

4. RESPONSE TO DRAFT EIS ISSUES

This chapter of the Final EIS presents responses to the substantive issues raised in the public and agency comments received on the Draft EIS. The City of Woodinville organized all of the comments it received, both written and verbal comments, by source, category and issue as explained below. Overall, the City received more than 900 individual comments from 116 sources of input on the Draft EIS. Based on review and classification of the comments, the County identified 77 individual issues within 9 substantive issue categories, and an additional 9 specific issues within 2 other or non-substantive issue categories.

The City of Woodinville Department of Community Development issued the Wood Trails and Montevallo Subdivisions Draft EIS on January 17, 2006. The formal review period for public and agency comment on the Draft EIS closed on March 3, 2006. All comments on the Draft EIS received by the close of business on March 3 were considered in the preparation of the Final EIS.

The City received 94 written comment letters (including electronic mail messages). A number of reviewers submitted written comments on the Draft EIS by both letter and electronic mail. In addition, 22 people provided comments in the form of verbal testimony at a public meeting held on February 16, 2006 at Woodinville City Hall.

Table 4-1 provides a list of all comments received by the City on the Draft EIS, including both the written comment records and the testimony statements. The comment records listed in **Table 4-1** are divided by source, broken down into: 1) comments from agencies; 2) comments from organizations; 3) comments from individuals; and 4) verbal comments provided at the February 16, 2006 public meeting.

Most of the 116 comment records included multiple individual comments. **Table 4-1** lists the number of individual comments identified for each comment record.

The City used a multi-step process to organize and address all of the comments it received. First, the City sorted all non-duplicative written comment records into three categories, based on whether the source of the comments was a public agency, an organization or an individual. Second, the City numbered all written comment records sequentially from 1 to 94. Based on the number of comment records in each category (i.e., public agency, organization, or individual), the comment record identifiers ranged from 1 to 3 for comments from public agencies, 4 and 5 for comments from organizations, and 6 through 94 for comments from individuals. Third, the City sorted the verbal testimony provided at the public meeting. This testimony was documented on a formal transcript prepared by a court reporter engaged by the City. The City then labeled the testimony statements from the 22 speakers at the meeting T1 through T22. All of this is presented in **Table 4-1**.

As the fourth step in the process, the City reviewed all written comments and testimony provided on the Draft EIS. Specific passages from the letters and testimony that constituted comments on the Draft EIS were marked with vertical bars in the margin of the letter or statement. Portions of letters or testimony that did not constitute comments on the DEIS were not marked. All comments within a letter or statement were then numbered sequentially, resulting in a unique two-part numerical identifier for each specific comment (e.g., “5-1” refers to the first comment identified within comment record number 5, the letter from the Concerned Neighbors of Wellington). Fifth, the City grouped individual comments into issue

categories based on the nature of the subject matter and the section of the Draft EIS the comment addressed. The City's review categorized comments into nine substantive issue categories and several discrete issues within each category.

Sixth, the City organized comments that represented the same or very similar thoughts into individual issues within the respective categories. It then assigned and marked alphanumeric issue identifiers alongside each comment. And last, the City established two categories of "other" issues that did not address the substance of the Draft EIS (i.e., EIS scope and content, alternatives, impact issues or mitigation). These categories included comments that expressed support for or opposition to the proposed action or some aspect of the proposal, or expressed values or beliefs that did not specifically relate to the substance of the EIS. Comments falling within these categories were also identified for response.

Table 4-2 represents the City's identification and organization of comments pursuant to the above process. **Table 4-2** lists all of the issues identified in the comments received on the Draft EIS. The first column in the table identifies the alphanumeric code assigned to each issue; for example, the issue coded EIS-1 is the first issue identified among those comments addressing the overall SEPA/EIS process and scope, as documented in the Draft EIS. The second column of the table is a summary statement of the issue. In some cases this statement is rather brief, while in others there are multiple discrete aspects of an issue that are noted in the table. The third column in **Table 4-2** lists all of the comments that were interpreted as representing the respective issue. These comments are listed using the City's response coding and organization system, as described above.

The text following **Table 4-2** provides the responses to the issues raised in the comments, organized by category as shown in the table. For each issue there is a brief narrative summarizing the issue and the range of comments addressing that issue, a listing of the applicable comments for that issue, and the complete response to the issue. Subheadings are used where necessary in the responses to indicate material addressing a specific aspect of an issue.

Copies of all of the written comment records and the testimony statements are included in **Appendix P**, within Volume 2 of the Final EIS. These copies include the markings that identify the comment record, the comment numbers and the issue codes consistent with **Tables 4-1 and 4-2**. For cross-referencing purposes and to provide a complete list of all of the comments submitted to the City on the Draft EIS, **Tables 4-1 and 4-2** are repeated as **Tables P1 and P2** in **Appendix P**.

Table 4-1
Log of Review Comments on Draft EIS

Record No.	Agency	Representative	Date of Record	Date Received	Number of Comments
1. Comments from Agencies					
1	Washington State Department of Transportation	Ramin Pazooki, Local Agency and Development Services Manager	2-28-06	3-3-06	1
2	City of Bothell	Wasim Khan, Transportation Engineer	3-2-06	3-2-06	1
3	Muckleshoot Indian Tribe	Karen Walter, Watershed and Land Use Team Leader	3-3-06	3-3-06	8
2. Comments from Organizations					
4	Little Bear Creek Protective Association	Greg Stephens, President	3-2-06	3-3-06	4
5	Concerned Neighbors of Wellington* (attached letter)*	Fred A. Green, President	3-3-06	3-3-06	34
	(attached letter)*	Laura Glickman	3-2-06	3-3-06	9
	(attached letter)*	Jonathan Yang		3-3-06	3
	(attached letter)*	Martin & Sharon Peterson	3-3-06	3-3-06	22
3. Comments from Individuals					
6	James & Martha Snell		2-8-06	2-8-06	7
7	George & Sandra White		2-8-06	2-9-06	6
8	Michael & Gail Odenius		2-10-06	2-11-06	2
9	Leonard & Sharon Clemeson		2-15-06	2-15-06	1
10	Guy A. Mahan		2-15-06	2-15-06	1
11	Kristyn & Jeffrey Howell		2-16-06	2-16-06	6
12	Robert & Karen Trenner		2-20-06	2-20-06	8
13	Robert A. Harman		2-16-06	2-21-06	13
14	Barbara Czuba		2-22-06	2-22-06	3
15	Brian Orton		2-22-06	2-23-06	34
16	Roger J. Mason		2-23-06	2-23-06	1
17	Todd R. Huso		2-25-06	2-25-06	8
18	Susan Huso		2-25-06	2-25-06	6
19	Roy & Sheri Ghazimorad		2-26-06	2-26-06	6
20	Kerri W. Scarbrough		2-27-06	2-27-06	12
21	Linda Larsen-King		2-28-06	2-28-06	5
22	Wendi Peterson		2-28-06	2-28-06	2
23	Matt & Lisa Schultz		2-28-06	2-28-06	14
24	George & Sandra White		2-28-06	2-28-06	7
25	Adam Gold		2-28-06	3-1-06	11
26	Barbara Bulger		3-1-06	3-1-06	1
27	Kathleen W. Forman		3-1-06	3-1-06	2
28	Geoff Knutzen		3-1-06	3-1-06	1
29	Kay & LeRoy Kuebler		3-1-06	3-1-06	11

Record No.	Individual	Date of Record	Date Received	Number of Comments
30	Maxine M. Pollock	3-1-06	3-1-06	5
31	John Tatarsky	3-1-06	3-1-06	8
32	Ryley & Tracey Fee	2-28-06	3-2-06	2
33	Linda Petrin	3-1-06	3-2-06	3
34	Leonard Clemeson	3-2-06	3-2-06	4
35	Robert & Marie Day	3-2-06	3-2-06	5
36	Cliff & Sheri Griffin	3-2-06	3-2-06	12
37	Gary J. Hasse	3-2-06	3-2-06	8
38	Kelly & John Huff	3-2-06	3-2-06	8
39	E. Nadine Jones		3-2-06	5
40	Ronald Olsen	3-2-06	3-2-06	11
41	Janet Patrick	3-2-06	3-2-06	6
42	Julia Poole	3-2-06	3-2-06	15
43	Muriel Ryan	3-2-06	3-2-06	6
44	Erin & Jarrett Renshaw	3-2-06	3-2-06	1
45	Cindi Stinson	3-2-06	3-2-06	10
46	Peter & Heidi Symington	3-2-06	3-2-06	14
47	Laurie Thompson	3-2-06	3-2-06	4
48	Craig & Marsha Tupper	3-2-06	3-2-06	5
49	Tony Van Natter	3-2-06	3-2-06	4
50	Becky N. Warden	3-2-06	3-2-06	13
51	Christy Diamond	3-1-06	3-3-06	11
52	Jennifer Hallman & Derek Luhn	3-1-06	3-3-06	3
53	Mary M. Holt	3-1-06	3-3-06	11
54	Kirk Rondorf	3-1-06	3-3-06	11
55	Robert & Lawanna Casto	3-2-06	3-3-06	11
56	Jim Hartman	3-2-06	3-3-06	1
57	Dave & Joyce Hyder	3-2-06	3-3-06	4
58	Otto K. Paris	3-2-06	3-3-06	71
59	Alfred & Thelma Pasion, Robert & Liane Stroud	3-2-06	3-3-06	3
60	Sue Swan	3-2-06	3-3-06	4
61	Joan Stoneking	3-2-06	3-3-06	17
62	William R. Trippett	3-2-06	3-3-06	4
63	Makhdoom Ahmed	3-3-06	3-3-06	5
64	Nancy Bacon	3-3-06	3-3-06	10
65	Gary Blakeslee	3-3-06	3-3-06	8
66	Dino Cecchetto	3-3-06	3-3-06	3
67	Heidi Dwelle	3-3-06	3-3-06	1
68	Brian & Cheryl Fountain	3-3-06	3-3-06	2
69	Helen Fry	3-3-06	3-3-06	12
70	Douglas L. Gibson	3-3-06	3-3-06	3
71	Jeff Glickman	3-3-06	3-3-06	17
72	Steve & Helen Gottschalk	3-3-06	3-3-06	63
73	Dave Henry	3-3-06	3-3-06	4
74	Jo & Mel Jackson	3-3-06	3-3-06	4
75	Beth Jenson	3-3-06	3-3-06	6
76	Matthew Jenson	3-3-06	3-3-06	8
77	Joel (last name not given)	3-3-06	3-3-06	1
78	Tinly & Susan Krey	3-3-06	3-3-06	1

Record No.	Individual	Date of Record	Date Received	Number of Comments
79	Janet Littlefield	3-3-06	3-3-06	12
80	Steve Maloney	3-3-06	3-3-06	1
81	Roger & Jill Mason	3-3-06	3-3-06	23
82	Dan & Jill McMillan	3-3-06	3-3-06	3
83	Evelyn & Patrick Moriarty	3-3-06	3-3-06	4
84	Frederick C. Motteler	3-3-06	3-3-06	4
85	Michael & Charlotte Ochoa	3-3-06	3-3-06	10
86	Julie Parrott	3-3-06	3-3-06	7
87	Shani Parrott	3-3-06	3-3-06	9
88	Matt Perran	3-3-06	3-3-06	5
89	Marjorie Pomeroy	3-3-06	3-3-06	8
90	Connie & Joe Ravenal	3-3-06	3-3-06	4
91	Jack & Clarice Riggs	3-3-06	3-3-06	3
92	Paul Sharp & Family	3-3-06	3-3-06	3
93	Robert Stevenson	3-3-06	3-3-06	4
94	Sue & Gary Swanson	3-3-06	3-3-06	1

4. Comments from February 16, 2006 Public Meeting Testimony

Record No.	Individual	Organization	Number of Comments
T1	Jeff Glickman		4
T2	Fred Green	Concerned Neighbors of Wellington (CNW)	8
T3	Steve Gottschalk		5
T4	Bob Harman		6
T5	Nadine Jones		3
T6	Sharon Peterson	CNW	7
T7	David Shepherd		5
T8	Dave Henry	CNW	4
T9	Otto Paris		13
T10	Marc Kramer		2
T11	Joan Stoneking		8
T12	Roger Mason		8
T13	James Hartman		2
T14	Steve Maloney		3
T15	Robert Casto		6
T16	Susan Huso		4
T17	Bill Trippett		3
T18	Cliff Griffin		3
T19	Michael Ochoa		6
T20	Helen Fry		6
T21	Matt Schultz		3
T22	Whitney Barnes		1

* The comment package submitted by the Concerned Citizens of Wellington consisted of a comment letter from CNW and 35 additional letters or statements from CNW members included as attachments. Three (3) of those attachments were not submitted separately and are listed under the CNW letter in the comment log, and comments in those attachments have been coded as part of the CNW submittal. Thirty-two (32) of the attachments were also submitted separately by the respective authors and comments in those records were coded; these attachments are not repeated in the CNW listing, and the comments in those attachments are not duplicated.

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**TABLE 4-2
Issues Based on Draft EIS Comments**

Issue Code	Summary of Issue	Corresponding Comments
	PROGRAMMATIC/POLICY ISSUES	
EIS	SEPA/EIS Process and Scope	
1	Objectivity and overall adequacy of DEIS Variety of comments relating to the general adequacy of the DEIS, including concerns over work done by the applicant and the applicant's consultants, specifically including technical reports prepared for developer and prior to start of EIS process; objectivity and/or bias in favor of the applicant, including specific reference to traffic study; accuracy or implications of DEIS content; consideration of acceptable solutions; view that DEIS needs to be re-done by an independent group and re-issued	5-43, 5-57, 6-1, 12-1, 17-1, 18-1, 20-11, 23-1, 25-1, 29-1, 31-7, 33-1, 33-3, 34-1, 35-1, 36-1, 37-1, 40-1, 42-1, 43-6, 49-2, 51-1, 53-1, 54-1, 58-6, 58-69, 58-71, 60-4, 64-9, 65-1, 69-12, 71-1, 72-1, 72-36, 79-11, 81-1, 82-3, 86-7, 88-5, 91-1, T1-3, T2-3, T2-8, T6-5, T9-1
2	DEIS distribution and public notification Complaints about the DEIS distribution process, including concerns about missing graphics and/or accessibility of DEIS copies; time allowed for review of materials; missing technical information; notification to nearby property owners; posting of DEIS on-line; public meeting date conflicts	58-70, 71-2, 71-3, 71-16, 71-17, T1-1, T1-2, T2-1, T2-2, T6-1, T6-2, T16-2
3	Completeness and accuracy of DEIS geographic coverage Questions about parcel adjacent to Wood Trails or property limits of Wood Trails site, coverage of impacts in Snohomish County	5-28, 5-52, 15-28, 58-1, 71-5, 87-8, T9-2
4	Information on impacts of sewer line extension Comments that sewer extension component of proposal not addressed in DEIS, and/or requests to address direct, indirect impacts of sewer extension	5-55, 58-4, 58-23, 89-7, T9-3
5	Secondary and/or cumulative impacts Comments about DEIS consideration of cumulative and/or secondary impacts, particularly as related to proposed sewer extension and prospects for infill development with R-4 zoning	3-8, 5-56, 58-5, 58-42, 62-1, 62-4, 68-1, 71-4, 72-7, 72-23, 84-1, T9-8, T17-1
6	Completeness of DEIS scope – noise/environmental health impacts Comments about environmental health aspects not included in DEIS, such as noise impact measurements and analysis; need for noise mitigation by adjacent industrial uses; safety hazards from industrial area; air pollution; odor impacts	5-60, 31-6, 33-2, 42-13, 46-7, 48-3, 59-2, 60-1, 61-12, 64-6, 75-5, 79-9, T2-7, T5-1, T10-2, T11-5, T12-6
7	Completeness of DEIS scope – public services impacts Comments relating to DEIS consideration of public services, including statements that scope elements should have included education and other services; that schools and traffic were not addressed; concerns over sufficiency of a variety of public services and facilities, emergency service response times and service response in Snohomish County area	5-59, 12-3, 17-5, 22-2, 25-6, 26-1, 29-6, 34-2, 36-2, 36-7, 38-7, 43-4, 45-9, 50-9, 51-6, 53-6, 54-6, 55-11, 61-7, 63-4, 64-4, 65-8, 76-4, 83-4, 85-3, 87-5, 92-2, 93-3, T2-5, T7-3, T18-3, T20-4

Issue Code	Summary of Issue	Corresponding Comments
8	Completeness of DEIS scope – economic impacts Statements that DEIS should include information on various economic or financial impacts, such as changes in property values and fiscal impacts from service costs; concern over tax consequences for nearby property owners	5-34, 15-34, 42-15, 50-1, 61-14, 69-8, 87-2, 90-3, T7-2, T11-8, T17-3, T19-2
9	Completeness of DEIS scope –quality of life impacts Comments that DEIS should have addressed impacts on quality of life, including noise, visual, etc, impacts from vegetation clearing; expressions of concern over potential changes to the quality of life	11-3, 31-3, 93-4
10	Completeness of DEIS scope –public perception issues Comments that the EIS did not address public perception issues and should include a record of the public opposition to the proposal	5-33, 15-33
11	Comparative summary of impacts Comments about DEIS summary of impacts, including concerns about ability to compare alternatives, critique of the format used, and disagreement with specific statements in the summary	5-6, 5-61, 14-3, 15-6, 58-9, 58-10
12	Documentation of scoping conclusions Comments that issues raised in scoping were not addressed in DEIS, that City should have published scoping document and/or documented conclusions from scoping in the EIS	5-29, 15-29, 58-8, T12-1
13	Consideration of Wood Trails and Montevallo subdivisions in the same EIS Comments that Wood Trails and Montevallo should have been addressed in separate SEPA documents and not in the same EIS	61-17, 69-11, 76-1, T11-8
14	Benefits/disadvantages of future implementation Comments addressing the contents of DEIS Section 2.4, including the planning implications of reserving approval for a later date	5-63, 58-15
15	SEPA/EIS process and requirements Other/general comments on this SEPA process, including questions about mitigation, interpretation of EIS, and statements about SEPA size and style requirements and accuracy of the checklist contents	7-6, 71-13, 71-15, 87-6
ALT	Alternatives	
1	Action alternatives considered in the EIS Comments relating to definition of alternatives considered in detail, including requests for different specification of an alternative; to evaluate other action alternatives; to provide site plan and more information on Attached Housing Alternative for Montevallo. Also comments on viability or reasonableness of Attached Housing Alternative; question why an R-1 alternative was not considered; suggestions that R-1 alternative should include sewer extension and for City to acquire Wood Trails site as a park	5-1, 5-2, 5-3, 5-62, 15-1, 15-2, 15-3, 17-7, 31-4, 32-1, 58-12, 58-13, T10-1
2	Definition of the No Action Alternative Comments critical of DEIS definition of No Action, including that definition was too general, would not permit impact evaluation; R-1 development or use of Wood Trails as park or buffer should be considered as no action	5-4, 15-4, 58-14

