations 14.01.050 basis for establishing the areas of special flood hazard as follows:</p> <p>"The Flood Insurance Study for Snohomish County, Washington and Incorporated Areas," dated September 16, 2005, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMS), are adopted by reference and declared to be a part of this chapter. The Flood Insurance Study shall be on file in the office of the City engineer, 806 West Main Street, Monroe, Washington. (Ord.004/2006 2; Ord. 021/205 1)</p>	<p>Any project action would need to comply with the City of Monroe code in affect at the time of permit application. In FEMA's nomenclature a Base Flood Elevation (BFE) is the elevation of the 100-year flood as shown on the effective mapping (the maps published and used by FEMA for determining flood insurance rates). In the case of the East Monroe project the effective FEMA maps show the area north of SR-2 as Zone X, i.e. within the 500-year floodplain but not in the 100-year floodplain. FEMA's process for changing BFEs is called a Letter of Map Revision (LOMR). For the East Monroe area, however FEMA would not entertain a LOMR because there is no BFE on the site to change. FEMA does recommend that City's use the best available data when regulating floodplain development and the current study, which includes a refinement and correction to the model developed for the 2006 Preliminary FEMA study, is the best available data for the East Monroe site.</p>
LA2-11	<p>Flood Plain policies are set at a National level and implemented through National, State, and Local regulations not policy created by PACE Engineering or Watershed Science Engineering.</p>	<p>Thank you for your comment. Any project action would need to follow the City of Monroe code and other regulations in affect at the time of permit application.</p>
LA2-12	<p>Reference L-19 photograph 1959 flood across from project site The 1959 Flood flow Discharge cfs was substantially lower than the 2006 but had the cfs to wash out the track bed leaving the train tracks hanging in the water.</p>	<p>Thank you for your comment. The DSEIS acknowledges that the site is subject to flooding.</p>
LA2-13	<p>Reference: Per 3Mr. Douglas Hamar's booklet dated September 16, 2014 and November 18, 2014 titled Reasons to accept the GMHB decision and take no further action. See pages 10, 11, 12 and 13. The impact of climate change and population growth on the National Flood Insurance program through 2100, states in part a significant increase in coastal and riverine flooding in our nation. How was this information utilized in the model?</p>	<p>Thank you for your comment. Climate change was not an issue raised by the GMHB in its Order.</p>
LA2-14	<p>Question: What would the model look like based on the 1959 flood that washed out the tracks across from the site?</p>	<p>According to Watershed Science and Engineering, the hydraulic modeling evaluated conditions for a theoretical 100-year event which is larger than any historical event seen to date on the Skykomish River. Modeling of specific smaller historical flood events was not performed.</p>
LA2-15	<p>During the flood of 1996 I observed the flood water fence post deep on the old fence line running parallel to SR 2 which would make the case for a 67 foot flood evaluation.</p>	<p>Thank you for your comment. The FSEIS acknowledges that the site is subject to flooding. According to Watershed Science and Engineering, without a survey of the elevation of the high water mark you are referencing, the information cannot be compared to the modeled water surface elevations.</p>
LA2-16	<p>A coordinator for flood-insurance programs for the State Department of Ecology has said in part "The more things you put in a flood plain the more things are at risk." Then said "We can never assume we have seen the worst of what nature can do." A U.W scientist argues in part that commercial and residential flood plain development ends up costing everyone else. "We should not be subsidizing those land uses through flood plain control measures and rebuilding things and bailouts." He said "the question is why did We build there in the first place?" Reference Lynda V. Mapes- Seattle Times April 2004 Chehalis flood.</p>	<p>Comment noted.</p>
LA2-17	<p>Reference page 2- PACE statement. No salmonid were observed during site visits by Wet Land Resources Inc.</p> <p>I have fished the Skykomish river for many years, for the last five years that I fished I haven't caught a fish or observed any caught. Does that mean no fish are present in the Skykomish river?</p>	<p>Page 61 of the Draft SEIS stated that because the slough is connected to the Skykomish River, which is a salmon bearing stream, it is expected that fish species found in the river, may be found in the slough. The FSEIS does not say there are no fish present; however, none were observed at the time of field evaluation. The Wetland Resources Inc. Critical Area Study and Habitat Fish and Wildlife Conservation Report in the FSEIS (Appendix B) discusses this issue.</p>

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LA2-18	<p>OBJECTIVE OF PROPOSED ACTION</p> <p>Respond to demand for any lack of undeveloped commercial property along the SR 2 transportation corridor.</p> <p>Per Mike Armstrong and Associates Reference the current state of US-2 "I don't know if you know this you have a mess out here." Armstrong said. "People won't stop at your business, because they don't want to try to get back on it. We Should fix it." Monroe Monitor, September 8, 2015</p>	<p>Comment noted. Traffic was addressed in the September 2013 Final Environmental Impact Statement. Appeal of transportation issues were dismissed by the GMHB</p>
LA2-19	<p>Note: Little or no money is provided to fix SR 2, very little money has been provided for the last 40 years.</p>	<p>Comment noted. Thank you for your comment. The comment makes reference to a transportation issue. Transportation was addressed in the September 27, 2013 FEIS.</p>
LA2-2	<p>MISLEADING INFORMATION PROVIDED BY CITY OF MONROE</p> <p>April 2015, City of Monroe hired a new Community Development Director, Mr. David Osaki. Mr. Popelka had resigned and Melissa Sartorius Place was expecting her first child and went on leave sometime after. I expected better after writing Mayor Geoffrey Thomas (January 13, 2014), stating my frustration by City Staffs unwillingness to take an objective and unbiased approach to evaluating the Comprehensive Plan Amendment and Rezone.</p> <p>Example 1). Figure 9 -2006 Historical Flooding Data.</p> <p>Statement Note: Even when flood waters reached their highest elevation the conceptual developable area remained above water.</p> <p>We provided both photographic and oral testimony from long term residence of the Rivmont/Calhoun neighborhood of the subject property being flooded. Reference from document list October 18,2013:</p> <ol style="list-style-type: none"> 1). Flood of 2006. 2). Mr. McCammon photos from the East L-13, L-14, L-15. 3). Anderson photos from the West L-16, and L-17. 4). Dr. Charles and Susan Strub's letter L-5 5). L-11 Ruth Reality letter page 2, paragraph 3 6). Plus other oral testimony <p>Other information: Mr. Douglas Hamar booklet dated September 16, 2014, and November 18, 2014 titled Reasons to Accept the GMHB Decision and Take No Further Action.3 See Photo's on page 9 which is self explanatory. Book is attached for reference</p>	<p>The property is not currently within the 100-year flood hazard area per the effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain in the 2006 study (the Preliminary FIRM). The 2006 maps have not been published by FEMA or adopted by the City of Monroe. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulation therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time that new FEMA floodplain mapping data are developed and/or additional best available science is available.</p>
LA2-20	<p>One of the most obvious examples of PACE's conflict of interest is not looking at alternate sites</p>	<p>Alternate development sites as shown on Figure 6 and described in Section 2.4 of the Draft SEIS. These alternate sites are included to address WAC 197-11-440(5)(b).</p>
LA2-21	<p>PACE statement Monroe Municipal Code limits the developable area to approximately 11.3 acres regardless of the land use development alternative.</p> <p>Question: Is PACE requesting a rezone from LOS to GC on just the 11.3 acres, or the entire 42.8 acres?</p>	<p>The applicant for the proposed rezone (and Comprehensive Plan amendment) is requesting a comprehensive plan map amendment and rezone of the entire 42.8 acres.</p>
LA2-22	<p>The MMC provides exceptions for development, see our letter dated November 07, 2013 to Ms. Sartorius and Mr. Cox pages 1 and 5.</p>	<p>Thank you for your comment. See prior comments such as reasonable use exceptions and the native growth protection area.</p>
LA2-23	<p>PACE implies the developer must follow the MMC then ignores Chapter 14.01 Flood Hazard and Regulations and sets the 100 year elevation at 65.35 feet, 1.7 feet lower than FEMA, which must be approved by FEMA.</p> <p>It's my opinion this was necessary to compensate for the lack of cut material available to fill the entire 10.17 acre site.</p>	<p>The 100-year flood elevation of 65.31 feet was used as this is the best available data to analyze existing conditions versus developed conditions. Revised fill estimates reflect new information regarding the flood elevation, which was derived from additional modeling (for the DSEIS) of surface water hydraulics by Watershed Science and Engineering.</p>