Issue Code	Summary of Issue	Corresponding Comments
3	Access alternatives Comments relating to DEIS consideration of access alternatives, such as statements that one or more alternatives should have been evaluated in detail or were preferable to the proposal, including specific observations about access Option B; statements that discussion of alternatives was insufficient; opinions about rationale for eliminating access alternatives; requests to evaluate net benefits and impacts of access alternatives	5-5, 5-64, 15-5, 25-8, 29-8, 32-2, 35-3, 36-9, 37-6, 38-3, 40-3, 40-9, 45-6, 51-8, 53-8, 54-8, 58-16, 60-2, 61-9, 69-6, 70-2, 81-23, 85-9, 89-5, T9-4, T11-4
4	Evaluation of alternatives Comments about EIS evaluation of actions considered, including questions on whether developer should prove rezoning would benefit City and neighborhood, who would be harmed by denial, whether rezoning would set a precedent; comments about the evaluation of R-1 Zoning Alternative, such as concerns over objectivity in presenting R-4 and R-1 impacts; statement that R-1 Alternative should be the baseline option	12-6, 25-7, 29-7, 30-4, 36-8, 38-4, 40-8, 43-2, 45-7, 48-5, 51-7, 53-7, 54-7, 55-2, 61-6, 72-10, 72-17, 76-2, 81-23, 85-8, 89-2, T9-7, T15-2, T21-1
PD Project Description		
1	Quality and legibility of project description graphics Comments that the site plan graphics were of poor quality and/or hard to read, suggested use of a different scale or format	5-53, 58-2
2	Completeness of site mapping Comments that the site topographic mapping was incomplete, with portions of the site not mapped, and requests to use other sources of information, such as LIDAR mapping from King County	5-51, 5-54, 58-3, 76-6, T9-9, T12-7
3	Information on sewer line extension Requests for map and description of the sewer line extension proposed to serve the subdivisions; questions about provisions for existing residents to connect to the sewer, and full range of costs and benefits for extension	7-5, 20-9, 31-5, T11-7
4	Characterization of unit densities for alternatives Questions on numbers of units identified for a site or alternative or density transfer; disagreement with densities stated in the EIS	14-1, 25-4, 29-4, 36-5, 38-5, 40-6, 45-8, 47-1, 51-4, 53-4, 54-4
5	Preservation of trees in NGPE areas Comments about tree retention in Wood Trails native growth protection easement, including that all existing trees should be retained, rather than just the 2.7 acres identified in the DEIS; need for a detailed tree inventory	3-1, 50-5
6	Montevillo sewer line and trail location Comment that sewer line and trail should not go through Montevillo wetland, and/or that the sewer line should be bored to avoid impacts	3-2, 3-7
7	Wood Trails access on project plan graphics Comment about depiction of access routes to Wood Trails and NE 195 th St./148 th Ave. NE intersection in Chapter 2 graphics	24-2
8	Construction on fill Question whether homes at Wood Trails would be built on fill	46-9

Issue Code	Summary of Issue	Corresponding Comments
9	Characteristics of project roads and utility facilities Questions on description of project road and utility plans in Chapter 2, including street widths, traffic calming measures, stormwater facilities and maintenance, powerlines at 195 th St, need for street and other variances	58-11, T11-6, T12-3
ELEMENT/RESOURCE ISSUES		
ER	Earth	
1	Characterization of geologic and soil conditions Comments about description of geology and soil conditions in Section 3.1, such as statements that description was incomplete, unclear or otherwise inadequate; questions about composition of subsurface materials and testing of soil conditions for septic systems; disagreement on characterization of topography; comments on groundwater, soil infiltration, wetland recharge	46-13, 48-1, 58-17, 58-19, 58-29, 58-32, 58-33, T9-10
2	Methods for collection and analysis of site data Comments about sufficiency of field exploration of the site(s) and/or presentation and analysis of the field data; use of more/other sources of information; interpretation of geologic data	13-3, 13-4, 13-8, 13-12, 58-18, T4-1
3	Disclosure of geologic hazards present Comments that DEIS should have addressed evidence of geologic hazards present on the site, including soil creep, erosion features, landslides and slumps, unstable subsurface materials, groundwater, seismic hazards, reported sinkhole near the intersection of 195 th and 148 th and a wall collapse at the recycling center, existence of fill material on Wood Trails site	6-3, 13-2, 13-11, 17-8, 18-3, 25-10, 29-10, 36-11, 40-10, 51-10, 53-10, 54-10, 61-11, 71-7, 85-10, 86-5, T4-4
4	Analysis of geologic hazards and impacts Comments about sufficiency of hazard analysis, e.g., requests for assessment of erosion, landslide and seismic hazards, including groundwater influence; statement that high-density development near steep slopes was not in harmony with nature; questions on conclusions of the evaluation or specific risks from the detention pond, dispersion trenches and Alderwood soils	5-8, 5-44, 13-1, 13-11, 15-8, 19-4, 39-3, 41-4, 58-20, 58-21, 58-22, 58-24, 58-25, 58-26, 58-27, 58-30, 64-7, 75-3
5	Mitigation measures for erosion and other hazards Requests for specific information on mitigation, such as soil management practices during construction, measures to control sediment transport	5-9, 15-9, 58-28, 58-31, 58-34, T9-5
WR	Water Resources	
1	On-site hydrologic conditions and impact analysis Comments on sufficiency of information about on-site hydrologic conditions and impacts, including requests for complete information about streams, on-site discharge measurements and comparative drainage analysis of alternatives; disagreement over discharge levels and streams on the site; questions about peak flow rates and drainage issues for Montevallo, provisions for bypassing detention pond at peak flows, suitability for use of septic systems and dispersion trenches, and drainage graphics	3-3, 4-2, 5-12, 13-5, 13-7, 13-9, 13-13, 15-12, 20-4, 37-7, 42-4, 58-36, 58-37, 58-39, 59-1, 64-8, 69-9, 86-4, 87-7, 89-6, T3-5, T4-5

Issue Code	Summary of Issue	Corresponding Comments
2	On-site water quality conditions and impact analysis Comments on sufficiency of information about on-site water quality conditions, including statements about support for impact conclusion and need for on-site measurements; questions on construction stormwater control measures and impacts, water quality performance of stormwater system, bypassing runoff around treatment facilities and quality of site discharge water relative to standards; objection to qualification on impact conclusion	3-4, 5-11, 15-11, 20-8, 23-2, 23-4, 23-7, 23-9, 31-1, 58-43, 58-45, 72-4, 72-12, 86-3
3	Off-site surface water resources and impact analysis Requests for information on hydrology and water quality for off-site waters, especially Little Bear Creek, and off-site impacts from Montevallo	20-7, 42-2, 58-40, 72-14, 72-58
4	On-site groundwater conditions and impact analysis Comments about local groundwater recharge, discharge and flow conditions, effect of groundwater changes on nearby trees; requests for water balance analysis, monitoring wells and sampling, etc.	5-7, 15-7, 23-5, 42-3, 58-35, 58-44, 72-13, T4-6, T9-11
5	Existing stormwater management facilities and project impacts Requests for information on capacity, other aspects of existing facilities; comments on analysis of impacts on existing systems, including potential for sedimentation, impacts to industrial area and impacts near Montevallo	5-49, 12-5, 19-4, 23-6, 41-2, 76-7, 85-6, T4-2, T12-4, T19-6
6	Plans for Wood Trails detention pond Comments about pond location, percolation/permeability, potential discharge of sands to industrial system, detention options that would not displace wetland	13-6, 13-10, 23-14, T4-3
7	Stormwater management practices and needs Comments that the development should not be allowed to have any off-site discharge of runoff and should be required to use low-impact development practices; questions about needs for maintenance of project facilities, for larger-capacity conveyance or on various sections in drainage appendices	4-3, 23-8, 58-38, 71-9, 72-15, 72-59, 72-60, 72-61
8	Water quality impacts of existing uses and sewer service methods Comments addressing DEIS discussion of potential water quality effects from septic systems and animal use on Montevallo site, including statement about information on septic tank pollution; disagreement with discussion of sewers vs. septic systems, or with livestock use of Montevallo property	3-5, 5-32, 15-32, 20-5, 23-12, 42-5, 42-12, 58-41, 72-11, 79-10, T21-2
PA	Plants and Animals	
1	Montevallo wetland impacts and mitigation Comments about Montevallo wetland impacts, including statements that impacts would be illegal, not consistent with WMC, can not be allowed by the Planning Director; affected species can not be moved; wetland impacts need to be addressed; 50-foot buffer needed. Also questions about entries in summary table, impacts from sewer extension, future impacts from road stub at Montevallo and a purported conflict in Appendix J text	5-37, 5-48, 20-6, 23-10; 23-11, 23-13, 37-3, 40-11, 55-10, 61-15, 69-10, 71-10, 72-5, 72-16, 72-62, T12-5

Issue Code	Summary of Issue	Corresponding Comments
2	Wood Trails wetland impacts and mitigation Comments that wetland impacts should not be allowed or other options should be pursued; request for information on stream corridor enhancement; questions about 8:1 mitigation ratio (per Appendix I), ability to replace habitat and hydrology impacts to off-site wetland	5-13, 5-38, 15-13, 20-10, 23-14, 39-2, 58-49, 58-50, T21-3
3	Spotted owl presence, habitat and impacts Reported observations of spotted owls on or near the Wood Trails site and comments about need to address adverse effect on spotted owls	5-26, 5-35, 15-26, 55-3, 71-12, 72-2
4	Wildlife species/habitat impacts of the project Other comments about impacts to wildlife and/or habitat, including those identifying species affected and/or stating that wildlife impacts in general or to various species (such as deer, bobcat, raccoon, possum, frogs and salamanders, redtail hawks) were inadequately or incorrectly addressed; requests for identification of incremental impacts and effect from loss of water supply; comments on quality of life aspects of wildlife impacts; questions about mitigation; various points on items in Appendix K	5-27, 5-39, 5-41, 5-42, 5-50, 8-1, 9-1, 11-2, 15-27, 20-1, 20-3, 20-12, 24-6, 31-2, 34-3, 39-1, 39-4, 42-7, 46-8, 48-2, 50-3, 63-3, 64-5, 73-63, 75-4, 86-6, 92-3, T5-2, T6-7, T12-8, T22-1
5	Impacts on fish and aquatic habitat Comments addressing off-site fish and aquatic habitat, including requests for additional information; disagreement with conclusion about impacts in Little Bear Creek; statement about importance of Little Bear Creek resources and consistency with WRIA goals; questions about mapping and location of stream north of Wood Trails, use of biofiltration and baseflow impacts to Little Bear Creek	3-6, 4-1, 5-36, 23-3, 23-4, 58-46, 58-47, 58-48, 71-11, 72-3
6	Impacts to pileated woodpeckers Comments about site use by pileated woodpeckers and possible impacts, including question about validity of EIS information on nesting activity and statement that the EIS must prove there would be no impact to this species	5-40, 20-2, 42-6, 50-4, 72-6
LU	Land Use	
1	Compatibility of proposal with existing uses Comments that the proposed developments would be incompatible with the neighborhood; that R-4 zoning would not be in character with the area and should not be approved simply because sewer could be extended to an area; comments addressing definition of urban character or the existing character of the neighborhood; concern over aesthetic impact of high-density housing	5-31, 5-66, 11-1, 15-31, 19-1, 38-6, 40-2, 42-14, 46-3, 46-5, 55-4, 58-52, 63-1, 65-2, 65-5, 72-8, 72-22, 75-6, 76-8, 79-8, 84-2, 87-1, T3-4, T18-1
2	Secondary and cumulative impacts of the proposal Requests for additional analysis of secondary and cumulative land use impacts associated with sewer extension and/or rezone; disagreement with EIS discussion of indirect and cumulative land use impacts, including discussion of the ability to mitigate impacts; question on study of long-term effects on future development	35-4, 43-3, 47-3, 72-23, 84-3, 85-2

Issue Code	Summary of Issue	Corresponding Comments
3	Consistency with Comprehensive Plan, zoning and related regulations Comments that rezoning to R-4 would be inconsistent with the Plan; higher-density housing should be placed closer to established services; the density of development would not be compatible with the intent of the existing low-density residential zoning; rezone not required or compelled. Also questions on how zoning could be changed and consistency with City vision statement, and disagreement on meeting growth targets	5-30, 5-65, 15-30, 41-6, 49-4, 57-3, 58-51, 61-13, 61-16, 62-2, 62-3, 68-2, 69-7, 71-14, 72-9, 72-24, 72-27, 73-3, 73-4, 74-2, 82-2, 88-1, 90-2, T6-4, T19-4
4	Consistency of proposal with City Resolution 93 Comments that approving proposal would be inconsistent with Resolution 93, adopted by the City in the 1990s, or that EIS needed to address consistency; stated expectations that Wood Trails site would remain a greenbelt and/or buffer area; statement that cross-section for Wood Trails site is in error and does not conform to elevation limit set in Resolution 93	5-58, 12-7, 46-1, 58-7, 71-6, 73-1, 73-2, 85-7, T6-3, T8-1, T19-3
5	Review of specific Comprehensive Plan policies Comments addressing specific content in DEIS Section 3.4.2 describing project consistency with applicable plans, policies and regulations	72-25, 72-26
TR	Transportation	
1	Project study area and intersections Requests to address more intersections or road segments, including Golf Course Road intersections, 240 th /156 th , 240 th /Wood-Sno Rd, SR 522/195 th , SR 9/195 th , Wood-Duvall/156 th and W-D/168 th , W-D Rd. east of 156 th and 156 th /75 th SE in Snohomish County; statement about traffic impact in downtown Woodinville	5-14, 15-14, 17-3, 18-3, 25-3, 29-3, 30-2, 36-4, 40-5, 42-10, 51-3, 53-3, 54-3, 55-7, 61-4, 65-4, 72-30, 79-1, 81-7, 81-10, T3-2, T7-1, T15-3
2	Characterization of local roadway system Various comments about description of existing local roadway conditions and deficiencies or issues; statements that the DEIS makes no reference to Woodinville-Duvall Road, potholes, erosion on 148 th Ave or responsibility for maintenance; reference to road names; reference to planned road improvements and their effect on traffic	5-15, 5-18, 15-15, 15-18, 25-11, 29-11, 36-12, 51-11, 53-11, 54-11, 55-1, 55-8, 61-8, 64-3, 72-33, 72-46, 72-56, 81-21, T20-3
3	Trip generation estimates Comments addressing some aspect of the trip generation component of the analysis, including credit for existing Montevallo homes and figures for daily trips per unit for various alternatives; statement that numbers of trips are misleading or inconsistent	5-24, 14-2, 15-24, 22-1, 37-4, 57-2, 58-57, 58-59, 58-63, 65-3, 65-7, 79-3, 81-22, 87-4, T20-3
4	Current, future baseline and with-project traffic volumes Comments addressing some aspect of the traffic volume component of the analysis, including statements that the traffic data used in the analysis are not current, are pre-Costco and other area development, including new church in 2008; requests for summary and validation of the counts used and more information on "pipeline" projects, especially in King County, and baseline volumes; various questions on traffic counts and supporting data and traffic volume forecasts; statements claiming errors in Table 3.5e, that traffic increase was underestimated, and negligible impact only asserted; request for volumes for new Montevallo intersections	5-16, 5-20, 5-22, 6-2, 12-4, 15-16, 15-20, 15-22, 17-6, 18-2, 25-2, 29-2, 30-1, 31-8, 36-3, 40-4, 42-11, 43-5, 45-3, 46-12, 50-6, 51-2, 52-1, 53-2, 54-2, 58-53, 61-1, 69-4, 72-19, 72-28, 72-38, 72-48, 76-3, 79-2, 81-4, 81-9, 83-2, 85-1, 86-1, 88-2, 89-4, 91-3, 92-1, T15-1, T16-4, T20-1

Issue Code	Summary of Issue	Corresponding Comments
5	<p>Trip distribution data and graphics Comments addressing some aspect of the trip distribution component of the analysis, including claimed weaknesses in trip distribution pattern and graphics; statements that trip distribution is unclear and needs to be validated, additional school-related traffic not accounted for; multiple questions on trip distribution numbers and graphics, and future availability of 240th St</p>	5-19, 15-19, 38-2, 45-4, 58-60, 58-66, 61-3, 81-6, 81-8
6	<p>Intersection level of service (LOS) analysis Comments addressing some aspect of the intersection level of service (LOS) component of the analysis, including request for traffic volumes for new intersections at Montevallo; statement that impacts at SR 522/195th interchange would be insignificant; question about residential standards for LOS definitions; concern over increased wait times for turns</p>	1-1, 16-1, 47-2, 58-60, 72-18, 72-37, 72-39, 72-49, 72-55, 79-5, 87-3
7	<p>Queuing analysis Comments addressing some aspect of the queuing analysis, including statements that it ignored limited sight distance and accident potential; that the storage capacity is already exceeded; disputing the conclusion of the queuing analysis; that the queuing analysis was not completed for weekday PM peak hour and ignored left turn onto northbound 156th</p>	42-9, 50-7, 58-56, 72-32, 72-40, 72-50, 81-13, 88-3
8	<p>Roadway volume/capacity conditions Comments addressing some aspect of the roadway volume/capacity component of the analysis, including statements that capacity estimates for local streets are overstated and/or based on incorrect standards; roadway capacity not properly addressed, should focus on intersections; infrastructure not designed to accommodate traffic from R-4 development; major road improvements are needed before additional housing can be built; that traffic from the proposal would stress the local roads</p>	5-17, 8-2, 15-17, 21-3, 27-1, 48-4, 52-2, 58-61, 61-2, 61-5, 63-2, 65-6, 72-34, 72-41, 72-51, 81-14, 90-1, T3-3, T9-12
9	<p>Left-turn lane warrants Comments about some aspect of left-turn lane warrant analysis, including claims of inaccuracies and need for left-turn lanes on 156th, based on alternative criteria or guidance; request for rationale for not including left-turn pockets</p>	58-54, 69-3, 72-31, 72-52, 81-2, T9-13, T20-2
10	<p>Pedestrian routes, facilities, use and safety Comments addressing some aspect of the pedestrian safety component of the analysis, including statements that the pedestrian counts were non-representative; analysis of traffic safety/school use, walking routes, bus service, etc. was incomplete, deficient, should be redone; observations of specific pedestrian numbers from personal experience</p>	5-21, 7-3, 15-21, 17-4, 21-2, 24-7, 41-3, 45-2, 45-5, 50-8, 55-5, 57-1, 63-5, 64-2, 66-2, 70-1, 72-35, 72-42, 81-15, 88-4, T2-4
11	<p>Traffic safety analysis Comments addressing some aspect of the (vehicular) traffic safety analysis, including statements that accident data used are old, out of date; safety of new Montevallo intersections was not addressed, and these locations would have spacing problems; analysis does not account for curves and topography; need for a 4-way intersection at 203rd; also statements of concern over existing traffic safety problems such as limited sight distances, offset geometry at 198th and 156th intersection, speeding traffic, etc.</p>	11-4, 12-2, 21-2, 25-5, 29-5, 30-3, 36-6, 38-1, 40-7, 44-1, 45-1, 46-11, 49-3, 51-5, 53-5, 54-5, 58-55, 58-64, 67-1, 69-5, 72-20, 72-29, 72-44, 72-53, 75-2, 79-4, 81-3, 81-12, 81-18, 85-4, 86-2, T3-1, T7-4, T20-5

Issue Code	Summary of Issue	Corresponding Comments
12	Student drop-off activity Comments on some aspect of student drop-off activity analysis, such as that traffic safety/school use, walking routes, bus service, etc. analysis was incomplete, should be redone (overlap with TR-10), and questions on assumptions	58-62, 69-1, 72-45, T20-6
13	Bicycle routes, use and safety Comments on some aspect of bicycling activity, including comments that 156 th receives a lot of bike use and should be acknowledged as a popular bike route; there would be safety problems with bikes and more traffic on 156 th	17-2, 18-5, 24-5, 42-8, 50-10, 55-6, 69-2, 72-43, 75-1, 79-7, 81-16, 85-5, T16-3, T19-5
14	Parking demand and impacts Comments on some aspect of parking analysis, including statements that parking demand was understated; off-street parking would have impacts on the neighborhood; street design variance should not be granted	58-58, 72-54, 81-19
15	Traffic impacts from future R-4 infill Comments that the EIS should specifically address indirect traffic impacts from R-4 infill and include such volumes in the analysis	81-5, 84-4, T12-2, T17-2
16	WSDOT/KCDOT oversight of traffic issues Statements that project could not be approved because it was on WSDOT "red zone" map; that DEIS fails to address King County DOT traffic concurrency map and requirements, must demonstrate no impact in red zone	71-8, T1-4
17	Construction traffic impacts Comments that the EIS did not address construction impacts to local streets; should address construction traffic impacts and management plans to resolve those impacts; questions about impacts and improvements to 195 th Street, responsibilities of developer for repairs; suggestions to reduce impacts	5-10, 7-2, 15-10, 37-5, 58-65, 60-3, 72-47, 76-5, T9-6
18	Conditions at NE 195th/148th NE intersection Comments about traffic impacts at the 195 th /148 th intersection or proposed bollards here that would block access for residents	24-1, 24-4, 25-9, 29-9, 36-10, 51-9, 53-9, 54-9, 61-10, 81-20, T11-1
19	Traffic impacts in Bothell Comment that the DEIS did not assess impacts to traffic facilities within the City of Bothell, request for meeting to discuss the issue	2-1
20	Transit service and impacts Comments that the DEIS did not sufficiently address impacts on transit service, or that a lack of service will require more auto trips than expected	5-23, 15-23, 81-17
21	Mitigation for traffic impacts Statements that there was no mitigation for traffic impacts, which should include sidewalks, storm drains and streetlights on the access streets; questions about nature, timing and costs for road improvements, including whether the developer would be responsible for costs; mitigation for inclement weather conditions; requests for specific speed, lighting, signal, etc. measures and improvement of 156 th to minor arterial standards	6-4, 7-4, 11-5, 19-2, 24-3, 35-2, 39-5, 46-10, 72-57, 81-11, 89-3
22	Impacts of NE 204th St. access to Montevallo Comment about adverse impacts (privacy, property values) from traffic using NE 204 th Street access to/from Montevallo	79-6

Issue Code	Summary of Issue	Corresponding Comments
PS	Public Services	
1	Availability of neighborhood parks for public use Comments that parks mentioned in discussion of proposed park resources were privately owned and not available for use by new residents	5-25, 15-25, 55-9, T15-4
2	Impacts of proposed developments on existing recreation resources Questions on where new residents would go for recreation, and on secondary and cumulative impacts from future residential infill development	5-67, 58-67, T2-6
3	Recreation mitigation measures Comments about the adequacy of recreation measures proposed by the applicant and/or measures undertaken by the City	5-68, 58-68
	OTHER ISSUES	
S/O	Support/Opposition	
1	Support for R-1 zoning in the local area Comments expressing support for maintaining R-1 zoning in the West Wellington area	5-47, 7-1, 10-1, 11-6, 21-5, 27-2, 30-5, 38-8, 41-5, 45-10, 46-14, 52-3, 57-4, 70-3, 72-21, 74-1, 83-3, 87-9, 89-1, 89-8, 91-2, 94-1, T5-3, T11-2, T13-1, T18-2
2	Support for the R-1 Zoning Alternative Comments expressing support for or acceptance of the R-1 Zoning Alternative evaluated in the in the EIS	12-8, 19-6, 34-4, 37-2, 46-4, 47-4, 64-10, 79-12, 80-1, T6-6, T14-3, T15-6
3	Support for the No Action Alternative Comments in favor of the No Action Alternative evaluated in the EIS	6-6, 11-6
4	Opposition to the Proposal Comments expressing opposition to the proposed subdivisions and rezoning to R-4, and/or recommending denial of the development as proposed	4-4, 5-46, 6-6, 6-7, 18-6, 19-5, 28-1, 35-5, 43-1, 49-1, 50-2, 56-1, 64-1, 66-1, 77-1, 78-1, 82-1, 83-1, 90-4, 93-1, T7-5, T8-3, T15-5, T16-1, T19-1
5	Opposition to attached housing Comments expressing opposition specifically to the Attached Housing Alternative, or to attached or multi-family housing in general	37-8, 41-1
6	Tree preservation/fewer units Comment expressing hopes that fewer trees could be cleared and fewer units built on the Wood Trails site	59-3
V/B	Value/Belief Statements	
1	Responsibilities of developers Opinions that developers should pay for various actions and/or mitigation measures, including costs for schools/education, recreation and connections to sewer extension, or that developers should prove why rezone needed	6-5, 21-1, 21-4, 74-4, T14-1

Issue Code	Summary of Issue	Corresponding Comments
2	Merits of sewer extension Opinions about economic aspects of connecting two patches of development with sewer, or forcing existing properties to hook up to the sewer.	5-45, 46-6
3	Responsibilities or policies of the City Personal views on responsibilities or policies of the City and/or State, e.g., that City should support and/or protect neighborhoods, not allow development in buffer zone	46-2, 66-3, 74-3, 93-2, T8-2, T8-4, T11-3, T13-2, T14-2

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4.1 PROGRAMMATIC/POLICY ISSUES

4.1.1 SEPA/EIS Process and Scope (EIS)

This section responds to comments interpreted as primarily addressing the overall content and quality of the Draft EIS, the scope and approach reflected in the Draft EIS, and/or the City's SEPA process for this proposal in general. In general, comments assigned to an issue in this category referred to some broader aspect of the Draft EIS as a whole rather than to a more specific concern such as a particular resource or project alternative.

Issue EIS-1: Objectivity and overall adequacy of DEIS

Issue: Issue EIS-1 incorporates a variety of comments interpreted as relating primarily to the overall adequacy of the material presented in the DEIS, as opposed to comments addressing the adequacy of page- or section-specific technical content in the DEIS. Comments in this issue category generally reflect one or more of three primary themes. One theme represents criticism or concern regarding the objectivity of the DEIS, based on the identity of parties that prepared the DEIS or technical material included within the DEIS. This group of comments includes specific statements that the DEIS was prepared by the applicant and the applicant's consultants or did not use independent information concerning the impacts of the project, and therefore was not objective and/or displayed bias in favor of the applicant. At least one comment specifically referenced the traffic study in this context. Some comments objected to including technical reports prepared by consultants to the applicant in the DEIS, and the fact that work on these reports pre-dated initiation of the SEPA process by the City. Another theme among these comments was that the DEIS was inadequate in general, including specific statements that the DEIS minimized the project's environmental effects, included inaccurate information or simply that the DEIS had many deficiencies. A third common theme among this group of comments was the view that the DEIS needed to be re-done by an independent group of authors and re-issued by the City. One comment considered to reflect this issue addressed several editorial aspects of the DEIS, such as the clarity and organization of the DEIS content.

Applicable Comments: 5-43, 5-57, 6-1, 12-1, 17-1, 18-1, 20-11, 23-1, 25-1, 29-1, 31-7, 33-1, 33-3, 34-1, 35-1, 36-1, 37-1, 40-1, 42-1, 43-6, 49-2, 51-1, 53-1, 54-1, 58-6, 58-69, 58-71, 60-4, 64-9, 65-1, 69-12, 71-1, 72-1, 72-36, 79-11, 81-1, 82-3, 86-7, 88-5, 91-1, T1-3, T2-3, T2-8, T6-5, T9-1

Response:

The Draft EIS on the Wood Trails and Montevallo Subdivisions was prepared in full compliance with City of Woodinville requirements for environmental review of development proposals, as established in WMC Chapter 14.04. Under WMC 14.04.070, the procedural and substantive review of development permits (such as preliminary plats) are to be combined with the environmental review process, so that development review and SEPA review will be based on the same set of information. WMC 14.04.160(2) provides the City with the option of having an EIS prepared by City staff, the applicant or a consultant approved by the City.

The City used a combination of options 2 and 3 for the Wood Trails and Montevallo Subdivisions EIS, which is consistent with City code and standard SEPA practice. For the Draft EIS, a team of four

consultants under contract to the City's Community Development Department (Huckell/Weinman Associates, Nelson Geotechnical Associates, The Watershed Company and Perteet Engineering) reviewed, edited and supplemented technical information prepared by the applicant and compiled the Draft EIS; these consultants are listed as authors and principal contributors in the DEIS Fact Sheet. City staff from Community Development established the scope, content and approach of the Draft EIS and provided administrative and technical direction to the consultant team. Staff from other City departments, primarily Public Works and Parks and Recreation, also contributed technical input and provided review comments on EIS content prior to formal publication of the DEIS. At all times the City maintained editorial and technical control of the EIS, and City staff approved the DEIS for publication. The Final EIS has been prepared reviewed and edited by City Staff and consultants listed above.

As provided under WMC 14.04.330, the applicant reimbursed the City for City staff and consultant costs incurred in development of the EIS. The applicant did not direct the preparation of the EIS or have control over the EIS content. As required under WMC Titles 17 and 20, however, the applicant did submit preliminary plat applications and supporting technical reports on the proposed subdivisions. The City's consultants used these documents as base information in preparing the DEIS and included the technical reports as appendices in the DEIS, as is standard lead agency procedure under SEPA. Under the City's regulations, it is the applicant's responsibility to develop detailed documentation of site conditions, proposed development plans and expected impacts (including traffic). It is the City's responsibility to review and interpret the information supplied by the applicant, apply that information to the environmental review of a proposal, and request supplemental information from the applicant if necessary for the City's review. The City has dutifully discharged those responsibilities in the review of the Wood Trails and Montevallo Subdivisions.

Several comments in this group objected to the inclusion of technical reports prepared by the applicant's consultants as appendices to the EIS, and/or to the fact that these reports were prepared prior to the EIS scoping process in November 2004. Some comments indicated an expectation that the City would not use information from the applicant for any purpose in the EIS, and that the City would conduct its own full set of technical studies to document existing conditions and expected impacts from the proposal. To the contrary, it would not be reasonable for the City to require the applicant to submit the extensive technical documentation needed for a subdivision preliminary plat application, and then to ignore that documentation and conduct duplicate technical studies for the EIS at the expense of the applicant. As noted previously, WMC 14.04.070 requires that development review and SEPA review be integrated, and it is a standard, legally valid procedure to use an applicant's technical reports in preparing an EIS. The City and its consultant team performed an independent review of the information submitted by the applicant (including the traffic study), and independently formed the impact conclusions documented in Volume 1 of the EIS.

As the lead agency under SEPA, the City's responsibilities are to provide full disclosure of the expected environmental impacts of the Wood Trails and Montevallo projects and to document objective analysis of those impacts, so that the decision makers on the preliminary plat applications have adequate environmental information for the decision-making process. The City believes that the Draft EIS meets these responsibilities in full; it provides extensive documentation of the expected impacts and thorough, objective analysis of their significance. The Draft EIS follows the SEPA direction (WAC 197-11-402) that an EIS need analyze only probable, significant adverse impacts and that discussion of insignificant impacts is not required and, if included, shall be brief. Accordingly, the Draft EIS does not address or only briefly addresses impacts that are speculative and not probable, or probable but insignificant. The

Draft EIS employs appropriate and neutral technical language and standard SEPA terminology, and does not downplay or minimize the potential adverse impacts of the projects. The extensive documentation provided in the Draft EIS and appendices demonstrates that conclusions were not made hastily and that the document is not lacking in quantitative and qualitative information. Because the DEIS was prepared independently by the City and consultants to the City, there is no need or justification for the DEIS to be re-done by an independent group and re-issued. However, after City of Woodinville staff review of the draft FEIS, it was determined that clarification, justification and additional explanation were required to finalize the final EIS.

One comment in this group (58-69) faulted the clarity, readability and organization of the DEIS. The comment asserts that the DEIS does not meet SEPA requirements to be concise, clear, readable and easily understood, but it does not provide specific examples that might explain the basis for the comment. The comment objects that technical terms are not explained, but does not identify the terms that ostensibly should have been defined. The comment maintains that consistent information on each alternative should be presented to facilitate direct comparison of alternatives, but fails to explain in what way the DEIS was perceived to provide inconsistent information. Without more specificity, it is not possible to provide a definitive response. The same comment also includes suggestions about organizing the comparison of impacts and an observation about a purported lack of comparison of alternatives. The City notes that Table 1 in the DEIS is a summary of impacts, organized by alternative, which is typical in an EIS, and this table displays impacts in a way that facilitates side-by-side comparison of alternatives. Because the combined impacts for the Wood Trails and Montevallo sites for a given resource can be easily identified by scanning across two columns in the table, the City does not believe the added complexity from an additional layer of table entries would be appropriate or helpful. The City also notes that Chapter 3 follows a consistent approach to describing impacts for the alternatives relative to those for the Proposed Action, as is standard SEPA practice.

Issue EIS-2: DEIS distribution and public notification

Issue: This issue includes complaints about one or more aspects of the City's distribution process for the DEIS that were believed to have hindered the public's opportunity to review the document. It includes specific concerns about graphics that were missing from copies of the DEIS; other technical information thought to be missing from the DEIS; the time (15 days) allowed for review of these materials; and/or the accessibility of DEIS copies, including whether the DEIS was posted on-line. One source stated that the City had not adequately notified nearby property owners. Some comments addressed conflicts between the public meeting date and other community functions.

Applicable Comments: 58-70, 71-2, 71-3, 71-16, 71-17, T1-1, T1-2, T2-1, T2-2, T6-1, T6-2, T16-2

Response:

Three distinct issues are raised in this group of comments regarding completeness and distribution of the Draft EIS to the public for review. First, a small number of recipients obtained printed EIS documents that were missing some graphics related to EIS alternatives, and the response provides information as to how the City addressed this printing error. Second, some of the review comments addressed the completeness and/or timing of notification actions related to the EIS by the City, or the timing of the February 2006 public meeting. The third aspect of completeness, as expressed in a number of comments, concerns detailed engineering/construction information that was not included in the rezone application.

The City apologizes to those recipients who received documents with missing pages. As described below, this problem was limited, was promptly rectified, and did not prejudice citizens wishing to comment on the proposal. A timeline is provided in the following response.

A complete Draft EIS, including all graphics, was mailed on the publication date (January 17, 2006) to federal, state, regional and local agencies with jurisdiction and expertise, tribes, utilities, libraries, and known interested groups (including Concerned Neighbors of Wellington). Recipients are identified in the Draft EIS Distribution List. This mailing satisfied the City's distribution requirements under SEPA (WAC 107-11-455).

The City also provided a reproducible paper copy of the Draft EIS document and a compact disk (CD) with electronic files for the Draft EIS to Kinko's (in downtown Woodinville), the vendor selected to print additional copies for interested individuals requesting them. It was discovered just prior to the EIS meeting on February 16, 2006 that approximately 8 copies of the Draft EIS that had been printed by Kinko's for individuals were missing several graphics depicting the alternatives to the proposal (Sections 2.2 and 2.3). These graphics were included in the paper copy of the Draft EIS provided to Kinko's but were inadvertently omitted from the files copied to the CD, which Kinko's used to print paper copies for customers. In addition, the EIS copies obtained at Kinko's included other graphics that were not printed correctly, and thus were missing correct title blocks.