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LA2-24	Note: The rod on the ground survey indicates approximately 21,871 cubic feet of cut material available. Professional land surveyors will tell you that the rod on the ground topographical survey is more accurate than the current LIDAR, because of vegetation etc.!	The September 27, 2013 FEIS use of Lidar information was to determine the feasibility of providing compensatory flood storage on site under a hypothetical, non-project case of maximum buildout. This was determined to be feasible in the September 27, 2013 FEIS. Ground survey information was provided in the SEIS to comply with the GMHB request for more detailed survey information on the site. The resulting ground survey information provided in the DSEIS (and FSEIS) supports the feasibility of providing compensatory flood storage on site.
LA2-25	Per Mr. Hamar analysis 65,630 cubic yards are required to fill 10.17 acres to 1 foot above FEMA flood elevation of 67 feet.	The 100-year flood elevation of 65.35 feet was used as this is the best available information to analyze existing conditions versus developed conditions. Cut and fill quantities are only one scenario possible to provide compensatory flood storage.
LA2-26	PACE Lidar calculations of 46,500 cubic yards should provide copies of relevant earth work calculations, including cross sections and other calculations showing that the proposed grading and fill is properly balanced, as well as a plot of the areas to be graded.	The WSE calculations and report are provided in the Draft SEIS (Appendix C). WSE compared existing conditions versus a potential buildout of the depicted developable area accompanied with adequate compensatory storage.
LA2-27	Geo Engineers site conditions states in part; "We were not able to observe much of the upper slope because of access restrictions." Who did they contact?	GeoEngineers completed their work in accordance with scope of work for which they were approved. Obtaining access was not in their scope. It is not always possible to completed studies off-site; therefore, interpreting aerial photographs, interpreting LiDAR data, and making observations from public areas and the subject property are often relied on.
LA2-28	RE: Monroe's Draft scope of work October 08, 2014 page 6, Landslide Potential states in part "It is anticipated that borings and modeling will be necessary for a full assessment. Borings may be obtained from private property owners above the slope with their consent; alternatively directional boring may be accomplished from the Rivmont Drive right of way if necessary.	Comment noted.
LA2-29	Reference November 14, 2014 PACE Draft Scope of Work Land slide potential states in part soil borings are not anticipated in this proposal and the geotechnical analysis will be based in part on the storm modeling accomplished under task 2 etc. (No intention of Borings). Since the stream modeling reduces the FEMA flood plain elevation approximately 1.7 feet and is not approved by FEMA this study is eyewash.	The Watershed Science & Engineering hydraulic study contained in the FSEIS (Appendix C) was prepared to show the relation of base flood elevations during a 100-year storm between existing conditions and developed conditions.
LA2-3	NO ACTION-NO DEVELOPMENT Location, Location, Location, but not in a flood plain. Alternate sites per DSEIS main complaint sites 1, 2, 3 and 4 do not have direct access to SR2. Additionally, of the 57.7 vacant GC property 49.5 acres is located in North Kelsey area, again PACE's argument is no direct access to SR 2 from any of these parcels.	GeoEngineers completed their work in accordance with scope of work for which they were approved, which tasked the geotech with analyzing the potential for impacts at the base of the steep slope. It is not always possible to complete studies off-site; therefore, interpreting aerial photographs, interpreting LiDAR data, and making observations from public areas and the subject property are often relied on.

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LA2-30	<p>Reference letter dated September 15, 2015 Subject: Culvert Elevations September 15,2015</p> <p>Culverts 3 &4</p> <p>Watershed Science/PACE dated 5/28/2015</p> <p>3) 24 inch Culvert Upstream invert elevation 56.34 feet NAVD; Downstream invert elevation; 56.43 feet NAVD</p> <p>4) 3 foot Concrete Pipe Culvert Upstream invert elevation; 55.23 feet NAVD Downstream invert elevation; 55.33 feet NAVD</p> <p>Information from Sadler/Barnard & Assoc., Inc. dated 5/25/99, Topographical Survey Sadler/Barnard dated 5/25/99</p> <p>3) 30 inch CMP Upstream IE 56.31 NAVD Downstream IE 55.92 NAVD</p> <p>4) 38 inch concrete culvert Invert Elevation 55.21 NAVD</p> <p>This information validates the Sadler/Barnard & Assoc., Inc. 5/25/99 Topographical Survey. These elevations from Sadler/Barnard & Assoc., Inc. 5/25/99 Topographical Survey are more accurate than the LIDAR provided by PACE Engineering September 2013 East Monroe EIS Topographical Map Appendix J with reference to the areas to be cut and filled.</p>	Comment noted.
LA2-31	I would add that PACE Engineering has a vested financial interest in the outcome of this rezone.	Thank you for your comment This subject is not at issue in the GMHB order, nor is it an environmental comment.
LA2-32	<p>PACE Engineering is walking back a lot of their previous information based on subcontractors findings which include but are not limited to the following:</p> <p>a) Confirming the culvert i.e., elevations by S/B survey thereby confirming its accuracy.</p>	Comment noted.
LA2-33	b) Lowering the 100 year flood elevation by approximately 1.7 feet which as of this date is unapproved by FEMA.	According to Watershed Science and Engineering, the revised 100-year flood elevation was determined using the FEMA model refined and corrected based on site specific information including the lack of a hydraulic connection to the Skykomish River at the east end of the slough. The corrected hydraulic modeling can be used to adjust the FEMA flood elevation ONLY AFTER the FEMA Preliminary Flood Insurance Study is approved and adopted.
LA2-34	c). Fill volume estimates derived from hydraulic modeling are 30% lower than those put forth in September 2013 FEIS. Current fill estimates are approximately 33,000 cubic yards compared to PACE 46,500 cubic yards put forth in September 2013 FEIS.	Fill volumes are lower due to base flood elevation estimation. Earthwork quantities are subject to a specific development proposal.
LA2-35	d). Mr. Hamar's analysis based on S/B Rod on the Ground Survey indicates approximately 21,871 cubic yards of potential cut for fill on the entire property based on raising property elevation to 1 foot above flood stage of 67 feet approximately 65, 630 cubic yards are required.	Thank you for your comment.
LA2-36	e). Water Shed Inc., states in part "It was determined that the LIDAR was consistently high by approximately 0.6 feet in the East Monroe Rezone area, most likely because of the density of tall grass and blackberry bushes in the area."	Comment noted.
LA2-37	<p>Note: per our FEIS appeal we stated "The FEIS used Lidar methodology rather than the 1999 Field Study which we believe is a more accurate reflection of site elevations. Lidar's accuracy is affected by the type of terrain. . on' the site as hard services are more accurate than sites covered with vegetation. The East Monroe site is covered with extensive vegetation.</p> <p>Inaccuracies in the Lidar readings could lead to incorrect estimations of the necessary cut and fill amounts required to bring the elevations to a level above flood stage for the 10 acre area that is developable on the site. This is further evidence that the FEIS failed to use the best available science."</p>	Earthwork quantities are based on maximum buildout and the feasibility of providing compensatory flood storage.