When the City discovered this printing error, it mailed out sets of the missing graphics to everyone on its mailing list for the proposals (not just the approximately 8 individuals who purchased copies of the Draft EIS from Kinko's), which included more than 200 individuals. The City reported on the status of the graphics at the Draft EIS public meeting and apologized for the inconvenience. Any problem regarding missing graphics for the alternatives was rectified by the date of the EIS meeting or the following day.

While the printing problem with this small batch of Draft EIS copies is regrettable and no doubt was an annoyance to the people involved, it in no way had a material bearing on the ability of the public to review the City's environmental analysis. All of the printed copies of the Draft EIS that the City distributed on January 17 were complete and correct, including all text and graphics related to the proposal and to all elements of the environment, and all of the technical appendices. Again, this distribution of the document satisfied the City's obligations under SEPA. That initial distribution included copies placed at City Hall and in the two libraries serving the Woodinville area, as is common practice, for review by citizens who did not receive a printed copy and did not wish to purchase a copy. Therefore, individuals who did not receive a copy of the Draft EIS directly from the City were not required to purchase a copy of the document from Kinko's if they wanted to review it. Those individuals who did purchase incomplete copies from Kinko's still received documents with accurate text descriptions of the alternatives to the proposal in Sections 2.2 and 2.3, and were not deprived of all information describing those alternatives. In addition, once these individuals realized the subject graphics were missing, they could have obtained replacement copies of the missing graphics from the paper copy of the Draft EIS provided to Kinko's or reviewed a complete copy available at City Hall or a library. The net result is that EIS readers, and speakers at the meeting, had all EIS information available with which to comment on the proposal.

It should be noted that while SEPA requires a 30-day comment period for a Draft EIS, the City provided an extended 45-day comment period that ended on March 3, 2006. Consequently, there were still 14 days

following the date of the EIS public meeting – after any missing graphics relating to the alternatives would have been provided – for interested citizens to review a complete document and to submit comments.

Comment 71-16, which is from an owner of property within approximately 500 feet of the Wood Trails plat, appears to be based on the assumption that the City was obligated to provide a mailed notice of the proposed plat, rezone and/or the Draft EIS to the property owner. Chapter 17.11 of the WMC sets forth the public notice requirements for land development processes. For a Type III permit (the permit type applicable to Wood Trails), the City is required to provide notice of application by publication in the City's official newspaper and posting of official signs on the subject property (WMC 17.11.010). The City complied with those notice requirements when it received the Wood Trails plat and rezone application. WMC 17.11.030 does require that the City mail notice of the public hearing on such an application to all owners of property within 500 feet of the plat. The public hearing on the Wood Trails rezone and plat has not yet occurred, however, and will not occur until after the SEPA process has been completed. The public notice requirements for release of a Draft EIS are similar to those for notice of a plat application or rezone. Therefore, in the City's review of the Wood Trails proposal to date, there has been no requirement for mailed notice to property owners, and the City has been in full compliance with its adopted notice requirements.

One comment criticized the City for not immediately posting the Draft EIS on the City's website, and maintained that the City was in violation of a statutory requirement to do so. That comment is in error. There is no requirement in the SEPA statute or the SEPA Rules that EIS documents be posted on the website of the lead agency.

Some speakers at the February 16 public meeting on the Draft EIS criticized the City for its selection of a meeting date, noting conflicts with other activities on that date. The City notes that any date selected for the public meeting would unavoidably create conflicts for some potential attendees, and that it is not practical to canvass the public in advance to determine a meeting date that best satisfies all potentially interested parties.

Another aspect of EIS completeness mentioned in this group of comments involves assertions that certain types of information should have been included in the Draft EIS, such as details regarding detention pond engineering and design, and the amount of performance bonds. This information is not required by SEPA, or for preliminary plats according to City code and application requirements. The purpose of preliminary plat approval is to review the use and general design and layout of a proposed subdivision. Typical practice, including those embodied in Woodinville's platting procedures (refer to WMC 20.06), involves deferring project details that are dependent on final engineering and construction plans to the stage of final plat or building permit review. Erosion and Sedimentation Control Plans, for example, are implemented during construction and are not required at the preliminary plat stage; please refer to City of Woodinville preliminary plat application requirements and instructions (available on the City's website at <http://www.ci.woodinville.wa.us/permits/applications.asp>). Information about potential environmental impacts associated with construction of the detention ponds and general construction practices is included in the Draft and Final EIS. The dollar amount of a performance bond is not relevant information for SEPA purposes and can not be determined until final plat approval (see WMC 20.06.210).

Issue EIS-3: Completeness and accuracy of DEIS geographic coverage

Issue: Several comments raised questions about the accuracy of the property limits of the Wood Trails site, as indicated on site plan and other graphics in the DEIS, and/or about DEIS consideration of development plans for an 11.8-acre parcel immediately to the north of the Wood Trails site. Other comments in this category indicated the scope of the DEIS impact analysis should have been larger, including a specific comment about considering impacts within Snohomish County. At a minimum, the FEIS should have at least referenced the impacts, if any, on the adjacent Snohomish County properties.

Applicable Comments: 5-28, 5-52, 15-28, 58-1, 71-5, 87-8, T9-2

Response:

The site plan and other graphics provided in the DEIS for the Wood Trails site are based on the information contained in the preliminary plat application submitted in June 2004. At that time, the applicant indicated that it planned to exclude, through a boundary line adjustment (BLA), an 11.8-acre parcel at the north end of the original Wood Trails property from the subdivision proposal. The site plan graphics, text and tables describing the proposal for the Wood Trails site all clearly indicated the location and acreage of Tract A, the parcel to be excluded, and identified the “total site area after BLA” (e.g., Figure 2.1a in the DEIS). It was appropriate to present the site information in this manner, given that the boundary line adjustment was a separate action and had not been completed, and disclosing accurate information about the proposed BLA had no adverse bearing on the ability of the public to review the DEIS. No development plans for the 11.8-acre parcel were known at the time of publication of the DEIS or FEIS, and it would not be appropriate to speculate in the EIS about future actions on that parcel.

The geographic scope of the analysis documented in the EIS varies for the respective elements of the environment, based on the geographic relationships applicable to each element. The scope of the traffic analysis conducted for the DEIS included roadways in Snohomish County, and the Transportation section of the FEIS includes additional information about specific Snohomish County locations. The proposed developments are located in King County and the City of Woodinville, and would not result in public service and (non-transportation) facility impacts on Snohomish County jurisdictions. Therefore, it is not necessary or appropriate to include portions of Snohomish County in the scope for the Land Use or Public Services elements in the EIS.

Issue EIS-4: Information on impacts of sewer line extension

Issue: Several comments noted that the sewer extension component of the proposal was not addressed sufficiently in the DEIS, and/or requested that the EIS address the direct and indirect impacts of the sewer extension.

Applicable Comments: 5-55, 58-4, 58-23, 89-7, T9-3

Response:

Additional information about the proposed sewer line extension has been included in the project description graphics and text provided in Section 2.1 of the FEIS; see also the response to Issue PD-3. By

reference, this information also applies to the description of the Attached Housing Alternative in Section 2.2.2. The DEIS included discussion of impacts associated with both the construction (direct impacts) and long-term operation (indirect impacts) of this sewer line. This material has been supplemented in the FEIS, primarily with respect to construction impacts that would occur beyond the boundaries of the Wood Trails and Montevallo sites.

Issue EIS-5: Secondary and/or cumulative impacts

Issue: This issue includes comments about the consideration of cumulative and/or secondary impacts in the DEIS, particularly as related to the proposed sewer extension and the prospects for promotion of infill development with R-4 zoning in the vicinity of the project.

Applicable Comments: 3-8, 5-56, 58-5, 58-42, 62-1, 62-4, 68-1, 71-4, 72-7, 72-23, 84-1, T9-8, T17-1

Response:

The comments note correctly that SEPA requires evaluation of direct, indirect and cumulative impacts. The SEPA rules also state, however, that EIS's are concerned with impacts that are "probable" and "not merely speculative," possible, remote or theoretical (WAC 197-11-060(40(a) and 197-11-782). Indirect impacts include the effects of growth "caused" by a proposal, and "the likelihood that the present proposal will serve as a precedent for future actions" (WAC 197-11-060(4)(d)). Cumulative impacts generally include those caused by a proposal in combination with other proposed and vested projects. Indirect and cumulative impacts (as with environmental impacts in general) should be those that are probable/likely to occur, and not speculative.

The Draft EIS Land Use analysis (Section 3.4.1(b)), which is updated in this Final EIS, identifies possible secondary and cumulative Land Use impacts associated with development of the proposed subdivisions. All known, relevant proposed projects or vested proposals were considered in the Land Use discussion in reaching its conclusions.

The potential for secondary and/or cumulative impacts relates to two key aspects of the proposal: the plan to extend sanitary sewer lines to the West Wellington residential area and potential requests for future rezones in the area of the Wood Trails and Montevallo properties. It is not a foregone conclusion that extension of a sewer line (which currently terminates at the industrial area immediately to the west of the Wood Trails site) approximately 2,500 feet (one-half mile) to the east would necessarily result in widespread sewer service in the Wellington area within the foreseeable future. The City does not provide sewer service, and City policies do not require or actively promote expansion of sewer service to existing residential areas. WMC 21.28.030 requires that all *new development* be served by adequate sewage disposal, but allows that to occur through public or individual private sewage systems (although new development is encouraged to hook up to the public sewage system). Similarly, WMC 20.06.080 requires that all lots be served by the sanitary sewer system or an approved on-site sewage disposal system. The Code also requires new developments with lots of less than 1 acre to hook up to the public sewage system if that system is within 330 feet of the development (20.06.080), and states that expansions of existing developments within 330 feet of the sewage system may be required to connect (21.28.030). Therefore, any future higher density infill or redevelopment proposals within 330 feet of the Wood Trails or Montevallo sites would be required to have sewer service, while infill or redevelopment proposals elsewhere in the Wellington area would not be subject to this requirement. The WMC sections pertaining to sewage disposal have no requirements for existing residences to hook up to the public sewage system.

Based on the applicable Code provisions, therefore, City policies on sewage disposal would have at most a limited effect on expansion of public sewer service in the Wellington area.

Sanitary sewer service within the City is provided by the Woodinville Water District (District). Similar to the City policies discussed above, the District's policies would not dictate that extension of sewer service to the Wood Trails and Montevallo sites would result in further expansion of sewer service within the Wellington area. As indicated in its mission statement, the relevant objective of the District (2006a) is to provide sanitary sewer service to all eligible customers *requesting* service (emphasis added). The District recognizes that its function is not to plan land uses, but to provide services consistent with plans adopted by other jurisdictions. Property owners desiring sewer service must make a request for service from the District (2006b). If the District determines that the request is consistent with applicable land use policies of the local government (the City of Woodinville, in this instance) and would meet District reliability standards, it will approve construction. The customer making the service request is responsible for financing and construction of new sewer lines, although the District will ensure that the lines are built to District standards.

Regarding secondary or indirect impacts, the Land Use discussion in the EIS discloses that the introduction of sewers and approval of rezones could potentially contribute to pressure or serve as a precedent for future land use change, in the form of proposals for infill and intensification in low density areas. The discussion also indicates that changes in open space and the character of the area could occur as a result of such possible future changes. These indirect impacts are possible, but they are not probable or likely to occur. SEPA does not require that such uncertain impacts be quantified; the general level of discussion in the Draft EIS is appropriate given the uncertainty of the impact. Similarly, the timing as well as the occurrence of potential future change is unknown. If change were to occur, it would involve the interaction of a variety of economic and market forces - such as land value, age and cost of existing structures, ability to aggregate properties, individual investment decisions, local economic conditions, etc. - that cannot be predicted and that are not causally related to the proposed plats.

The proposed land use change involves development of vacant land (Wood Trails) and redevelopment of existing residential lots (Montevallo) for residential use at an urban density that is greater than permitted by existing zoning. It does not involve a change to a different type of land use (e.g., commercial or industrial), or a change to what is defined as medium- or high-density residential use. For purposes of EIS analysis, it is reasonable to rely on the general types of land uses that are authorized for the area in the City's adopted Comprehensive Plan; these are residential, not commercial or industrial uses. It would be extremely speculative to hypothesize or conclude that surrounding residential land would convert to a non-residential use based on the proposed change in residential density of the subject parcels. Similarly, it would require considerable speculation to create theoretical scenarios of indirect growth and to quantify the resulting impacts to traffic, stormwater and other elements of the environment. There is no reasonable basis on which to formulate such scenarios.

The hypothetical precedent established by the proposed rezones would cause cumulative or indirect effects only if additional rezones of R-1 properties to higher urban densities were proposed and approved by the City. This could occur project-by-project or as part of a future Comprehensive Plan update and area-wide rezoning of residential areas currently zoned R-1. The Woodinville Comprehensive Plan does not currently identify the neighborhood in which the proposals are located as containing significant amounts of vacant or redevelopable land (refer to Comprehensive Plan Figure A3-3). The potential for additional infill is slight unless the City were to take some action (such as a Comprehensive Plan revision)

to permit it; this is uncertain, but theoretically possible. Redevelopment and infill at higher densities (such as R-4) would occur, if at all, only in response to individual rezone requests or to city-initiated area-wide rezoning. It is possible that currently developed R-1 lots could be rezoned to R-4 parcel-by-parcel; however, the actual number and significance of such individual rezones is speculative and uncertain. Alternatively, multiple contiguous parcels R-1 could be purchased and aggregated by a single owner, who could apply for a rezone to a higher density. Within the context of the Wellington neighborhood, such aggregation is considered to be difficult, expensive and contentious, and is therefore speculative. Rezoning and development of vacant land within an existing neighborhood is fundamentally different than redevelopment.

Please refer to the response to Issue LU-3, below, regarding discussion of urban densities in the context of the Growth Management Act.

Issue EIS-6: Completeness of DEIS scope – noise/environmental health impacts

Issue: The DEIS review input included 17 individual comments about various aspects of environmental health that were not specifically addressed in the DEIS. Most of these comments involved noise, such as requests for noise impact measurements and analysis in the EIS and questions about the need for noise mitigation by adjacent industrial uses if residences were developed on the Wood Trails site. Other comments indicated there should be analysis of safety hazards from the industrial area, air pollution that might result from development under R-1 and R-4 zoning, or changes in odor impacts resulting from the proposed development.

Applicable Comments: 5-60, 31-6, 33-2, 42-13, 46-7, 48-3, 59-2, 60-1, 61-12, 64-6, 75-5, 79-9, T2-7, T5-1, T10-2, T11-5, T12-6

Response:

As noted on page 3-1 of the DEIS, based on the results of the scoping process the City identified six elements of the environment that were appropriate for detailed consideration in the EIS. The City also identified specific aspects of those elements for which significant impacts were considered possible, and for which detailed consideration was appropriate. The SEPA Rules provide guidance that an EIS shall discuss significant environmental impacts, shall be concise and to the point, and should avoid excessive detail (WAC 197-11-400). The rules also provide that an EIS need analyze only the probable adverse environmental impacts that are significant, and that discussion of insignificant impacts is not required (WAC 197-11-402). The City concluded that potential impacts related to noise, odors, air quality and human-use hazards were not probable and/or would not rise to the level of significance, and therefore determined that these environmental health topics did not warrant consideration in the EIS. While the City acknowledges there were scoping comments requesting consideration of such issues in the EIS, the scoping record does not contain evidence demonstrating the existence of probable, significant adverse impacts of this nature. Moreover, review of the applicable regulatory, land use and physical conditions applicable to the project sites does not indicate the likelihood of probable, significant adverse impacts related to noise, odors, air quality and human-use hazards.

Some of the comments in this group postulated that the residents of the proposed subdivisions would be subject to noise impacts from the existing uses in the industrial area to the west of the Wood Trails site. Based on the applicable regulatory setting for noise, however, such impacts would not be permissible. As

noted in Comment 60-1, the two project sites and the adjacent existing residences are categorized as Class A EDNAs (environmental designation for noise abatement) under the Washington Department of Ecology noise rules (WAC Chapter 173-60) and the WMC (Chapter 8.08). That EDNA classification is based on the current residential zoning of the area, and not on existing use (WMC 14.08.030). Therefore, the nearby industrial uses have for some time been subject to the regulatory requirement to meet the Class A noise limits (60 dBA during daytime hours and 50 dBA at night) at the western property boundary of the Wood Trails site, and development of the Wood Trails subdivision would not result in a change in the noise limits that the industrial uses would be required to meet. If noise generated by any of the industrial uses to date has in fact been in excess of the limits (and the City does not have information indicating that is the case), such a condition would represent a violation of the regulations that the source(s) was (were) legally obligated to remedy. And, to the extent that any existing use needed to modify facilities and/or operations to meet the noise limits, those actions would properly be considered compliance actions and not mitigation measures.

Several comments suggested that existing residences in the neighborhood would be subject to increased noise levels because clearing on the Wood Trails site would reduce or eliminate an existing noise buffer, and that those impacts should be addressed in the EIS. The comments do not provide technical information to support that view, however, other than brief discussion of distances from the industrial area to specific residential locations (Comment 31-6, for example). Technical information applicable to this question does not support the assumption that the proposed development would cause a noticeable change in ambient noise levels at existing residences in the neighborhood. Dense, extensive forest vegetation can provide some reduction of noise, but it does not block noise; because air can pass through a forest, sound can also pass through. Trees are not nearly as effective at reducing noise levels as are solid barriers (WSDOT 2006a). A 200-foot-wide band of tall, dense vegetation can reduce noise levels by approximately 10 decibels (WSDOT 2006b), which is the maximum degree of noise reduction that can be achieved through vegetation shielding (FHWA 2006). A 100-foot wide band of tall, dense vegetation can reduce noise levels by approximately 5 decibels (FHWA 2006), providing the same level of noise reduction as a solid barrier such as a small highway noise wall (WSDOT 2006a).