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LA2-38	Based on SIB Rod on the ground survey the 0.6 feet is still substantially off.	Thank you for your comment. The Watershed Science and Engineering May 28, 2015 memorandum (Appendix C) discusses the methodology which they used to conclude that the LIDAR was generally high by approximately 0.6 feet and attributed this most likely to "the density of tall grass and blackberry bushes in the area."
LA2-39	See Mr. Hamar's reasons to accept the GMHB decision and take no further action. Lidar verses Conventional Survey pages 3-8.	Comment noted.
LA2-4	The proposed site figures 4, 5 and 6, page 19, 20 and 21 of FEIS attached shows conceptual layout of frontage road from roundabout located on SR 2, a 55 mile per hour highway, then a road continues through the wetlands to the 1.16 acre site to be paid for by developer. This 42.8 acre location in my opinion is the worst location for GC and has the most expensive access to SR 2 and is also isolated from GC core (North Kelsey); please see commercially zoned land North Kelsey highly accessible and visible location one block north of Highway 2 off North Kelsey Street, the primary road that serves the majority of the retail trade area. Various lots sizes are available for sale, all superior to the proposed site.	Thank you for your comment.
LA2-40	It's obvious to me that substantially less than the 10.17 acres are available for development which makes this property the most expensive and most undesirable in the City for commercial development.	The 11.3 acres of developable area discussed in the Draft SEIS is the area that could be developed given the critical area, critical area buffer, native growth protection area and other constraints. Actual development could be less and would be determined when an actual proposal for development is submitted for review.
LA2-41	The additional field surveying to verify, confirm and/or refine previous and LIDAR data per my letter were not received in a timely manner therefore could not be evaluated. This information should have been included in the DESIS and that taints the outcome.	The requested information was provided by the City of Monroe and PACE Engineers. 9/22/2015 and 10/5/2015.
LA2-42	I am requesting a 15 day extension for the written comment period. My letter to Mr. Osaki, dated September 07, 2015, requesting copies of the Field Survey's and supporting data that was conducted to verify, confirm, and refine previous surveys and LIDAR data per page 41 of DSEIS.	The City extended the initial 30-day public comment period deadline from September 28, 2015 to October 9, 2015.
LA2-43	I contacted Eilean Davis at PACE Engineering by phone September 22, 2015 and also spoke directly to her at the meeting at City Hall. She assured me she had sent this information to me.	The requested information was provided by the City of Monroe and PACE Engineers. 9/22/2015 and 10/5/2015.
LA2-44	The LOS, (Limited Open Space), zoning of this property suits it to a tee. If Monroe City Council wants to rezone this property to General Commercial they should insist on a report that is objective and prepared by an independent, unbiased firm.	Comment noted. WAC 197-11-420 (2) entitled "EIS preparation" states that an EIS may be prepared by an outside consultant retained by the applicant and states, "(2) The lead agency may have an EIS prepared by agency staff, an applicant or its agent, or by an outside consultant retained by either an applicant or the lead agency. The lead agency shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document."
LA2-5	The proposed 42.8 acre GC site is the worst possible location for the following reasons which include but are not limited to: 1). Located in the flood plain 2). Has an Oxbow (stream/slough) running through it. 3). Has seasonal flooding 4). Is isolated from Monroe's business center. 5). Has three wetlands. 6). The slough/stream lies within shoreline jurisdiction and is designated as (UC) under the Cities Shoreline master program. 7). A Native growth protection easement (NGPE) is associated with the area covered by the slough/stream and associated wetlands . 8). To the North and West of slough/stream lies steep slopes atop which perch many single family residencies.	Thank you for your comment. The property is not currently within a 100-year flood hazard area per an effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain area in preliminary FIRM maps. Those maps are not in effect by FEMA. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulation therefore apply to development at the property, regardless of the plan amendment designation/zoning, until such time the current best available science is superseded.
LA2-6	9). Is located along SR 2 (The highway of death) with a small driveway for current access. Is not pedestrian accessible.	Thank you for your comment. Transportation was addressed in the September 27, 2013 FEIS. The DSEIS does not discuss traffic as it was not part of the GMHB Order.
LA2-7	My opinion the City should expand to the North and Northwest not East into the flood plain for commercial development.	Comment noted.

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LA2-8	PACE statement: MMC Limits the Developable area to approximately 11.3 acres regardless of the land use development alternative .	The 11.3 acres is located outside of the known onsite critical areas, critical area buffers, native growth protection areas etc..
LA2-9	<p>Problem: Once the property is rezoned to general commercial (GC) the project proponent would be eligible for reasonable use exceptions that could allow additional intrusions into the critical areas or buffers in accordance with Monroe Municipal Code (MMC) 20.05.050.</p> <p>MMC 20.05.050 allows exceptions to the Cities Critical Area regulations when the applicant can demonstrate it is needed to allow a reasonable use of the property. Based upon the existing zoning a reasonable use exception would not likely be needed or approved, but under a rezone to general commercial an applicant would be far more likely to utilize this exception criteria thereby impacting or reducing the protective buffer. Other exceptions are certain.</p>	<p>An individual/applicant could make application for a reasonable use exception under the current Comprehensive Plan designation/zoning. A change in a plan designation/zoning does not change the ability of an applicant/individual to make such a request. The City critical areas ordinance has provisions for reasonable use exceptions (MMC 20.05.050). However, reasonable use exceptions require a public hearing by the Hearing Examiner and the need to address specific criteria, including that the application of the critical areas chapter would deny all reasonable use of the property. These criteria include:</p> <ul style="list-style-type: none"> a. This chapter would otherwise deny all reasonable use of the property; b. There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer; c. The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the property; d. Any alteration is the minimal necessary to allow for reasonable use of the property; e. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of the ordinance codified in this chapter or its predecessor; and f. The applicant may only apply for a reasonable use exception under this subsection if the applicant has also applied for a variance pursuant to Chapter 18.96 MMC.
LA-3	c. What is the elevation of the water at the down steam culvert bottom?	Adding any measured water depth at the culvert inverts to these invert elevations provides the water surface elevation at each culvert.
LA3-1	Thank you for extending the written comment period. My hope was that PACE would supply information originally requested September 07, 2015. As you may recall you could not obtain the information to confirm PACE's claim, page 41 of DSEIS stating additional field surveying was also conducted to verify, confirm, and/or refine previous survey's and LIDAR data.	Survey data was provided to Mr. Anderson on 9/22/2015.
LA3-10	<p>WSE states the 100-year flood modeled in the 2006 FEMA study was used as the basis for the current analysis.</p> <p>The worst flood in this area was the 1990 flood. See USGS Chart for the Sultan River for a comparison between 1990 and 2006. Additionally, Snohomish River gage at Monroe per Snohomish County Flood system the 1990 was much more severe than the 2006. See additional information and pictures per the Hamar report.</p>	The FEMA modeling modeled a 100-year event as was also done in the DSEIS/FSEIS. The FEMA work was completed in 2006, WSE did not say it was done using the 2006 flood event.
LA3-11	How was the Climate change used in this study?	Climate change is not at issue raised in the GMHB order.
LA3-12	What was the safety factor?	According to Watershed Science and Engineering, industry standards do not call for a "factor of safety". This is addressed by raising the area to a level 1 foot above the base flood elevation.
LA3-13	The 2006 flood is simply the wrong flood.	The hydraulic modeling used the theoretical 100-year flood event, the same event used in the 2006 FEMA mapping study. Specific historical flood events were not used as a basis for the hydraulics analysis.
LA3-14	Geo Engineers site conditions states in part, "We were not able to observe much of the upper slope because of access restrictions ." Who did they contact?	GeoEngineers completed their work in accordance with scope of work for which they were approved. It is not always possible to completed studies off-site; therefore, interpreting aerial photographs, interpreting LiDAR data, and making observations from public areas and the subject property are often relied on.

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LA3-15	<p>RE: Monroe's Draft Scope of work October 08, 2014, page 6 Landslide Potential states in part "It is anticipated that borings and modeling will be necessary for a full assessment. Borings may be obtained from private property owners above the slope with their consent. Alternatively directional boring may be accomplished from the Rivmont Drive right of way if necessary.</p> <p>Additionally, multiple bore holes have been made and information most likely is available if you know who to ask or where to look.</p>	<p>Thank you for your comment. Property owners may be contacted for access when a development proposal is presented, if additional site assessment is required by the City.</p> <p>GeoEngineers completed a search for well log reports in this area on the Washington Department of Ecology (WDOE) web-site. The WDOE database includes water well logs, environmental explorations and monitoring wells and logs of geotechnical explorations submitted by the drillers by law. They found no existing logs in the plateau area.</p>
LA3-16	<p>Reference November 14, 2014 PACE Draft Scope of Work Land slide Potential states in part soil borings are not anticipated in this proposal and the geotechnical analysis will be based in part on the storm modeling accomplished under task 2 etc. (No intention of Borings).</p> <p>Reference OSO mudslide, Grandy Lake Forest Associates is asking to be left out of the lawsuit filed by families who lost loved ones and homes.</p> <p>In support, they point to evidence that emerged last fall when drillers for the state punched a hole more than 650 deep into the hill above the slide. The finding is their partial defense. This supports the importance of Boring above our slope, which clearly PACE had no intention of doing.</p>	<p>Thank you for your comment.</p>
LA3-17	<p>Since the stream modeling reduces the FEMA flood plane elevation approximately 1.7 feet and is not approved by FEMA this study is eyewash.</p>	<p>Thank you for your comment.</p>
LA3-18	<p>The last go round Wetland Resources provided information more than five years old, therefore no good.</p> <p>This go round per Blair report, "...The same out dated 2013 rating forms are still attached, despite the fact that the WA Department of Ecology updated their rating forms in 20 14 and has required use of these new forms for all state reviewed proposals since January 2015."</p> <p>The report is technically flawed.</p>	<p>Thank you for your comment. The DSEIS/FSEIS included a letter dated October 10, 2013 from Mr. Paul Anderson with the Washington State Department of Ecology verifying wetland boundaries and concurring with the wetland delineation, as summarized with findings in a critical areas study dated July 18, 2013. The letter, provides for a five year validity period for the delineation.</p>
LA3-2	<p>My September 29, 2015 letter to Eilean Davis went unanswered, and I cannot tie the data received September 28, 2015 to WSE (Water Shed Science and Engineering) to figures 1, 2, or 3.</p>	<p>The requested information was provide to Mr. Anderson via regular mail on 10/5/2015</p>
LA3-3	<p>Quite frankly the WSE information did more to confirm our assertions that:</p> <p>a) LIDAR elevations were too high because of vegetation.</p>	<p>The initial FEIS use of Lidar information was to determine the feasibility of providing compensatory flood storage on site under a hypothetical, non-project case of maximum buildout. This was determined to be feasible in the FEIS. Ground survey information was provided in the SEIS to comply with the GMHB request for more detailed survey information on the site. The resulting ground survey information provided in the SEIS again supports the feasibility of providing compensatory flood storage on site. The actual ground elevation was approximately 0.6 feet lower.</p>
LA3-4	<p>b) PACE's original fill volumes were wrong.</p>	<p>The consultant team indiatctes that when comparing the difference in flood elevations between existing conditions and potential buildout conditions, the type of base ground survey data is irrelevant as long as both conditions are modeled using the same ground data. The relevant difference in elevations is the critical element. Thus, the difference in elevations between existing conditions and potential buildout conditions, whether using Lidar information or ground surveyed information, will yield the same resultant difference, i.e. a negligible rise in flood elevation.</p>
LA3-5	<p>c) Confirmed key elevations by S/B Survey which either should have been used or another Rod on the Ground Survey as a basis for this study.</p>	<p>PACE Engineers conducted a ground survey of the site to ground truth the site for the hydraulic analysis.</p>