Development of the Wood Trails site as proposed would leave an intact area of forest vegetation ranging from approximately 100 to 250 feet wide along the western side of the property. This area (which would be preserved as NGPE) would retain from 50 to 100 percent of the noise reduction benefits provided by the existing forested area at the eastern edge of the property, depending upon specific location relative to the site. Within the cleared areas on the developed portion of the property, existing forest vegetation would be replaced by solid structures that would provide shielding from noise similar to that afforded by a short barrier (FHWA 2006). Rows of buildings can act as longer barriers, even though gaps between buildings allow noise to leak through the barrier; a single row of buildings with a building-to-gap ratio of from 40 to 60 percent can generally provide noise reduction of 3 decibels (FHWA 2006). At any given location along the east side of the Wood Trails site, a minimum of a single row of structures and a wide band of forest would be located between existing residences and the industrial area. Therefore, there would be little, if any, actual decrease in the noise-reducing capability of the Wood Trails site with the proposed development. As a result, there is no basis to assume existing residents would experience significant changes in noise levels, and no need to address noise impacts in the EIS.

The City's consultant is aware of no documented evidence demonstrating that forest vegetation provides any substantial degree of buffering or reduction of odors present in the atmosphere. Odors are dispersed through movement of air; while forests can influence air movement to a minor degree, even dense forest

vegetation does not block the movement of air and odor particles. There is no basis to assume that removal of forest vegetation on a portion of the Wood Trails site would have any measurable effect on the presence or intensity of odors in the neighboring area. It is also noted that the comment raising the issue of odor impacts references odors from the Stock Pot soup facility (which has since been relocated) that were experienced on 153rd Avenue NE near NE 201st and NE 202nd Streets, and anticipated future odors from the proposed Brightwater sewage treatment plant. The receptor location identified in the comment is due east of the Wood Trails site and due south of the referenced facility locations; the Wood Trails site is not in the line of travel from the expected odor sources to the receptor location, and could not possibly help to mitigate odors even if trees could provide odor reduction in adjacent downwind areas.

Consistent with common municipal planning practice, the City of Woodinville applies zoning designations and policies to protect public health, safety and welfare; this practice includes the separation of potentially hazardous uses from residential areas. As the land use regulatory authority for the project area, the City is aware of no unusual environmental health hazards represented by the existing activities in the industrial area to the west of the Wood Trails site. An EIS need analyze only probable adverse environmental impacts that are significant, and discussion of insignificant impacts is not required (WAC 197-11-402). The SEPA Rules (WAC 197-11-782) define probable as “likely or reasonably likely to occur,” and indicate that the term “is used to distinguish likely impacts from those that merely have a possibility of occurring, but are remote and speculative.” The question of possible hazards associated with the nearby industrial uses clearly falls within the range of remote and speculative impacts that need not be addressed in the EIS.

Issue EIS-7: Completeness of DEIS scope – public services impacts

Issue: More than 30 individual comments related primarily to consideration of public services DEIS in the DEIS. Schools and education services comprised the most common topic among comments in this group, which included specific statements that the EIS scope elements should have included education and other services, and that schools and traffic were not addressed. Some comments expressed concerns over the sufficiency of public services and facilities in general, while others listed a variety of public services and facilities that typically included schools or education. A number of comments in this group addressed emergency service (police, fire protection and emergency medical services) capabilities, including specific statements about emergency service response times and service response within the Snohomish County portion of the local area.

Applicable Comments: 5-59, 12-3, 17-5, 22-2, 25-6, 26-1, 29-6, 34-2, 36-2, 36-7, 38-7, 43-4, 45-9, 50-9, 51-6, 53-6, 54-6, 55-11, 61-7, 63-4, 64-4, 65-8, 76-4, 83-4, 85-3, 87-5, 92-2, 93-3, T2-5, T7-3, T18-3, T20-4

Response:

Based on the results of the scoping process the City identified six elements of the environment that were appropriate for detailed consideration in the EIS. The City also identified specific aspects of those elements for which significant impacts were considered possible, and/or for which detailed consideration was appropriate. The City determined that the public services element of the EIS should be limited to recreation, primarily to address the function and contribution of recreational facilities that might be proposed by the applicant. The City concluded that other potential impacts to public services, including those related to schools/education, police and fire service and emergency medical service were not

probable and/or would not rise to the level of significance, and therefore determined that these public services topics did not warrant consideration in the EIS.

To make the threshold determination required by SEPA and to identify the scope of the EIS, the City's responsible official reviewed the size and nature of the proposal, the status of various public services and facilities (schools, fire, police and parks), public scoping comments, and scoping input from service providers. The City received no scoping comments from other City departments or independent service providers indicating concerns over the potential public service impacts of the proposal. Based on its review of all applicable information, the City concluded that probable incremental impacts on police, fire and schools from the type and amount of growth associated with the two proposals (a total of 132 residential lots) would not be significant in terms of demand or costs. While the City acknowledges there were scoping comments requesting consideration of such issues in the EIS, the scoping record does not contain evidence demonstrating the existence of probable, significant adverse public service impacts. The City also notes that, similar to the scoping results, no other City departments or independent service providers (including the Northshore School District) submitted comments on the Draft EIS indicating concerns over public service impacts. The City distributed copies of the Draft EIS to the service providers, and reasonably concludes the providers would have submitted review comments if they were indeed concerned over impacts.

In response to the substantial number of comments about expected impacts to schools or educational services, the introduction to Chapter 3 in the FEIS has been modified to include discussion of the City's reasoning for not considering this topic in detail in the EIS. In summary, that discussion establishes that the proposed action would not generate an inordinately large number of new students and that the schools serving the local area have sufficient capacity to accommodate those additional students. Consequently, there is no basis to conclude that impacts to schools would be significant, and those impacts do not need to be addressed in detail in the EIS.

It is noted that several of the comments addressing education stated that the local schools were already overcrowded or over-burdened and/or provided specific estimates of the number of new students that would be generated by the proposal, with those estimates ranging as high as 300 students (e.g., Comment 85-3). Publicly available information from the Northshore School District (NSD) indicates those comments are in error. The elementary and secondary schools serving the West Wellington area have had or are projected to have stable or declining enrollment (NSD 2006). The NSD indicates that the growth pressures have been in the northern part of the District, while the curriculum in schools such as Woodinville High School has been limited by declining enrollment. NSD demographic data also indicates that the peak enrollment from residents of the proposed subdivisions would amount to approximately 80 students, not the 200 to 300 suggested by some of the comments.

Similar reasoning applies to the City's determination that potential impacts to other types of public services need not be analyzed in the EIS. The approximately 330 residents of the proposed subdivisions would increase the demand for police, fire and emergency medical services from the City and the Woodinville Fire and Life Safety District. On a per-capita basis, these demands would likely be similar to those of existing residents and development. The City currently has roughly 4,000 residential units and 10,000 residents. Therefore, the proposed action represents an increase in housing units and population of slightly more than 3 percent. This level of increase cannot be construed as a large change, and it is certainly not sufficient to create a significant increase in demand for these public services or result in a significant impact on the capability of the service providers. The new development would also generate

real estate, property and sales tax revenues that would help to defray the public costs of the new service demands. Consequently, there is no need to analyze police, fire and emergency medical services in the EIS.

At least one comment described emergency service response in the Snohomish County portion of the local area that was considered to be inadequate, and suggested this issue needed to be addressed in the EIS. The proposed developments are located in King County and would receive emergency services from jurisdictions in King County; they would not increase demands on providers in Snohomish County.

Issue EIS-8: Completeness of DEIS scope – economic impacts

Issue: Comments related primarily to some type of economic consideration associated with the proposal comprise this issue. It includes statements that the DEIS should provide information on various economic or financial impacts of the development, such as expected changes in property values and/or the costs to provide increased public services in the area. Some comments expressed concern over the possible tax consequences for nearby property owners.

Applicable Comments: 5-34, 15-34, 42-15, 50-1, 61-14, 69-8, 87-2, 90-3, T7-2, T11-8, T17-3, T19-2

Response:

Most of these comments address issues that are appropriately beyond the scope of an environmental review under SEPA. The SEPA rules (WAC 197-11-448) do not require agencies to address concerns such as financial impacts and property values in an EIS, because the statute and the rules envision general welfare, social, economic and other considerations as factors decision makers would evaluate *apart from* the environmental impacts addressed in an EIS. Property values, economic and financial impacts, taxes and prospective legal costs clearly fall within the realm of “social policy analysis (such as fiscal and welfare policies....)” which is specifically identified in WAC 197-11-448 (3) as an example of information not required to be discussed in an EIS. Moreover, appellate court decisions have consistently affirmed that economic considerations, including impacts on property values, are beyond the zone of interest encompassed by SEPA. The Woodinville City Council may consider issues such as economic impacts to property values in their deliberations over the proposal, it is not necessary or required to do so in the project EIS.

Comment 42-15 raises the issue of fiscal impacts, based on analysis of public service costs relative to the revenues associated with a particular action or program, and references a study indicating that property taxes from residential property are typically substantially less than the costs of additional roads and public services for residential development. The cost of public services depends on numerous factors, including city/population size, level of service standards, tax systems and tax rates, fees and other elements. Whether a particular type of development “pays its own way” is a result of how an individual municipality allocates costs for public services and capital facilities, and how it generates revenues to cover such costs.

The SEPA Rules (WAC 197-11-440 [6] [e]) do prescribe that discussion of significant impacts shall include the costs of and effects on public services such as utilities, roads, fire and police protection that may result from a proposal. As noted in the response to issue EIS-7, however, the City has concluded that the public service demands of the proposed action would not be significant and would not result in

significant impacts on service providers. The proposed developments would generate several types of tax revenues to the City that could be used to offset service and facility costs associated with the projects. In addition to the tax revenues, the applicant would be required to pay transportation and recreation impact fees to the City, with the level of fee payment based on the number of housing units. For the Proposed Action, those fees would amount to \$409,000 for transportation and over \$403,000 for recreation. Considering both the tax revenues and the mitigation fee payments, there is no reasonable basis to assume the proposal would have a significant adverse net fiscal impact on the City or other service providers. Consequently, there is no need for a detailed analysis of fiscal impacts in the EIS.

As an added note, the Johnson County, Indiana source referenced in Comment 42-15 cites national figures to the effect that public facility and services costs to serve residential property are typically \$1.25 to \$1.60 for every dollar of property tax revenue. While those figures may be accurate, and the relevant literature includes other studies with similar conclusions, those figures are not directly applicable to the Wood Trails and Montevallo proposal. The quoted study refers only to *property taxes*, and thereby ignores real estate transactions taxes, sales taxes and other types of tax revenue that would be generated by the proposal. The study also does not account for project-specific fees, which local jurisdictions have instituted to better absorb the fiscal impacts of development and which can be significant, as noted above. Comment 42-15 also incorrectly assumes that development of the sites under the R-1 Zoning Alternative would be less costly to the taxpayers than would the Proposed Action at R-4 zoning. It is true that studies addressing the balance of public revenues and service costs for new development have typically indicated that residential development in general is often a fiscal sink (that service costs tend to be greater than tax revenues). At the same time, however, studies of urban development patterns since the 1970s (e.g., *The Costs of Sprawl*, Real Estate Research Corporation, 1970) have consistently identified low-density suburban development (particularly 1 dwelling unit per acre densities) as more costly to provide with services compared to higher-density development patterns, and have shown that low-density development (such as R-1) typically creates a larger fiscal deficit than would higher-density residential development on a given acreage. (This recognition has been a major impetus for growth management programs across the U.S, including in Washington State.) If the City were to conduct a comparative analysis of revenue generation from existing, developed R-1 and R-4 property in the City, that analysis would no doubt show greater per-acre revenues from the R-4 property.

Issue EIS-9: Completeness of DEIS scope –quality of life impacts

Issue: Several comments stated that the DEIS should have addressed impacts of the proposal on quality of life in the neighborhood, including noise, visual, and other impacts resulting from vegetation clearing, or expressed concern over potential changes to the quality of life.

Applicable Comments: 11-3, 31-3, 93-4

Response:

“Quality of life” is not a distinct element of the environment that is recognized by SEPA (WAC 197-11-444), and is therefore not discussed as such in the Draft EIS. In terms of environmental analysis, the concept of quality of life is subjective and may vary considerably depending on the values of particular individuals. As expressed in a number of comment letters, quality of life is perceived by some residents to

include considerations relating to land use, open space/vegetation, wildlife use, noise and other factors. Changes to a number of these elements of the environment are discussed in the Draft EIS.

For example, significant effects of the proposed plats on plants and animals/wildlife habitat are considered in Section 3.3 and Appendix K of the Draft EIS. The Land Use section of the EIS (Section 3.4) describes the type and degree of change that would occur in the surrounding neighborhood as a result of the proposals. For example, changes would occur to the extent of existing open space/undeveloped land and the general appearance of the area. The EIS discussion of City of Woodinville Comprehensive Plan policies (Section 3.4.2(a)) also discloses and describes expected change relative to neighborhood character, views, open space and similar policy concerns. Please refer in particular to the discussion of the Comprehensive Plan's Land Use and Community Design Elements (Draft EIS pp.3-61 through 3-65).

As noted in the response to Issue EIS-6, above, the City's responsible official considered the size and nature of the proposal, and public comments received during the public scoping process, when determining the scope of the EIS. The City concluded that incremental impacts to air quality and noise would not be significant and did not require detailed evaluation in the EIS.

The sites of the proposal are private property and not public parks or authorized public recreational areas. Any loss of the informal use of the property by neighbors – for recreational purposes or for its visual quality – would be incidental to development and is a consequence of the growth and change in the City that is contemplated in the Comprehensive Plan. Mitigation for impacts to parks and recreation is identified in Section 3.6 of the EIS. The Draft EIS Land Use discussion identifies the change in visual character that would result from development.

Potential impacts that might be associated with stress would reasonably be considered topics involving social policy analysis and/or quality of life; these are topics that need not be considered under SEPA (WAC 197-11-448) and cannot be objectively evaluated in an EIS. Specific environmental impacts associated with development of the project have been addressed in the EIS.

Issue EIS-10: Completeness of DEIS scope –public perception issues

Issue: Two comments addressed public perception of the proposal, with specific statements that the DEIS did not address public perception issues and should include a record of the public opposition to the proposal.

Applicable Comments: 5-33, 15-33

Response:

An EIS is intended to be a neutral, analytic and factual document that discloses information about the significant consequences of proposals to the environment. The “elements of the environment” that may be discussed in an EIS, to the extent they are relevant to a specific proposal, are identified in WAC 197-11-444. The impacts that an EIS must discuss are those that are “probable,” not those that are possible or speculative (see WAC 197-11-782). The role of the EIS is to provide information that can be considered by the public and by decision makers acting on a proposal, to ensure that environmental impacts and values are considered; it is primarily a disclosure document and does not make a decision or recommend

approval or denial of a proposal. Given these purposes, framework and limitations, it is not appropriate for an EIS to address public opinion per se, whether it is in support of or in opposition to a proposal.

The SEPA rules indicate that comments on an EIS should be as specific as possible, and should address the following: adequacy of the environmental document, the merits of the alternatives, methodologies used, additional information needed, and mitigation measures (WAC 197-11-550). This provision also limits the types of comments that can or must be responded to in a Final EIS (see WAC 197-11-560).

Opposition to the proposed plats for a numerous articulated reasons is clearly reflected in numerous comment letters received on the Draft EIS, as well as in the transcript of testimony provided at the EIS meeting. Those comments and transcript are included in the Final EIS and are part of the record that will be reviewed by decision makers.

Issue EIS-11: Comparative summary of impacts

Issue: This issue includes comments about the summary of impacts presented in the DEIS (**Section 1.4** and **Table 4-1**), such as specific concerns about the ability to compare alternatives based on their impacts, a critique of the format used for summarizing impacts, and disagreement with specific statements in the summary.

Applicable Comments: 5-6, 5-61, 14-3, 15-6, 58-9, 58-10

Response:

Comments 5-61 and 58-10 are identical paragraphs providing criticisms of Table 1 from the DEIS and suggestions for alternative ways of comparing impacts among the alternatives. These statements are individual opinions about how best to prepare comparative information. Applicable guidance in the SEPA Rules is that the summary “shall include a summary of the proposal, impacts, alternatives, mitigation measures, and significant adverse impacts that cannot be mitigated” (WAC 197-11-440 [4]) and that the EIS should present “a comparison of the environmental impacts of the reasonable alternatives....Although graphics may be helpful, a matrix or chart is not required” (WAC 197-11-440 [5] [vi]). Lead agencies are granted leeway and deference in how they chose to present and format information on the comparative impacts of the alternatives. The presentation of such information in the Draft EIS meets the requirements of the regulations, and the City believes the summary content is suitable clear and organized. The City notes that Table 1 in the DEIS is a standard summary of impacts by alternative as seen in a typical EIS, and this table displays impacts in a way to facilitate side-by-side comparison of alternatives. Given that Section 1.4.2 of the DEIS provides an overview that aggregates impacts by alternative, the City does not see the need or value for a second summary table of impacts.

Comments 14-3 and 58-9 take exception to specific statements in Table 1 or elsewhere in the summary chapter of the DEIS, generally by requesting additional support for the subject statements or raising specific questions. Consistent with direction in the regulations, the content in Chapter 1 of the EIS is general, summarized material that is based on more detailed content provided in Chapters 2 or 3 of the EIS. For example, the statements in Table 1 concerning neighborhood character are consistent with the more detailed discussion in Section 3.4.1. The statement on page 1-12 regarding suitability for septic drainfield systems is based on a corresponding discussion on page 3-13 and is supported by the published soil survey for the area. The highly summarized discussion of critical areas on page 1-13 is not the

appropriate place to address detailed questions about specific hazards and the timing of a critical areas study. Comment 58-9 suggests there are inconsistencies in the discussion of indirect land use impacts on page 1-12 of the DEIS, but does not identify those inconsistencies. While the same comment correctly notes that redevelopment could occur on single lots of 2 to 5 acres, without requiring multiple lots, Figure 3.4c in the DEIS shows that there are relatively few such parcels in the local area.