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LA3-6	d) WSE lowered the flood elevation by approximately 1.7 feet so that the full 10.17 acres could be filled to an elevation of 66.35 feet. FEMA elevation is 68 feet, one foot higher than flood stage of 67 feet. WSE ignores MMC Chapter 14.01 Flood Hazard and Regulations and their 66.35 feet must be disregarded until approved by the FEMA process.	In FEMA's nomenclature a Base Flood Elevation (BFE) is the elevation of the 100-year flood as shown on the effective mapping (the maps published and used by FEMA for determining flood insurance rates). In the case of the East Monroe project the effective FEMA maps show the area north of SR-2 as Zone X, i.e. within the 500-year floodplain but not in the 100-year floodplain. FEMA's process for changing BFEs is called a Letter of Map Revision (LOMR). For the East Monroe area, however FEMA would not entertain a LOMR because there is no BFE on the site to change. FEMA does recommend that City's use the best available data when regulating floodplain development and the current study, which includes a refinement and correction to the model developed for the 2006 Preliminary FEMA study, is the best available data for the East Monroe site.
LA3-7	e) PACE implies development must follow MMC and WSE then ignores Chapter 14.01.	Watershed Science and Engineering (WSE) provided a hydraulic analysis. Any development proposal submitted to the City would have to meet the requirement in MMC 14.01 pertaining to Flood Hazard areas.
LA3-8	Watershed Science and Engineering states in part currently the only water entering the Slough at its upstream end enters via roadside ditches from a local tributary area of about 273 acres, including areas North of SR 2 and areas between SR 2 and the BNSF tracks. Mr. Hamar refuted this by stating "It doesn't take an expert in watershed hydrology to understand particularly in the drought we have been experiencing, that none of that water is coming from the drainage ditches along the highway."	According to Watershed Science and Engineering, it is important to differentiate between flood conditions and low flow conditions. While groundwater seepage can be a significant component of low flows in streams these inflows are negligible compared to the storm runoff from the local tributary basin and the inflows from the Skykomish River during a flood. Like the FEMA study of the Skykomish River, and nearly all flood studies, groundwater inflows were not included in the modeling for this project because these are likely an order of magnitude smaller than the surface inflows.
LA3-9	Hamar said "And it certainly isn't backing up on the west end of the slough a half a mile downstream."	The hydraulic analysis, prepared by licensed, professional engineers, states that the largest majority of floodwaters during a 100-year event enter the slough on the west side via two large culverts located under SR 2 and the BNSF corridor.
LA-4	d. Does the ditch between SR 2 and BNSF (tracks) run all the way to the River? E. What is the approximate width and depth of this ditch?	Watershed Science and Engineering indicates that the ditch does not run all the way to the Skokomish River - it empties into the east end of the slough. From the WSE's recollection the ditch at this location is small, approximately 1-2 feet wide at its bottom and approximately 3 feet deep.
PSE -1	PSE has no electric transmission or gas lines through these parcels and no easements. We have no objection to the proposed change of zoning.	Thank you for your comment. Utilities were addressed in the September 27, 2013 FEIS. The DSEIS does not discuss utilities as it was not part of the GMHB Order.
RM-1	We continue to assert, as we have previously in oral testimony, that severe flooding has occurred over most of this site multiple times during the past 25 years, and is likely to continue in the future. Photographic evidence of this was provided by us to the City some years ago. Without this fact as a baseline, the EIS contains insufficiently compelling evidence to lead us to believe that development of the site will not result in additional water runoff issues during flooding episodes, the solution or mitigation for which is not adequately addressed.	The Draft SEIS acknowledges that the area is subject to flooding. The area has been identified as a 100-year flood hazard area on preliminary FEMA flood hazard maps. Using those maps as Best Available Science", as recommended by FEMA, the property is subject to the City of Monroe's flood hazard requirements. Therefore, compensatory flood storage is required should the site be developed. As required by Ecology, new impervious surfaces created by future development would be controlled within the development area storm system, onsite, so that there would be no increase in peak flows. Development within flood hazard areas is allowed by City code with compensatory flood storage and meeting other applicable flood hazard requirements such as elevation of the building.
RM-2	The effects of additional water volumes or flows on the East Monroe site are unknown and not well understood. Our concern as 30 year residents of the area above is first and foremost potential impacts on the adjacent steep slopes. These slopes are unstable with continual sliding and movement eroding the top of the slope. Logic tells me that changing the hydraulics of the area is bound to eventually adversely affect the slope no matter how much buffer is provided. The EIS places excessive confidence in buffers in our view.	Evidence of hillside erosion has been documented in the Draft SEIS. GeoEngineers concludes that landslide activity is expected to occur during periods of extended precipitation or rain on snow events. Other factors that could contribute to erosion resulting in landslide hazards include uncontrolled stormwater runoff from properties on the hillside, and the removal of trees from the slopes resulting in the loss of root strength and soils stability. Based on the hydraulic analysis performed for this site, the velocity of the slough would not be significantly increased by development south of the slough and would therefore have no impact on the hillside. Also, field reconnaissance by the Geotechnical Engineer found no evidence of erosion along the slough banks within the project area.
RM-3	Extension of the necessary utilities to the East Monroe area for up to 1/2, mile will be required. We understand that the initial cost of this extension is to be borne by future developer(s). However, the additional proportional cost of maintaining these extensions, because it is likely to be shared by few if any other developments, could be substantial and is not addressed in the EIS	Thank you for your comment. The DSEIS does not discuss utilities as it was not part of the GMHB Order. The cost of extending utilities to the site would be born by the developer. The cost to maintain those utilities would be born by the developer for those portions of the utilities located onsite. As with all development, occupants would be required to pay utility bills which would support the utility system.