Comments 5-6 and 15-6 are also identical, and duplicate a comment contained within a December 19, 2005 letter from CNW to the City. That letter presented review comments on internal draft EIS content prepared in October 2005, which did not include the Table 1 summary of impacts provided in the January 2006 DEIS. Because these comments clearly originated before the DEIS was published and do not account for revisions incorporated in the published DEIS, they are moot and are not germane to the document that was distributed for public review.

Issue EIS-12: Documentation of scoping conclusions

Issue: Several comments addressed the City's approach to determining the scope of the EIS and documenting the results of that process. This group included specific statements that issues raised in scoping were not addressed in the DEIS; that the City should have published a scoping document, prior to the DEIS, explaining the issues that would be addressed in the EIS and why; and/or that the conclusions from scoping should have been documented in the EIS.

Applicable Comments: 5-29, 15-29, 58-8, T12-1

Response:

The City's regulations for environmental review incorporate by reference the scoping provisions of the SEPA Rules (WAC 197-11-408). The scoping procedures that the City followed for the Wood Trails and Montevallo Subdivisions EIS are fully consistent with those requirements.

The City issued a Determination of Significance (DS) and Request for Comments on Scope of EIS for the projects in October 2004, which identified neighborhood impacts, traffic and stormwater drainage as issues for discussion in the EIS. Following the public scoping meeting and receipt of written comments, the City issued a Notice of Revised EIS Scope in December 2004. That document identified 6 elements of the environment and 18 specific issues among those elements as topics for discussion in the EIS. These topics are also listed on page 3-1 of the DEIS. By definition, elements or issues not included in the revised EIS scope are those for which the City concluded impacts would be insignificant. That action by the City is consistent with SEPA guidance that lead agencies shall eliminate from detailed study those impacts that are not significant (WAC 197-11-408 [2] [c]).

Lead agencies are not required to study in detail all impacts or issues that are identified in scoping. The SEPA Rules also do not require agencies to respond to scoping comments, document their reasoning for determining that certain issues do not merit detailed analysis, or issue the type of scoping document suggested by some of these comments. The Rules indicate that scoping documents, including notices that the scope has been revised, may be used but are *not* required (WAC 197-11-408 [4]); the City elected to issue a Notice of Revised EIS Scope for the projects to inform people of additional issues included in the scope for the EIS after reviewing the scoping comments, although it was not required to do so.

In response to Draft EIS review comments addressing the scope of the EIS, the introduction to Chapter 3 has been revised for the FEIS to include additional discussion of some issues that were eliminated from the EIS scope. In addition, the responses to issues EIS-6 through EIS-11 explain why certain issues did not warrant analysis in the EIS.

Comment T12-1 incorrectly states that the Determination of Significance issued by the City indicated that there *were* (emphasis added) significant adverse impacts as a result of the two developments. The specific language of the DS was that “The lead agency has determined this proposal *is likely to* (emphasis added) have a significant adverse impact on the environment” and that an EIS was required to determine the probable occurrence and extent of any impacts. The purpose of scoping is to determine whether significant impacts might occur, not to arrive at conclusions about the significance of impacts before an EIS is prepared. Comment T12-1 also misrepresents the conclusions of the DEIS. The DEIS does not state that there are no adverse impacts; rather, the analysis documented in the DEIS concluded that the projects would have some adverse impacts, but those impacts would not rise to the level of significance (meaning more than a moderate adverse impact, per WAC 197-11-794).

Finally, Comment T12-1 incorrectly states that the scoping comments were ignored. As noted above, the City revised the scope of the EIS (and issued a notice to that effect) in response to the scoping comments. Again, however, lead agencies are not obligated to include every issue identified in scoping in the detailed EIS analysis. EISs are not required to address, and should not address, insignificant impacts. Responses to other issues concerning the scope of the EIS demonstrate that many of the concerns identified in scoping for this EIS (such as noise, air quality and schools) involved insignificant impacts that did not warrant consideration in the EIS.

Issue EIS-13: Consideration of Wood Trails and Montevallo subdivisions in the same EIS

Issue: Four comments stated the opinion that the Wood Trails and Montevallo developments should have been addressed in separate SEPA documents and not in the same EIS.

Applicable Comments: 61-17, 69-11, 76-1, T11-8

Response:

WAC 197-11-060(2)(c) provides lead agencies with the option to consider “similar actions” in the same environmental document. Actions are “similar,” according to the rule, if they have common aspects that provide a basis for evaluating environmental consequences together, such as common timing, types of impacts, alternatives or geography.

The Wood Trails and Montevallo subdivisions are proximate to one another, are located in the same City neighborhood, are similar types of projects, are characterized by similar natural features, present similar environmental issues, would be constructed by the same developer and would generate similar types and magnitudes of impacts. They, therefore, meet the criteria in WAC 197-11-060(2)(c), and the City is authorized to consider both actions in the same EIS. The City believes it is more efficient, and on balance more convenient for interested citizens, to consolidate these two actions into a single document and a single review process, rather than providing multiple documents, notices, meetings, comment periods, etc. The City also notes that, had it elected to evaluate the two proposed subdivisions in separate

environmental documents, numerous reviewers would likely have accused the City of “piecemealing” or unfairly segmenting the review under SEPA.

Issue EIS-14: Benefits/disadvantages of future implementation

Issue: Two identical comments addressed the contents of Section 2.4 of the DEIS, including questions about the planning implications of reserving approval of the proposal for a later date.

Applicable Comments: 5-63, 58-15

Response:

The City believes Section 2.4 of the DEIS is consistent with SEPA requirements and is an accurate representation of potential future events if implementation of the proposal were reserved. This discussion has been modified somewhat for the Final EIS, primarily to address changed short-term circumstances resulting from the moratorium on development in R-1 zones that the City adopted in March 2006. The revised discussion also more specifically addresses possible future options that might (or might not) be foreclosed by implementing the proposal, and clarifies the decision options that are actually available to the City in regard to the proposal. While the City has the discretionary authority to deny the request for a rezone to R-4, the applicant does have the vested right to proceed with a development at R-1 density that is consistent with the zoning code.

The comment reference to impacts on City planning efforts related to infrastructure is unclear, but appears to assume impacts or planning functions that do not exist. Sewer and water supply infrastructure are provided by the Woodinville Water District and not the City; City plans are clearly influenced by utility extensions implemented by the District, but the City would not need to conduct a new planning effort in the response to a sewer extension to the West Wellington area. The City’s Comprehensive Plan is a living document that is amended on an annual cycle and updated more thoroughly approximately every 5 years. Planning implications associated with the proposal could easily be accommodated within the ongoing Plan revision processes.

Issue EIS-15: SEPA/EIS process and requirements

Issue: This issue includes miscellaneous general comments about the SEPA process for this proposal, such as questions about the general approach to mitigation and interpretation of EIS, and statements about conformance with SEPA size and style requirements and accuracy of the SEPA checklist contents.

Applicable Comments: 7-6, 71-13, 71-15, 87-6

Response:

Comment 7-6 raises the question “Who now interprets the EIS?” The City interprets this to be a question about the next steps in the process and who will make decisions about the proposal. The Final EIS incorporates responses to issues raised to the comments on the DEIS, including appropriate changes to the DEIS text. Following publication of the FEIS, the proposal will move through the City’s project review process. As preliminary permit applications for subdivisions, the Wood Trails and Montevallo projects are classified as Type III decisions under WMC Chapter 17.07. There will be an open record public

hearing on the proposal before a Hearing Examiner, who will make the final decision on the whether to grant the preliminary approval of the subdivisions. Final plat approval by the City would be required before lots could be sold and homes built in the subdivisions.

Comment 71-13 maintains that the DEIS does not conform with the size and style standards of the SEPA Rules (at WAC 197-11-425) because it did not explain the meaning of technical terms not generally understood by the general public and because it exceeded 150 pages. With respect to style, the City believes that the DEIS is a readable document written in plain language, with the meaning of technical terms incorporated into the text rather than provided in a glossary. The City notes that the comment does not identify the technical terms used in the DEIS that were not generally understood by the general public, so it is not possible to provide a more specific response. The size of the DEIS (202 pages, including the Fact Sheet and Table of Contents) is a reflection of a number of factors, including the size and complexity of the proposal, the objective to thoroughly evaluate and disclose impacts, the number of elements included in the scope of the EIS and the number of specific impact issues raised in scoping that warranted consideration in the EIS. The document is as concise as possible given these factors. The City could have published a DEIS with a lower page count if it had elected to use a smaller font size on the text and provided drainage and grading plan graphics in an appendix, but it felt this would not serve the readers' interest. The City also notes that most of the review comments on the DEIS requested that the City address more impact issues and provide much greater detail for any number of topics, which obviously would have increased the size of the document considerably. Letter 71 itself contains no fewer than seven other comments (Comments 71-3, 71-4, 71-7, 71-8, 71-9, 71-11 and 71-12) identifying types of information the reviewer felt should have been included in the DEIS but were not, indicating that Comment 71-13 is in direct conflict with most of the remainder of Letter 71.

Comment 87-6 refers to statements in the impact analysis sections of the DEIS concerning appropriate mitigation measures and asks for more information about the nature of those measures, who would incur the expense for the measures and when they would be addressed. For each element of the environment addressed in Chapter 3 of the DEIS, there is a third- or fourth-order subheading followed by discussion of applicable mitigation measures for that element. Section 1.4.3 in the DEIS also provides a complete presentation of mitigation measures for all elements. Unless the City identifies a need for mitigation measures that would rightfully be the responsibility of the City, all mitigation measures would be at the expense of the applicant. The mitigation discussions in the DEIS indicate when specific measures would be implemented, and whether they would be applied during construction or for operation of the completed development.

Comment 71-15 maintains that the environmental checklist for the Wood Trails and Montevallo subdivisions contains materially false and misleading information. The comment does not identify the specific information that was perceived to be false or the basis for that statement. In any event, the City's evaluation of project impacts is based on the City's EIS and independent review of project information, and the validity of the content of the checklist for either project is not an issue that is relevant to the review of the DEIS.

4.1.2 Alternatives (ALT)

Four ALT issues were identified based on comments that appeared to primarily address the *definition* of alternatives that were considered in the EIS or the approach to evaluating those alternatives. In general, these comments were referenced to specific pages or sections in Chapters 1 and 2 of the Draft EIS. Some

comments referred to specific discussion in Chapter 3 of the impacts of an alternative, but incorporated points that were primarily oriented to the definition of the alternative. Many other comments expressed support for or opposition to a specific alternative and were assigned to an S/O issue category (see **Section 4.3.1**).

Issue ALT-1: Action alternatives considered in the EIS

Issue: This issue incorporates all comments relating to the definition or specification of the three action alternatives that were considered in detail in the DEIS, which included the Proposal, the R-1 Zoning Alternative and the Attached Housing Alternative. Several comments of this type requested different specification of an alternative evaluated in the DEIS, such as development at R-4 density without the clustering or density transfer that were part of the Proposal and the Attached Housing Alternative. Similarly, a comment suggested that the R-1 alternative should include sewer extension to the area. Some comments addressed other types of actions to evaluate as alternatives, such as statements that the City should acquire the Wood Trails site as a park. Some comments questioned the viability or reasonableness of the Attached Housing Alternative, or said the DEIS should provide a site plan and more information on the Attached Housing Alternative for the Montevalló site. A comment questioned why an R-1 alternative was not considered in the DEIS.

Applicable Comments: 5-1, 5-2, 5-3, 5-62, 15-1, 15-2, 15-3, 17-7, 31-4, 32-1, 58-12, 58-13, T10-1

Response:

SEPA requires that the City evaluate as the Proposed Action the development plans described in the applicant's preliminary permit applications. Therefore, in this case the City must evaluate the proposed development at R-4 density with a density transfer from the Wood Trails site to the Montevalló site as the Proposed Action, and does not have the authority to change the applicant's development plans for purposes of review under SEPA.

With respect to action alternatives other than the Proposed Action, the SEPA Rules (WAC 197-11-440 [5]) direct lead agencies to consider reasonable alternatives to the proposal; these shall include actions that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation. In the case of a proposal for a private development action, the objectives that must be considered in selecting alternatives are those of the applicant for the project and site, not the objectives of the lead agency or the people living near the project site. The concept of acquiring the Wood Trails site for use as a public park or maintaining it as an undeveloped, vegetated buffer area would not meet the applicant's objective for development of housing on the site. Therefore, such an action does not meet the definition of a reasonable alternative for purposes of an EIS.

In selecting alternatives to be evaluated in the EIS, the City is not obligated to consider every conceivable scenario for development on the project sites. The SEPA Rules note that use of the word "reasonable" is intended to *limit* (emphasis added) the number and range of alternatives, as well as the amount of detailed analysis for each alternative. For the subject EIS, an objective of the City was to identify a set of alternatives (including the No Action Alternative) that would define the range of possible development impacts on the site. In other words, the approach was to define the endpoints, extremes or "book ends" with respect to possible impacts, and a manageable number of points between those extremes. The four

alternatives considered in detail in the EIS satisfy that objective and provide a useful array of impact information for the decision makers. Development at R-4 density without clustering and density transfer would represent another interior point on the range of possible development impacts. While they might differ somewhat from the alternatives considered, it would not likely additional alternatives with development intensity less than the Proposed Action but greater than R-1 development would add substantially to the size and complexity of the EIS without providing additional meaningful or necessary information for the decision makers.

Section 3.4.2 of the DEIS discusses the consistency of the alternatives, including the Attached Housing Alternative, with applicable plans policies and regulations. The City has not received an application for development of such an alternative, and therefore does not have complete information on what that alternative would entail and whether it would be a viable alternative. Based on the information currently available, the City concluded this development scenario might be possible under the City's land use plans and regulations and would constitute a reasonable alternative for the EIS. As the author of those plans and regulations, the City is entity with the best ability to interpret those plans and regulations. The City has identified a reasonable range of alternatives and may permissibly exclude additional iterations within that range.

The comment questioning why an R-1 alternative was not considered fails to acknowledge that the R-1 Zoning Alternative presented in the DEIS is one of three action alternatives considered in detail. An R-1 development alternative that included sanitary sewer extension to the project sites would not be a reasonable alternative. The City's land use regulations allow R-1 development with septic systems, and the City could not require an applicant to provide sewer service to an R-1 subdivision. R-1 development with sewer service would also not be consistent with the applicant's objectives, because it would entail a higher level of infrastructure costs consistent with R-4 development density and the lower level of financial return provided by R-1 development. Providing sewer service to low-density development would also be economically inefficient and would represent the type of land use pattern that the Growth Management Act is designed to avoid. However, WMC 21.28.030 and Public Health Department requires public sewer be connected when within 330 (300) feet on the Wood Trails project.

Issue ALT-2: Definition of the No Action Alternative

Issue: Three comments in some way addressed the definition of the No Action Alternative as presented in the DEIS. Specific points in this group of comments were that the DEIS description of the No Action Alternative was too general and would not permit impact evaluation; that development of the sites at R-1 density was the most likely future condition if the proposal were denied, and should represent No Action; and that use of the Wood Trails site as a vegetated buffer area or park might be an option to consider for No Action.

Applicable Comments: 5-4, 15-4, 58-14

Response:

These comments all maintain that some scenario of development at R-1 density actually represents the best definition of the No Action Alternative in this case, and that the no-development scenario applied in the DEIS was unrealistic. The SEPA rules do not specifically define the characteristics of the No Action

Alternative, allowing lead agencies discretion in defining this alternative. It is intended to provide a baseline for comparing the impacts of the proposal and other action alternatives. The definition of No Action applied by the City in the DEIS reflects this use of agency discretion, based on the circumstances of the City's SEPA review.

The City acknowledges that the *SEPA Handbook* (Ecology 2003) does indicate that the most likely development on a site under existing zoning represents an appropriate No Action Alternative in the case of a rezone. Consistent with this direction, the EIS could have defined residential development at R-1 density as the No Action Alternative. However, in direct response to scoping input and the neighborhood desire to see R-1 development evaluated as an alternative, the City agreed to include development at R-1 density as an action alternative to be considered in detail in the EIS. The intent was to provide more information about the R-1 condition than would have been revealed if it were defined in as No Action. The City does not consider development of the sites at R-1 density in the foreseeable future as a given if the proposal is not approved, based on the conditions that the City might have to impose to protect sensitive areas and questions over development using septic systems. If the proposal for R-4 development were denied, it is possible that the current applicant would sell the properties rather than develop them at R-1 density, and the properties could remain in their current state for some additional time. In addition, the approach of including both an R-1 development alternative and defining the No Action Alternative as no development for the foreseeable future provides a wider discussion of a range of potential impacts for consideration and more useful information for decision makers .

The statement in all three comments that the description of the No Action Alternative is too general is believed to be without merit. The No Action Alternative as defined in the EIS would maintain existing uses and conditions for the foreseeable future. That plausible future condition is identical to the existing condition, which is described in detail in all sub-sections of Chapter 3 of the DEIS.

Issue ALT-3: Access alternatives

Issue: Approximately two dozen comments related primarily to the consideration of access alternatives in the DEIS. This group included statements that one or more of the access alternatives discussed in **Section 2.3** should have been evaluated in detail or were preferable to the access plan identified for the proposal, such as a comment with specific observations about the attributes of access Option B. Other comments addressed action alternatives in more general terms, such as with statements that the discussion of access alternatives was insufficient; opinions about the rationale for eliminating the access alternatives from detailed consideration; and requests to evaluate the net benefits and impacts of the access alternatives.

Applicable Comments: 5-5, 5-64, 15-5, 25-8, 29-8, 32-2, 35-3, 36-9, 37-6, 38-3, 40-3, 40-9, 45-6, 51-8, 53-8, 54-8, 58-16, 60-2, 61-9, 69-6, 70-2, 81-23, 85-9, 89-5, T9-4, T11-4

Response:

Several of the comments in this group simply pose questions, such as why access from the industrial area west of Wood Trails was not considered or where was the analysis of access alternatives. The City did consider alternative means of access to both the Wood Trails and Montevallo sites and documented consideration of these alternatives in Section 2.3 of the DEIS and the FEIS.

Another subset of comments for this issue presented general statements to the effect that the DEIS failed to consider or did not sufficiently address alternative access to the Wood Trails site, or that these alternatives were dismissed without further consideration. Some of these comments may have been made without recognition of the three pages of text and four graphics concerning the access alternatives that were presented in the DEIS. The City assumes that most of these comments are essentially objections to treating the access alternatives as alternatives not considered in detail, rather than providing a detailed evaluation of these alternatives throughout the sub-sections of Chapter 3 of the EIS. Under the SEPA Rules (WAC 197-11-440 [5]), any access alternative must meet the definition of a reasonable alternative to warrant detailed consideration in the EIS. One criterion for reasonableness is whether an alternative would meet the proposal's objectives, which in this case are the objectives of the applicant. Therefore, it is entirely appropriate for the City to consider the cost associated with implementing an alternative, because increased infrastructure cost and/or reduced development area could have an impact on financial viability of the proposal and be inconsistent with the applicant's objectives. Another requirement is that an alternative must be feasible; given the lack of existing public rights-of-way connecting to the west side of the Wood Trails site, the feasibility of obtaining access to the site from the west is questionable. Most significant, however, is the requirement that a reasonable alternative entail a lower environmental cost or decreased level of environmental degradation. The discussion provided in Section 2.3 of the EIS demonstrates that all of the access alternatives identified would have a greater level of impact than the access plan associated with the Proposed Action. Based on SEPA definitions and requirements, therefore, these access alternatives are not reasonable and do not warrant detailed consideration in the EIS.

At least two comments (58-16 and T9-4) criticized the DEIS graphics for the access alternatives (Figures 2.3a through 2.3d), primarily because the graphics only showed the road alignments and not how they would connect with the development configuration. Figures 2.3a, b and c in the DEIS depicted road alignments that would provide access to Wood Trails from the west and comply with City road standards. Because of the need to limit maximum grades, those road alignments are necessarily winding and cannot follow a direct route to the east side of the Wood Trails site. Moreover, none of these access alternatives could simply be overlaid on the proposed Wood Trails subdivision to create a workable site plan; the roadway and associated grading footprint for any of the access alternatives would displace a substantial portion of the developed area of the proposal and require a complete reconfiguration of the project site plan. Nevertheless, Section 2.3 in the DEIS did consider the approximate net increase of road length and site disturbance associated with the access alternatives and reported those data. The FEIS includes graphics for the access alternatives that have been modified to attempt to better show (for illustrative purposes only) how the road options correspond to the proposed site development plan.

A few comments in this group (e.g., Comments 5-64 and 58-16) provided more specific information concerning the evaluation of access alternatives. In general, these comments identified specific construction actions or project impacts the reviewers felt should have been addressed, and/or suggested perceived advantages to these alternatives that should be considered. Some comments specifically requested the EIS address the net benefits and impacts of access to Wood Trails from the west compared to access from the east using existing residential streets. In response, Section 2.3 in the FEIS has been modified to include expanded discussion and to specifically address net benefits and impacts. The overall conclusion of the analysis of access alternatives has not changed, however.

One of the key points of these comments is that disruption of existing streets and uses during construction would be a significant factor, and the assumption that access from the west would avoid these impacts in the residential area. In reality, obtaining access from the west would still require disruption of existing

streets and uses, but would shift these impacts from the residential area to the industrial area. It is not clear that these types of impacts would be less if they occurred in the industrial area rather than in the residential area although the receivers would be different. While these reviewers also assume that traffic impacts would be less because additional traffic from the developments would not be affecting 156th Avenue NE and the local residential streets, they fail to consider how the changed trip distribution could affect the roadway network in other ways. The proposed access plan would result in all project traffic initially using 156th Avenue NE, but project-generated traffic would flow both north and south on 156th and be more broadly dispersed relative to impacts on other key roadways. Conversely, gaining access from the west would focus all Wood Trails traffic on NE 195th Street and/or the Woodinville-Snohomish Road, and thereby magnify project impacts on those key roads. It is not correct to assume, therefore, that net traffic impacts would be reduced by shifting a substantial portion of the total project traffic from 156th to other roadways.

A portion of Comment 58-16 makes the argument that a westerly access road to the Wood Trails site should be favored because the additional clearing, excavation, grading and earthwork for road construction would only add incrementally to the extent of ground disturbance in the western part of the site. The DEIS identifies the increase in impervious surface area and clearing and grading that would likely be required for each of the three west access alternatives and presents them as incremental impacts. These estimates range from 0.4 to 0.5 additional acres of impervious surface and 2.2 to 4.2 additional acres of surface disturbance, representing proportionate increases of about 5 percent in total impervious area and from 13 to 25 percent in total surface disturbance area for the site. Construction of a westerly access road would create a substantially larger increase in the extent of surface disturbance in the steeper portions of the site, as noted in the DEIS. These are not large incremental changes, but they are nevertheless incremental increases in impacts. As discussed previously in the response to this issue, actions that would result in increased impacts relative to the proposal do not meet the definition of a reasonable alternative. The City also notes that Comment 58-16 advocates building a road through the steeper western portion of the Wood Trails site, while the same reviewer also expresses concern over the extensive geologic hazards the writer believes to be present in that part of the site.

Comment 60-2 focuses specifically on Wood Trails Access Alternative B; it maintains that impacts from this option would be much less than indicated in the DEIS because such a road could take advantage of an existing easement through the Wood Trails site. The existing easements are a 15-foot-wide Woodinville Water District easement for an underground water supply line connecting to NE 201st and a 40 foot wide road easement continuing from NE 203rd St. These easements follow a straight-line path up the slope of the site at a grade that is much too steep for a road to be used by passenger and emergency vehicles.

Issue ALT-4: Evaluation of alternatives

Issue: A similar number of comments took exception with the EIS evaluation of the actions considered. Many of the comments in this group questioned the DEIS evaluation of the R-1 Zoning Alternative, based on the feeling that it was not given sufficient attention, or expressed concern over the objectivity of the DEIS in presenting the impacts for the R-4 and R-1 development alternatives. One comment stated that the R-1 Zoning Alternative should be the baseline option evaluated in the DEIS. Specific comments in this group also included questions on whether the developer should be required to prove that a rezone would benefit the City and the neighborhood, about who would be harmed by denial of the proposal, and whether granting a rezone would set a precedent.

Applicable Comments: 12-6, 25-7, 29-7, 30-4, 36-8, 38-4, 40-8, 43-2, 45-7, 48-5, 51-7, 53-7, 54-7,

Response:

The Wood Trails and Montevallo Subdivisions DEIS was prepared by the City in response to receipt of preliminary plat applications from Phoenix Development. The SEPA Rules require that the alternatives chapter of the EIS describe the proposal and alternative courses of action that are reasonable. The City is required to present the applicant's proposed development plan described as the Proposed Action, and the City does not have the authority to substitute a different action as the proposal. Inclusion of the R-1 Zoning Alternative in the EIS allows the public and decision makers to compare the impacts of the proposal against those of development at a lower density.

The DEIS presents a thorough and objective evaluation of the Proposed Action, the R-1 Zoning Alternative, the Attached Housing Alternative and the No Action Alternative. The most commonly used approach to presenting the evaluation of alternatives in an EIS is to discuss the impacts to each element of the environment for the Proposed Action, and then to compare the impacts of the alternatives to the Proposed Action. This approach is intended to facilitate comparison of the impacts of the alternatives and to avoid repetition. It is not necessary (and would be redundant) to repeat the conclusions for the proposed Action for each succeeding alternative. While this approach may result in more column-inches of text on the Proposed Action than the other alternatives, it does not mean the R-1 alternative or any other alternative received abbreviated analysis. The DEIS and the FEIS provide the same types of impact measures for each alternative (e.g., acres of total surface disturbance, area of new impervious surface, area of wetland impact, traffic volumes and associated operation impacts, increased demand for park space), and consistently present the incremental impacts among the alternatives.

Questions such as whether the developer should be required to prove that a rezone would benefit the City and the neighborhood or who would be harmed by denial of the proposal are not germane to the scope of an EIS and do not belong in the EIS comparison of alternatives. The purpose of an EIS is to disclose the environmental impacts of a proposal and does not extend to discussion of social policy analysis and related considerations (WAC 197-11-448). The SEPA Rules anticipate that decision makers will consider non-environmental factors, but do not require EIS's to address all possible effects and considerations for a decision. The Woodinville Municipal Code contains criteria for rezones which are applied by decision makers during the project review process.

4.1.3 Project Description (PD)

Nine PD issues were identified based on comments that appeared to primarily address the description of the proposed action that was presented in the Draft EIS. In general, these comments were referenced to specific pages or sections in Chapters 1 and 2 of the Draft EIS. Most of the comments were grouped into distinct issues involving the clarity of the project description materials, the level of detail provided for specific components of the proposed project, or certain aspects of project construction or operation. Some addressed the manner in which project characteristics were described.

Issue PD-1: Quality and legibility of project description graphics

Issue: Two identical comments in separate letters stated that the site plan graphics were of poor quality and/or hard to read, and suggested that a different scale or format should have been used for these materials.

Applicable Comments: 5-53, 58-2

Response:

The site plan graphics included in the DEIS were based on the graphics submitted with the preliminary permit applications. Requirements for such applications include the provisions that mapping cover the project site and enough adjacent area to relate the site to its surroundings. As a result, site plan graphics are often at a small scale and can be difficult to read when reduced for inclusion in an EIS. The City believes that the graphics provided in the EIS are of sufficient clarity, scale and detail to accomplish the intended purposes of summarizing and displaying relevant project description information. Nevertheless, improved site plan graphics at a larger scale of reproduction have been included in the FEIS and engineering size plans are available for review at the city's permit center.

Issue PD-2: Completeness of site mapping

Issue: Several comments addressed the adequacy of the topographic mapping used to develop the base on which project description graphics were presented. This group includes specific statements that the mapping of the site topography was incomplete, with portions of the site not mapped, and requests to use other sources of topographic information, such as LIDAR mapping available from King County.

Applicable Comments: 5-51, 5-54, 58-3, 76-6, T9-9, T12-7

Response:

The comments in this group reflect a common objection that topography for portions of the Wood Trails site (and the 11.8-acre parcel to the north of the Wood Trails site) was inferred from aerial photography, rather than developed from a detailed physical survey of the entire site. These comments correctly characterize the topographic information included on the DEIS graphics, and correctly state that the DEIS graphics present topography for the portions of the site that would be developed. The comments are incorrect or unfounded, however, when they state that the DEIS graphics are unusable because they severely restrict meaningful evaluation of impacts from geologic hazards or site grading plans (Comment 58-3, for example). These comments appear to reject statements that construction activities would not occur outside the developed portions of the sites. It is not believed to be necessary to conduct a detailed review of topographic information for areas of the site that would not be disturbed by project construction.

As noted in the response to Issue PD-1, the FEIS includes improved graphics at a larger scale that are easier to read. The new graphics were developed from a base source that also includes topography for the entire sites. Although improved, these graphics could still be better.

Issue PD-3: Information on sewer line extension

Issue: Several comments addressed the adequacy of information in Chapter 2 about the proposed sewer line extension. These comments included requests for a map and description of the location and construction of the sewer line extension proposed to serve the subdivisions and information on the full range of costs and benefits for the extension, and questions about provisions for existing residents to connect to the sewer line.

Applicable Comments: 7-5, 20-9, 31-5, T11-7

Response:

A new graphic (Figure 2.1-5) has been included in the Final EIS depicting the proposed sewer route from the Wood Trails project to the Montevallo project. The route would extend a sewer line east from the eastern boundary of the Wood Trails project at NE 202nd Street to the intersection of 149th Place NE, then to the north up 149th Place NE to NE 204th Street, and then east in NE 204th Street to the western property boundary of the Montevallo site. The sewer line would be constructed entirely within the existing rights-of-way for these public streets. It is anticipated the line would be up to 25' deep in places.

As the sewer line is constructed, stubs would be provided at existing properties along the sewer route to accommodate possible future connections. The Woodinville Water District (the sanitary sewer service provider within City limits) has jurisdiction over sewer extensions and connections to sewers by existing development. The City understands that the District would not require existing residences to connect to the extended sewer line. Likewise, as noted in the response to Issue EIS-5, City policies on sewage disposal include no provisions requiring existing residences to connect to sewer lines. (It should also be noted that the Woodinville Water District will determine where sewer line extensions, perimeter manholes and side sewers will be located which will be eventually part of their network sewer system.) If and when residents opted to make such connections, connection charges at current District rates would apply. Comment 31-5 states that the EIS should identify which homeowners would be affected by the sewer extension and the costs to those homeowners. As indicated above, no existing residents would be required to connect to the new sewer. In addition, economic and financial issues such as costs to individual residents are not appropriately within the scope of an EIS (see the response to issue EIS-8).

Issue PD-4: Characterization of unit densities for alternatives

Issue: This issue includes a variety of comments about the discussion of building densities in Chapter 2 of the DEIS. Specific comments include questions on numbers of units identified for a specific site or alternative or about the proposed density transfer, and statements of disagreement with densities as characterized in the DEIS.

Applicable Comments: 14-1, 25-4, 29-4, 36-5, 38-5, 40-6, 45-8, 47-1, 51-4, 53-4, 54-4

Response:

The Draft EIS Fact Sheet and Project Description accurately identify the number of residential units

proposed in each plat – 66 single family units each, or a total of 132 units. The proposed plats are based on densities, dimensions and site coverage permitted in the R-4 zoning classification by the zoning code (WMC 21.12.030). The approach to calculating net developable area of each site is shown in Draft EIS Tables 2.1a and 2.1b. The calculations include a transfer of density credits permitted by WMC 21.36, and credit for wetland buffers as provided in WMC 21.12.080. These calculations of net developable area are accurate based on relevant provisions of the zoning code (and assuming City approval of proposed reductions of street right-of-way width, which may not occur). As shown in the Draft EIS tables, the net density proposed for Montevallo is approximately 5 dwelling units per acre, and the net density for Wood Trails is approximately 3.1 dwelling units per acre. For the R-4 zone, the zoning code establishes a minimum density of 3 units per acre and a maximum density of 5 units per acre (WMC 21.12.030); the proposals are within the permitted range.

The Land Use discussion in the EIS (Section 3.4.1(b)) clearly indicates the urban density proposed for development of the two sites, that lower densities characterize the surrounding neighborhood, and that there would be a difference or contrast between the densities of on-site and off-site development. Statements regarding proposed densities being “out of neighborhood character” may or may not be, however, design criteria mitigation may lessen any perception.

Issue PD-5: Preservation of trees in NGPE areas

Issue: Two comments specifically addressed retention of existing trees within native growth protection easement (NGPE) areas of the Wood Trails site. One indicated that all existing trees within this area should be retained, rather than just the 2.7 acres identified in the DEIS. The other comment stated a perceived need for a detailed tree inventory for the site.

Applicable Comments: 3-1, 50-5

Response:

Section 2.1.1 of the DEIS and FEIS address City requirements for tree preservation and discuss how these would be met through establishment of NGPE areas on each site. The level of information about tree preservation provided in the EIS is sufficient for SEPA purposes; the City will consider this topic in more detail during the site development review. The applicant’s preliminary plat applications for the project included tree inventory information that was consistent with City requirements. The reference in Section 2.1.1(c) of the DEIS to 2.7 acres of NGPE on the Wood Trails site was in relation to the estimated acreage that would be needed to meet the City’s tree preservation requirement, but the proposal actually includes designation of 21 acres of NGPE.

The applicant will need to comply with tree credits for the buildable site without using the tree credits within the NGPA per WMC 21.16.130. Trees removed from the NGPA for the proposed utility connections will be required to be replaced accordingly.

Issue PD-6: Montevallo sewer line and trail location

Issue: Two comments addressed the discussion of the proposed sewer line and pedestrian trail in Section 2.1.2 of the DEIS. One comment stated that the sewer line and trail should not be routed through the

Montevallo wetland to avoid impacts to the wetland, while the other indicated that the sewer line should be bored (rather than trenched) to avoid impacts.

Applicable Comments: 3-2, 3-7

Response:

As discussed at several locations in the FEIS, this issue is now moot. The applicant has modified the proposal to include boring the sewer line underneath the Montevallo wetland, which is consistent with City policy, and to eliminate the proposed trail on the surface above the sewer line.

Issue PD-7: Wood Trails access on project plan graphics

Issue: One comment questioned the graphics depicting the access alternatives for the Wood Trails site provided in Sections 2.2 and 2.3, indicating inconsistencies regarding the streets that would be used for access to the site. The comment also included a statement that one graphic (Figure 2.3d) showed that the intersection of NE 195th Street and 148th Avenue NE would become a major intersection.

Applicable Comment: 24-2

Response:

Figures 2.2a-2.2c and 2.2g-2.2i in the DEIS apply to the R-1 Zoning Alternative and the Attached Housing Alternative, respectively. Unlike the Proposed Action, which would limit Wood Trails access to NE 198th and NE 201st Streets, with these alternatives Wood Trails access would also be available via NE 202nd Street and NE 195th Street/148th Avenue NE. Figure 2.3d depicts an alternative for access to the Wood Trails site from the south, a scenario in which there would be a significant intersection at NE 195th Street and 148th Avenue NE. This alternative was not considered in detail and is not part of the Proposed Action or either action alternative.

Issue PD-8: Construction on fill

Issue: This issue involves the question whether homes at the Wood Trails site would be built on fill material.

Applicable Comments: 46-9

Response:

Section 3.1 and Appendices C and D of the Draft EIS describe the soils and geology conditions of the Wood Trails site in detail. The documentation indicates that the native soils on the site are suitable for construction of the proposed development. The geotechnical investigations for the site did not identify fill materials on the site, and the proposal (as described in Section 2.1 in the Draft and Final EIS) does not involve the importation of fill to provide a base for construction of homes.

Issue PD-9: Characteristics of project roads and utility facilities

Issue: A variety of comments relating to descriptions of proposed roads and utility features in Chapter 2 were assigned to this issue. These include specific questions about proposed street widths, the potential need for or location of traffic calming measures, characteristics of stormwater facilities and their maintenance, possible relocation of existing powerlines at 195th St, and the applicant's need to obtain variances for streets and other facilities.