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<p>Vicki Furrer, 23811 SR 2, Monroe. Ah... I was born here, and I've lived on a piece of property just 2 miles down, the road towards Sultan from this ah... acreage for the last 57 years. So we were farmers, we've farmed the land and ah... I guess one of the ah... the biggest things as far probably a little more boundary re... boundary review than environmental but yet it does carry over to the environmental... it's just that ah... you know the mountains, the river valley, just coming out of Monroe as you crest the hill and leave the chaos of the City behind, just is an automatic boundary to open up into the farm land. Ah, into the valley, and there isn't development anywhere between Monroe and Sultan. It is farms, right and left all the way up the valley. Whether it be just you know a few horses that someone is raising or a farming like we are cattle and hay. And when I say as you leave Monroe the chaos behind, not just for the people, but for habitat for the wild life too. You can't tell me that paving over 12 acres and changing it to commercial, is going to welcome all the wildlife to still hang out in the woods and all in the area there. Ah... which contributes and carries over to the next property, and the next property, and even us down the road. Ah, as someone else brought up, property owners, you know, what are our rights? All of us are living there most of us have lived there forever. (laughing) You know it's been our home. And, here somebody comes in and purchases this, knowing what it was zoned, what it should be used for, and in trying to change that, ah... you know it was purchased knowing I think that's one thing that has frustrating especially, not just to homeowners, but all of us farmers is, farm land keeps getting pushed down, pushed back.</p> <p>And the average farm here in Snohomish County is only 46 acres. It's not the big 2 and 3 thousand acres like it is in California. There's been a lot of organic farms, (unintelligible) farms, and keeping this agricultural land to preserve for generations to come is very important. There's been an increase in farms in the county in the last, last few years. Again, not huge farms, but small pieces like those, the average acreage is 46 acres. So this would be prime for doing something agricultural. The agricultural lands are prime habitat for birds, wildlife, ah... you know we all try to be stewards of the land. And, as I said, it's frustrating for us long, old timers, that someone comes in and wants to change everything, change our lifestyle with houses coming in, you know then you get complaints, on the farm as someone else said, they knew what it was zoned, so why are they trying to change it? Then as I said, changing saying that only 12, 11 acres can be changed, what is going to once it's rezoned. Exactly, I feel like there's no guarantee what can happen after that. Because I think that all of us have seen that money does buy things. You know, from other development around our area just here in Monroe. So, I just feel like there's no guarantee that that will still all remain (unintelligible) uhm, uhm, cause as I said money, money does buy development, and it buys, buys fill, and we've all seen that down in Fryelands. Us oldies, never thought that could ever be built or developed on. But you bring enough fill in and that changes everything. So, ah... like I say wildlife, run off, water quality, all of that needs to be addressed. And as I said it just doesn't impact that 11 acres, but if that's paved over it's not going to welcome any, any habitat for wildlife. If anything it's going to push birds and the eagles, or seagulls, in the trees out there. As I said I've lived there my whole life along Highway 2 and ah... this would definitely impact the farmers all the way up the valley through Sultan and on up. So, thank you.</p>	<p>The property lies within the urban growth area for the City of Monroe and Snohomish County. It is therefore not within the "Rural" area of unincorporated Snohomish County. This urban growth area boundary is approximately two parcels to the east of the East Monroe proposed comprehensive plan amendment/rezone property. That urban growth area line is where ta distinction between urban and rural land use policies exists. Wildlife habitat is discussed in the Critical Area Study and Habitat Conservation report. The Critical Area Study and Habitat Conservation report (Appendix B) does state that no specific development plan exists at this time and that development of the site, especially within critical areas, buffers or shoreline jurisdiction may present impacts to fish and wildlife habitat. The Critical Area Study and Habitat Conservation report identifies management strategies to mitigate for these impacts.</p>
<p>So, I'm, I'm Darlene Wolf, uh, Setzer. And I live right above the driveway which is to the right there. And I look down (unintelligible), you know, on the, to the right, but it shows that parcel. What is it? Where is it there, the parcel? And that's a swampy area, it's always very swampy in there. And, uh, yeah I-I've been up there since 1968 and I've seen, uh, the river, the flooding about three or four times when that, that (unintelligible) full of water, uh, over the driveway. Clear down the road to the driveway, clear on over to the (unintelligible) on this side to the, to the (unintelligible) district. Full of water, that whole area. I seen that three or four different times like that. Uh, and, uh, the-the ones that live down below had to be rescued by helicopter one of the times, and it's a, it's a regular flood area, the river just, it (unintelligible) goes in there. There's no keeping it out of there. When that, when that, when it's flooding, and the river's up, the water's in there. Period. (unintelligible) it's usually swampy in that area too where it says, that parcel up there to the north, uh, east... Yeah, and that's a swampy area, (unintelligible) there's tide pools and everything, there's ponds outside the road there too, always full of water.</p>	<p>Thank you for your comment. The hydraulic model used the most recent available quantitative data to perform the study. The property is not currently within a 100-year flood hazard area per an effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain area in preliminary FIRM maps. Those maps are not in effect by FEMA. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulations therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time the current best available science s superseded.</p>
<p>(unintelligible) because I've been up there probably I've seen the water over the whole, whole area. The whole area. From the (unintelligible) by the creek to that culvert across the driveway all over it. Several times</p>	<p>Thank you for your comment. The Draft SEIS acknowledged that the site is subject to flooding. However, the property is not currently within a 100-year flood hazard area per an effective Flood Insurance Rate Map (FIRM). It was identified as being in a 100-year floodplain area in preliminary FIRM maps. Those maps are not in effect by FEMA. The properties do not therefore lie within an effective FIRM. However, the City considers the preliminary maps as best available science to regulate flood hazards. The City flood hazard regulation therefore apply to development at the property, regardless of the plan amendment designation/zoning until such time the current best available science is superseded.</p>

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<p>Yeah, no, absolutely, but well, I know where it is, because it's by my home and it's not even shown on that plot map. So, ah... I just think there's some things that are really inaccurate and I will address that more. But that's just one thing I wanted to bring up because that's a really recent slide. Ahm, also I can just tell you we've only lived up here a year and a half, and our back bluff is at a much more steep slant now than it was when we moved there. You can't tell me that heavy equipment and moving things in and out are not going to affect that. So, there is a lot of recent land movement out there, and I think that needs to be addressed a little bit more in detail. So, and this property owner bought this property with the current zoning. So, there is property rights there, but there's also property rights for some of these people that have lived up there, I mean longer than I've been alive. So, there's a lot to say about that.</p>	<p>No development is proposed on or near the steep slopes. The site was evaluation was performed to evaluate erosion and landslide potential from future development in the rezone property. The landslide mapped was observed during our site reconnaissance from across the stream channel and photographed. The photograph was georeferenced using the GPS in the iPad used to photograph the feature. The location is further substantiated by the aerial photograph taken in June 2015. This landslide is, based on our review of available literature, maps, and public data, in conjunction with the observations we made on site, our experience and professional judgment, is representative of hillslope processes than can expected all along the slope. We anticipate that such landslides have occurred in the past and will continue to occur across the steep hillslope area.</p> <p>Historical aerial photographs taken by fixed-wing airplanes over a period of six decades were interpreted for changes in vegetation cover, land-use, slope movements, and channel conditions at the base of the slope using methods that are part of the standard of practice of geologists.</p> <p>Evidence of landslide activity was located as observed during site evaluation conducted onsite. In addition, a recent aerial photograph taken in June 2015 displays the active landslide in the approximate location that was mapped.</p>
<p>And we share the recent slide with our neighbor.</p>	<p>Comment noted.</p>
<p>21608 Calhoun Rd. (unintelligible) and ah, anyway, ah, if the land development space now, that's what it's zoned... And, and the one that bought it ah, he, he, he wants to build a church is that right? Something to that affect...</p>	<p>Thank you for the comment.</p>
<p>I would like to comment that protest... there's been no protest, we welcomed the church. All they had to do was put the church in. They decided that they wanted to flip it. If you want to read my letter from 2 thousand... or 2 thousand and 4 I state in that letter that this property was the perfect example of why wet land to develop into commercial. It's on record, it's here I testify there's been nobody that has protested... There's been nobody protesting that. Build a church, put 5 houses in. That's fine. Nobody protested that. And leave the zoning as it is now</p>	<p>Comment noted. The proposed Comprehensive Plan map amendment and the proposed rezone require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.</p>
<p>It doesn't need to be changed</p>	<p>Comment noted. The proposed Comprehensive Plan map amendment and the proposed rezone require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process.</p>

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<p>We might have hoped that this new SEIS, the product of PACE Engineering would be based on accuracy, and with full disclosure. As it should be. Instead once again, we are presented with a document where the findings are overwhelmingly purpose driven. I guess that is not surprising, when you consider that the reality of the ground and any common sense analysis of that reality runs overwhelmingly against their purpose. The rezoning of this property. In the 2013 FEIS proceedings, the same engineering firm calling on their expertise in the field, repeatedly testified that LIDAR provided most accurate topographical survey of the property. And why did they continually testify to that notion when they should have known better. I mean it seems reasonable to me to assume they did know better. After all, they are the experts. It is difficult not to conclude that they testified to this because the LIDAR interpreted the 8 foot high blackberry bushes throughout the property as solid ground. Which gave them the compensatory flood storage they needed for their development. Well, in the final analysis, that was a hard sell. They had to abandon their blackberry bushes in the face of facts. Gosh Darn, what are they going to do now? There really isn't enough compensatory flood storage available on that property. Their only option, is to convince people a 100 year flood plain is a couple of feet lower than what FEMA says it is. But how do they possibly do that? Well, surprise of all surprises, there is no culvert under the railroad tracks at the east end of the slew, therefore, there is no connection to the river at that end. In fact the only water entering the slew from the east, comes from the drainage ditches along the highway. How convenient is that? So convenient, they repeat this contention numerous times through the SEIS. It is pretty clear, their whole strategy for approval is based upon this new discovery. So, why was it, a long standing assumption as stated in the SEIS, there was, there was a culvert at the east end. Well, in the aerial photo of the property you look at which is pretty much the level of detail they give, they've given the property in the past, clearly shows this is (unintelligible). It is the old course of the river. An old river bed runs right under those railroad tracks. No culvert needed. There is river water on the south side of those tracks, there's river water between the tracks, and on the highway. There's river water in the slew, immediately south of the highway, or north of the highway. It doesn't take an expert in watershed hydrology, to understand particularly in the drought we've been experiencing, that none of that water is coming from the drainage ditches along the highway. And it certainly isn't backing up from the west end of the slew a half mile downstream. I really think you ought to go down and look at the boulders under that stretch of track. They are the size of refrigerators. I can see how that was calculated by the railroad to keep the tracks from being washed out. As they have been in the past. I'm no expert, but I think it's reasonable, the size of those boulders was not calculated to prevent flood wash from flowing through those rocks at a reasonable enough pace to relieve the pressure on the south side, of the tracks. And that's way I have for today.</p>	<p>Thank you for your comments. The SEIS was prepared in response to the GMHB findings and additional analysis was provided by professional hydraulic and geotechnical engineers as well as a professional wildlife biologist. Information provided in the SEIS and in the comment responses above, address these comments.</p>
<p>However, this business about the 10.31 – 11.3 acres that are developable gives you a false sense of security. Because once you develop this property, or zone it commercial, there are exceptions in the sec... in the in the code, in the MMC that makes for specific differences and changes. And I'm not going to go through those changes now, but that gives you a false sense of security. So, either you want to rezone the property at... and you say you can't, and if you can't then of course it can lead you 100% locked in priorities, if you have to go that route regardless of what the MMC says, you have the whole big fight ahead of yourself if you think you are going to just use the incredibly small 10.3 acres, or whatever it is. Not only that, as Mr. Hamar pointed out, they don't even have the actual compensatory flood storage. That property is going to shrink considerably. So, I don't think you're going to have 10 acres on the road side. You're access is off below the developer has to pay for it. It will cost oh, maybe 5 million for a roundabout, then you have a frontage road , you have to jump the slew, you have get to the property. This is absolutely the worst site that you could possibly have a commercial development. That I have ever seen. And, uh, as I say, I didn't plan to speak tonight, but I feel compelled to, to dispel this false sense of security that we have of only 11 acres of remaining to be developable. Once you change the zoning, it's fair game. Thank you.</p>	<p>Comment noted. The proposed Comprehensive Plan map amendment and the proposed rezone require a Planning Commission public hearing and Planning Commission recommendation to the City Council. The City Council will take final action approving or not approving the Comprehensive Plan map amendment and rezone. Comments on the Comprehensive Plan amendment and zoning map amendment request may be made through that process. Transportation was addressed in the September 27, 2013 FEIS.</p>

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<p>Uhm, let's see. I didn't prepare anything, I am preparing written comments on Monday, but I think a couple of things should probably be clarified. Ah, the native growth protection area is the easement that the City has the authority to amend. And clearly says, in your code that you can, that the director has the ability to change or give exceptions to things that are in, and all it is a report in this one county, it's not it's not something you can't change. Uhm, and what Lowell Anderson was referring to that the reasonable use exceptions in the (unintelligible) ordinance ah... that this (unintelligible) these comments have been made since, the 2012 original draft EIS, on this. But, ah... that the EIS does not actually refer to code. To your codes, so it says, it says that the shorelines and wet lands and streams and steep slopes prohibit development on the majority of the site. You need to reference what, what codes do that.... The prohibition because I don't see that in the code. Prohibition in lay use means you can't get around it. You can't get a variance to it, you can't get a conditional use permit for it, you can't get around it. These are not prohibitions, they're restriction that have exceptions. And I think that, that should be addressed in, in the review. Ahm.... The other main comment I have is, when PACE went through and chose what to, which of the growth management hearing boards comments to address. Some pretty big ones were left out. Uhm... and I'll be providing those specifically, but in my end of the... the main thing here is just that you guys are supplementing an inadequate FEIS. And the supplement has not cured those inadequacies.</p> <p>So, the alternative analysis, it wasn't just about a no development, the board doesn't even tell you to do no development, one option is that you should be looking at existing condition for all environmental impacts. So, each alternative, including the no action alternative should be compared to existing conditions. And the existing conditions analysis in the original kept downplaying the habitat value, and the water quality value of the site (clear throat) inadequately. So, you need to amend that so it's clear what the existing conditions are. In the no action alternative is very clear what the SEPA environmental 197-11 what a no action alternative is. It's developed under the existing, without the proposed change. In this case, the proposed change is a comp plan amendment. And a rezone. So you should be looking at the site, what is reasonable development is under the limited open space. And, no matter how you look at it, that is single family residential. Uh, the access, the only access allowances right now through WASH DOT, and they own the access, it's not owned by the property owner. Is, the existing access which they said can accommodate I believe 3 single family homes. So, we should be looking at the current condition, no action alternative as residential. And then you, compare that, those impacts to the existing condition, and then you look at your three alternatives, and compare those impacts, and then, that's when you can compare the 4 to each other. But the way its set up right now, and the board, the board mentions this, uhm in what you guys have as appendix A, if I'm seeing them in order, uhm, that was amended on, the amended one from September 19, 2014, ah, that – that more of the flaws in this original FEIS is that the goal is commercial development on the site.</p> <p>And that's not per the non-action, that shouldn't be the goal. Ah, whether it's the city's goal, and that's something that you can't find in the record anywhere. Ah, somebody applies for a comp plan amendment with you, but it's the city that gets to decide whether to move forward with it, and they can, you guys can limit it, you can change it, ah, they can apply for boundary line adjustment, and get it down to the deve-developable area, ah.... None of those things have happened. And they're not reviewed to as alternatives, which they should be. Should not one of the alternatives be, to only rezone 11 acres. One of your alternatives should be not to rezone parts of D and E because they have almost no developable area on them. There's no, the right now the little access road, you can get back to a house there maybe, between parcels C and parcel D. You can't get back to a commercial development without building a commercial capacity road. That's not analyzed in here. So, the no action alternative should show, could I get there, maybe I could, maybe I couldn't. Somebody needs to look at it. Could I get back to my house there? Under existing zoning. (clear throat) and then, if I rezone it, how am I going to get back there? Is there not an intrinsic impact that comes from rezoning it to commercial. And then now that person needs to build access commercial property, they're going to need a commercial entrance there. It's going to be a bigger road than that's there now. Those are the type of things that your alternative should be reviewing.</p>	<p>The Native Growth Protection Area provides that the NPGA remain undisturbed in perpetuity. Filling, grading, or development requires written City approval. This ensures that any grading, filling, or development proposed for the site is brought to the attention of the City prior to it taking place. The language also assists in code enforcement matters. Language like this is not intended to allow for the conversion of an NPGA back to a developed situation. It is intended to protect the NPGA. The City critical areas ordinance does have provisions for reasonable use exceptions (MMC 20.05.050). However, reasonable use exceptions requires a public hearing by the Hearing Examiner and the need to address specific decisional criteria, including that the application of the critical areas chapter would deny all reasonable use of the property. These criteria include:</p> <ol style="list-style-type: none"> This chapter would otherwise deny all reasonable use of the property; There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer; The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the property; Any alteration is the minimal necessary to allow for reasonable use of the property; The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of the ordinance codified in this chapter or its predecessor; and The applicant may only apply for a reasonable use exception under this subsection if the applicant has also applied for a variance pursuant to Chapter 18.96 MMC. <p>Finally, the DSEIS includes a "No Action-No Development" alternative to address the Board's comments. In its order, the GMHB specifically references a Washington State Department of Ecology letter that states "...the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS)." The DSEIS responds to the Board order and to the comment from the Washington State Department of Ecology. Text has been added to the SEIS to discuss development possibilities under the current zoning. Note that residential dwelling units are not the only allowed development in the LOS zoned area. To be responsive to public comment received during the DSEIS comment period, the "No Action-No Development" alternative has been revised in the FSEIS to be a "No Action-No Development/Single Family Residential" alternative to provide information on impacts to the natural environment if five single family dwellings were constructed on the property.</p>

East Monroe Rezone Comment Response Matrix

No.	Comment	Response
	<p>Right now the alternative is just set up what PACE has determined to be an 11 acre developable envelope to the max build out in all three scenarios. And in no case is there any analysis done of what can happen if somebody came in and under a reasonable use exception and wanted to build outside of those 11 acres. Uhm... (clear throat) the, the other, the last point I want to make tonight is, like I said, you're ((unintelligible)) Is on the FEMA flood plain. So, the original EIS, FEIS and this one looks at the site under the proposed 2007 flood maps. Those are not adopted by the city. So, when they say what's developable under those, if I were to come in, if this was to be rezoned tomorrow, and I came in as a property owner, with an application, none of those FEMA regulations apply. Because it's not in, according to your code, it's not in the flood plain right now. It's not in the 100, it's in the 500. So, at least one of the alternatives should be looking at existing codes and how those, not these potential codes that PACE has already argued may not even happen. They don't want.... And then the other thing is that the SEPA could be proposing mitigation that could address some of this, like limiting the development area. Like requiring the most up to date FEMA maps be applied to the property, if you're going to rezone it. None of those things are even considered. I don't see where the document actually comes to, ah, leads you anywhere. It just is a lot of information without conclusions and without proposed mitigation. And I think I'll leave with that.</p>	
	<p>Thank you. The name is Clive Ellard, I live at 21804 Calhoun Road, and I am remembering how this, if I can call this a debacle, got started. I remember the year, but after years of the Planning Commission saying, "no this is a bad project". During a Council meeting, and I don't remember the Council people but, there was a woman, and I do remember the person that seconded it was the other Baptist minister in this City. Monroe Baptist church. Ah, fairly large, blonde, strawberry blonde, (unintelligible) somebody or other, you know. These are Congr.... These are Council people in the past. Ok, so, again just getting voted down, no, let's forget this thing, how many times is it going to be brought up? These two people, the woman started it, in her voice she said, "Well, it doesn't cost the City any money, let's have this... .let him have is day in court." And the second Baptist minister seconded it. And Voooom it got put on the agenda. That has cost thousands of dollars expense to the City, and hopefully somebody is going to come to their senses, and fix this thing before it goes any further</p>	<p>Thank you for your comment.</p>
	<p>Ah, I spoke to Melissa, before I bought my house. (laughing) She took us back and showed us all this. So, I want to start because everybody here gets beat up really bad so, thank you so much. You've done a great job of just like clearly saying what tonight's about, and informing people, and I know it's important we're all upset, and we all have stake in this, but really. This isn't fun for you guys either. So, thanks for that. And I agree you have a lot to gain because you have a lien on the property, ah... and I think that's a huge conflict of interest anyway you look at it. You have a company providing information that has a benefit, you can't.... I understand, I see your face I see your reaction over what people are saying. Like... ahhhh, and I get it, I would be the same way, it's like this is my company, this is my study. But you have to be able to address that. You have to say, "Wow these people are looking at a City that's allowed a lien to be kept on a property and that lien is the subject of payment for that company." That's a huge conflict of interest. But the biggest thing I want (unintelligible) that I saw in this, ah, is there has been a recent land movement slide, slope, whatever you want to call it, it's not 10 feet deep, thank God, because my house would be on the bottom of a hill, ah, but even where that land is, on that aerial map, it's not drawn in the right place. And it really lends to me, to kind of wonder how well that has been studied. Because it's a pretty significant movement. Ah, probably about, 15 or 20 feet wide, and half the bluff down. I mean, not.... It's like 2/3 high of the bluff. I meant it's a pretty significant.</p>	<p>Evidence of landslide activity was located as observed during site evaluation conducted onsite. In addition, a recent aerial photograph taken in June 2015 displays the active landslide in the approximate location that was mapped. The slide on your property is considered "relatively small" especially in contrast to some of the deep-seated landslides that have occurred in Washington state in the last 20 years.</p>
	<p>Ah, Brandi Blair. 228 S. Lewis. Ah, I would like to (unintelligible) because I hope that ahm... that this really does get... you said your name is on this, and ah, a fair review, ahm.... The one person who never shows up is the property owner. The people who do a lot of work and keep showing up, year after year, are here again. Taking their own time to protect the environment. I hope that, ah... hope that speaks to property planning.</p>	<p>Your comment is noted.</p>
	<p>With the limited open space zoning, the one that bought the property, could build a church. Now, without rezoning it to commercial</p>	<p>Religious Institutions are a conditional use in the Limited Open Space zoning district (MMC 18.10.050 Zoning land use matrix). Conditional use permits are discretionary land use permits that may or may not be granted by the hearing examiner after holding a public hearing. Religious Institutions are a permitted use in the General Commercial zone, meaning that a public hearing and approval by the Hearing Examiner is not required.</p>

East Monroe Rezone Comment Response Matrix

No.	Comment	Response
	<p>And I cannot see that property being zoned commercial, its agricultural. There, there been there Herons down there, there's hawks down there, there's been coyotes down there ah... it, it, it's a, a, a, raccoons they have kind of a wildlife area down there. And to change it to zone it to commercial makes no sense what so ever. Because it is ah... its rural. You know, and if they, if he did want to build a church he could build a church.... With the open space zoning... he wouldn't have to change the zoning to build a church. So, ah..</p>	<p>The property lies within the urban growth area for the City of Monroe and Snohomish County. It is therefore not within the "Rural" area of unincorporated Snohomish County. Wildlife habitat is discussed in the Critical Area Study and Habitat Conservation report. The Wetland Resources Inc., Critical Area Study and Habitat Conservation report (Appendix B) does state that no specific development plan exists at this time and that development of the site, especially within critical areas, buffers or shoreline jurisdiction may present impacts to fish and wildlife habitat. The Critical Area Study and Habitat Conservation report identifies management strategies to mitigate for these impacts.</p>