Applicable Comments: 58-11, T11-6, T12-3

Response:

The project description information provided in the EIS is based on the documentation submitted with the preliminary plat applications. The applications satisfied City requirements for preliminary plat applications and provided project description detail that is sufficient for review under SEPA. These and other comments raised questions about project details (such as maintenance requirements for leaf compost filters) that are beyond the appropriate scope of an EIS and are addressed at later stages of project review by the City. The applicant is aware that some aspects of the proposal are not fully consistent with standards and has noted requests for deviations from standards with regard to stormwater facilities and streets. The City response to these requests will be determined in subsequent, more detailed stages of review.

The access drive proposed to serve three lots at the south end of the Wood Trails development would be located within the property boundary and only partially overlapping with the 50-foot easement for the PSE power line in that location. Project plans do not require or include relocation of the power line, although one power pole might need to be shifted somewhat.

4.2 ENVIRONMENTAL ELEMENT/RESOURCE ISSUES

Most of the review comments on the Draft EIS were classified as pertaining to one of the six elements of the environment addressed in detail in Chapter 3 of the document. Individual comments were assigned to issue categories based on interpretation of the primary theme or subject matter of the comments. Many comments appeared to address multiple issues related to a particular element or resource, while some could be interpreted to apply to multiple elements. Review and classification of the comments resulted in identification of 49 distinct issues among the 6 elements of the environment discussed in the Draft EIS.

4.2.1 Earth Resources (ER)

Issue ER-1: Characterization of geologic and soil conditions

Issue: This issue includes a variety of comments about the description of geology and soil conditions presented in Section 3.1. They include statements that the description was incomplete, unclear or otherwise inadequate; questions about the composition of subsurface materials at the Wood Trails site; and disagreement on the characterization of topography provided in the DEIS. Other comments raised questions about whether testing of soil infiltration and the suitability of soil conditions for septic systems

had been conducted. Other comments related to coverage of groundwater and wetland recharge information in the DEIS.

Applicable Comments: 46-13, 48-1, 58-17, 58-19, 58-29, 58-32, 58-33, T9-10

Response:

Section 3.1 of the FEIS has been modified to include additional information about soil and geologic conditions on the project sites, primarily the Wood Trails site. Information on groundwater and wetland recharge is provided in Section 3.2, which has also been supplemented for the FEIS. Information related to the proposed use of dispersion trenches for drainage from four lots on the Wood Trails site was provided in Appendices E and F to the Draft EIS.

Issue ER-2: Methods for collection and analysis of site data

Issue: This issue is similar to issue ER-1, but includes comments specific to the sufficiency of field exploration of the site(s) and/or the methods for presentation and analysis of the field data. These comments include requests for use of more or other sources of information on geologic and soil conditions, and comments disagreeing with the interpretation of geologic data presented in the DEIS.

Applicable Comments: 13-3, 13-4, 13-8, 13-12, 58-18, T4-1

Response:

As noted in the response to Issue ER-1, Section 3.1 of the FEIS has been supplemented to include additional data on earth resource characteristics, primarily based on additional interpretation of the available data and additional graphics depicting site conditions. The City does not concur with the opinion expressed in these comments that additional field investigation of subsurface conditions is necessary or desirable, however. The information provided in Section 3.1 of the DEIS was based on 2 deep borings and 45 test pits for the 38-acre Wood Trails site and 13 test pits for the 16-acre Montevallo site. That effort represents a large number of test pits, in particular, and a comparatively intensive level of subsurface investigation that exceeds what is typically performed for a project of this type and size. Statements in these comments about the number, distribution and/or sources of subsurface data collection points thought to be needed are personal opinions that are not prescribed in City regulations, established in SEPA regulations and practice, or required by standard geotechnical methodology. The number of borings taken for a referenced but unnamed project in Redmond (which appears to be the 1,500-acre Redmond Ridge development in King County) is not relevant to the 38-acre Wood Trails project.

Issue ER-3: Disclosure of geologic hazards present

Issue: Issue ER-3 incorporates comments that DEIS should have disclosed evidence of a variety of geologic hazards purported to be present on the project sites, primarily the Wood Trails property. Specific features mentioned in these comments included downed and bent trees indicating soil creep, cliffs and other erosion features, landslides and slumps, areas of loose sands and other unstable subsurface materials, groundwater flow and discharge, seismic hazards, a reported sinkhole near the intersection of NE 195th Street and 148th Avenue NE, the collapse of a wall at a local recycling center, and the reported

existence of fill material on the Wood Trails site.

Applicable Comments: 6-3, 13-2, 13-11, 17-8, 18-3, 25-10, 29-10, 36-11, 40-10, 51-10, 53-10, 54-10, 61-11, 71-7, 85-10, 86-5, T4-4

Response:

Section 3.1 of the DEIS included information about soil types present on the Wood Trails site and their erosion characteristics, and about steep slopes and associated slope stability considerations. Section 3.4.2(b) of the DEIS related that information to the critical areas component of the Woodinville Municipal Code, described consistency of the proposal with the WMC Chapter 21.24 requirements based on current knowledge, and identified additional information that would be required prior to final approval to satisfy the WMC.

The City's geotechnical consultant conducted additional investigation of the site and researched secondary data sources, and this information has been incorporated in Sections 3.1 and 3.2 of the FEIS. Based on the original documentation and the supplemental investigations, a number of the hazard features referenced in these comments either do not appear to be fully consistent with the consultant's observations or are not relevant to geologic hazards on the site. For example, the City's consultant did observe an exposed soil bank feature in the off-site drainage swale just north of the Wood Trails site, but erosion from the core advance outwash material in this bank appears to be minimal and the size of this feature does not remotely resemble the "50 foot eroded cliff" referenced in Comment 13-2. The Wood Trails site does show evidence of old roads and other historical development activity, but this activity has not triggered extensive erosion, sliding or slumping and the site appears to be geologically stable.

City records indicate there was an incident in 1999 concerning the appearance of sinkholes on a private property north and east of the intersection of NE 195th Street and 148th Avenue NE. In response to a request from the property owner, City staff visited the site on June 28, July 2 and July 5 of that year. The report from the July 2 visit indicated a depth of 4 feet, and on the July 5 visit staff measured the area of the largest sinkhole at 437 square feet. City staff suspected that the sinkhole might have been caused by a buried yard waste pile that had decomposed, or that underground flow of water might be causing soil loss. Notes from a subsequent visit on August 9, 1999 indicated the sinkhole had remained the same. The City closed the case on this request on August 2, 2000, based on an August 1 observation that the holes had been filled, there were no visible signs of settlement or sinkholes at that time, and that trucks and other equipment had driven on the area. Since that time the City has received no more calls from the property owner who reported the sinkhole, or owners of adjacent properties about any other sinkholes. Based on the information collected and documented by the City, the City concluded this sinkhole was an isolated event affecting one property and not an indication of a more extensive condition. Information about this event probably exists only in the City records concerning the 1999 service request (a check of *Woodinville Weekly* archives for the period from late May 1999 through July 2000 yielded no reports of the sinkhole in the local press), and it does not represent significant evidence concerning the geologic stability of the Wood Trails site.

The *Woodinville Weekly* issue for October 27, 2003 includes a report of the failure of a retaining wall at a recycling center located at 14020 NE 190th Street (approximately 5 blocks south and 5 blocks west of the southwest corner of the Wood Trails site); the City assumes this is the wall collapse event referenced in the comments. The newspaper article indicated approximately 80 linear feet of retaining wall comprised

of an estimated 200 concrete blocks failed following 4.86 inches of rain within the preceding 24 hours. The recycling center site is not in the immediate vicinity of the Wood Trails site, and it cannot be assumed that the site-specific geologic conditions at the location of the wall failure are also present on the Wood Trails site. More importantly, the recycling center event is indicative of what can happen if and when (a) there are significant modifications of native slopes and (b) large engineered structures prove insufficient to withstand the effects extreme weather events. The slope modification and retaining wall on the recycling center site are much larger than any comparable features in the Wood Trails proposal, and there is no reasonable basis to assume a similar event would occur following development of the Wood Trails project.

Issue ER-4: Analysis of geologic hazards and impacts

Issue: This issue is similar to issue ER-3, with the distinction being that this group of comments is specific to the sufficiency of the hazard analysis presented in the DEIS (as opposed to features that were not addressed in the DEIS). Comments in this group include requests for a more specific or detailed assessment of erosion, landslide and seismic hazards, including the influence of groundwater on those hazards, and a statement that high-density development near steep slopes was not in harmony with nature. There were also questions about the conclusions of the DEIS evaluation, the specific risks associated with the detention pond and dispersion trenches proposed for the Wood Trails site, and erosion hazards for Alderwood soils. However, the detention pond and the dispersion trenches are not addressed in the responses.

Applicable Comments: 5-8, 5-44, 13-1, 13-11, 15-8, 19-4, 39-3, 41-4, 58-20, 58-21, 58-22, 58-24, 58-25, 58-26, 58-27, 58-30, 64-7, 75-3

Response:

As noted in the response to Issue ER-3, Sections 3.1 and 3.4.2(b) of the DEIS provided information about geologic hazards present on the Wood Trails site and how the proposed development related to those considerations and the requirements of WMC Chapter 21.24. The corresponding sections of the FEIS have been supplemented to report additional information developed by the City's geotechnical consultant in response to comments on the DEIS. In summary, the review by the City's geotechnical consultant concluded that the EIS information on slope stability conditions was appropriate for SEPA review of a preliminary plat, and that evidence of historic landsliding or instability was not extensive on the site. The consultant noted one off-site exposed soil bank feature (discussed in the response to Issue ER-3) and one on-site feature near the northern edge of the site that appeared to be an historic slump/earth flow at least 15 to 20 years old. Common measures such as building setbacks and drainage control are adequate to mitigate stability concerns in such locations and are incorporated in the WMC requirements.

The level of information about geologic hazards presented in the FEIS is sufficient for SEPA purposes. Additional, more detailed information relative to the critical area performance standards will be required from the applicant prior to a final decision on the applications, consistent with City procedures for critical areas review.

Issue ER-5: Mitigation measures for erosion and other hazards

Issue: Several comments requested more specific information on mitigation measures to address erosion and other geologic hazards, such as identification of soil management practices to be used during construction, and measures to control sediment transport.

Applicable Comments: 5-9, 15-9, 58-28, 58-31, 58-34, T9-5

Response:

Sections 3.1 and 3.2 of the FEIS include some additional discussion of the types of mitigation measures that would be required, as permit conditions, to address erosion and landslide hazards and associated effects. The applicable measures are standard construction techniques and are widely known within the construction and environmental review fields. These measures are thoroughly documented in the WMC, which incorporates the King County Surface Water Design Manual, and there is no need to describe these measures in detail in the EIS. In addition, exceptions allowing for the proposed action must be approved by the city. Because of this and the fact that the city is not likely to approve some of the proposed facilities on the slopes and erosion hazard areas, the city has included language in the Final EIS proposing alternative acceptable methodologies that would likely be approved.

4.2.2 Water Resources (WR)

Issue WR-1: On-site hydrologic conditions and impact analysis

Issue: This issue incorporates a variety of comments primarily relating to the sufficiency of information about on-site hydrologic conditions and impacts presented in the DEIS, with a focus on surface water hydrology (water quantity). Specific comments include requests for complete information about on-site streams, on-site discharge measurements and comparative drainage analysis of alternatives. Some comments expressed disagreement over DEIS discussion of discharge levels and the lack of streams on the project sites. Other comments raised questions about calculated peak flow rates and drainage issues for the Montevallo site, provisions for bypassing the detention pond at times of peak flows, suitability of the sites for use of septic systems and dispersion trenches, and information provided on the drainage graphics.

Applicable Comments: 3-3, 4-2, 5-12, 13-5, 13-7, 13-9, 13-13, 15-12, 20-4, 37-7, 42-4, 58-36, 58-37, 58-39, 59-1, 64-8, 69-9, 86-4, 87-7, 89-6, T3-5, T4-5

Response:

Section 3.2 in the FEIS has been modified to include additional information concerning relevant surface water quantity characteristics. Comments stating that on-site hydrologic data collection and monitoring was required are personal opinions that are not consistent with the stormwater management approach adopted by the City and other local governments. As established in the WMC (and in comparable guidance such as the King County Surface Water Design Manual and the Washington Department of Ecology's Stormwater Management Manual for Western Washington), development plans are presumed to be adequately protective of surface water bodies if they employ the pre-approved flow-control

measures identified in the regulations. Applicants who are proposing to use approved flow-control measures to perform on-site hydrologic measurements are required to analyze flow control design.

Appendices E and F to the Draft EIS include additional information on the pre- and post-development drainage analysis conducted for the project sites and the conveyance of flows to the downstream drainage basins. Planned drainage facilities for the Wood Trails site were depicted on Figure 3.2d in the DEIS, and on graphics included in Appendices E and F. The City acknowledges that the EIS does not include a detailed analysis of stormwater runoff volumes for the R-1 Zoning and Attached Housing Alternatives. The drainage analysis summarized in the EIS is based on the technical reports submitted by the applicant with the preliminary plat applications; applicants are only required to analyze their proposal, not alternative actions that might be defined. In addition, the City does not conclude that the differences in impervious surface area among the action alternatives are significant, or sufficiently large to warrant a detailed drainage analysis for each alternative. Appendix E to the Draft EIS indicated that the total impervious surface area on the Wood Trails site with the Proposed Action would be 8.91 acres, including 2.53 acres for the roads and sidewalks, 0.75 acres for the detention pond and 5.63 acres for roofs, driveways and other hard surfaces on the 66 lots. Because the area occupied by roads and sidewalks and the detention pond would be only somewhat smaller under the R-1 Zoning or Attached Housing Alternative, those alternatives would not result in substantial reductions in the total area of impervious surface. As indicated in Table 1 of the DEIS, impervious surface area on the Wood Trails site would be 5.8 acres for the R-1 Zoning Alternative and 7.1 acres for the Attached Housing Alternative, or 65 percent and 80 percent, respectively, of the impervious surface area for the Proposed Action. Runoff volumes and detention requirements for those alternatives would clearly be proportionately lower. The magnitude of the difference would not dictate a detailed drainage analysis for each alternative, however, particularly when the EIS analysis indicated the Proposed Action would not result in significant drainage-related impacts.

Issue WR-2: On-site water quality conditions and impact analysis

Issue: Issue WR-2 is similar to issue WR-1, but with a focus on water quality rather than water quantity. It includes comments primarily relating to the sufficiency of DEIS information about on-site water quality conditions, such as statements about data needed to support the impact conclusions and a perceived need for on-site water quality measurements. Comments in this group include questions about stormwater control measures and impacts during construction, the expected water quality performance of the proposed permanent stormwater system, bypassing of runoff around the water quality treatment facilities at high flows, and the quality of site discharge water relative to water quality standards. One comment objected to the water quality impact conclusion stated in the DEIS.

Applicable Comments: 3-4, 5-11, 15-11, 20-8, 23-2, 23-4, 23-7, 23-9, 31-1, 58-43, 58-45, 72-4, 72-12, 86-3

Response:

As discussed for Issue WR-1, Section 3.2 in the FEIS has been modified to include additional information concerning relevant surface water quality characteristics. Comments stating that on-site water quality data collection and monitoring was “required” are personal opinions or interpretations that are not consistent with the stormwater management approach adopted by the City and other local governments. Development plans are presumed to be adequately protective of surface water quality and in compliance

with water quality standards if they employ the pre-approved stormwater treatment measures identified in the regulations.

Issue WR-3: Off-site surface water resources and impact analysis

Issue: The distinguishing feature of this issue is a focus on off-site, rather than on-site water resources. Based on the wording of the corresponding comments, the issue includes both water quantity and quality considerations. Comments in this group include requests for information on surface water hydrology and water quality for off-site waters, especially Little Bear Creek, and for information on off-site water resource impacts from the Montevallo development.

Applicable Comments: 20-7, 42-2, 58-40, 72-14, 72-58

Response:

Section 3.2 in the FEIS has also been modified to include additional information concerning relevant characteristics for off-site surface water bodies, primarily Little Bear Creek. Consistent with the responses to Issues WR-1 and WR-2, however, analysis of potential impacts to off-site waters is based on the presumptive-compliance approach embedded in state and local stormwater management regulations. Because the applicant proposes to employ pre-approved flow-control and water quality treatment measures, there is an established regulatory basis for presuming that water quantity and quality impacts to Little Bear Creek would be insignificant. That presumption is based on and supported by extensive research on the benefits provided by the various water quality treatment measures addressed in the regulations.

Issue WR-4: On-site groundwater conditions and impact analysis

Issue: A number of the review comments addressing water resources related primarily to consideration of existing groundwater conditions and expected impacts in the DEIS. Specific comments in this group included requests for characterization of groundwater recharge, discharge and flow conditions for the area; for monitoring wells and groundwater sampling to support these interests; and for a water balance analysis. One comment inquired about the effect of groundwater changes on trees near the project sites.

Applicable Comments: 5-7, 15-7, 23-5, 42-3, 58-35, 58-44, 72-13, T4-6, T9-11

Response:

Section 3.2 in the FEIS has also been modified to include additional information concerning relevant on-site and off-site groundwater characteristics. A key aspect of this information is the conclusion that groundwater recharge on the Wood Trails site is limited, because of the till cap that exists near the surface over much of the site, and that groundwater flowing beneath the site comes primarily from upstream recharge areas. The groundwater flow beneath the project sites is primarily in a deeper aquifer (approximately 100 or more feet deep), and would not be affected by the proposed surface development. Groundwater discharge locations on the site have been mapped and interpretation of those features is provided in Section 3.2. Similar to the responses for previous water resource issues, groundwater

monitoring wells and sampling are not needed to evaluate project impacts and would be redundant and wasteful.

Comment 42-3 incorrectly states that most of the Montevallo site would be converted to impervious surfaces; with the Proposed Action, 7.2 acres (44 percent) on the 16.5-acre site would have impervious surfaces. More importantly, the EIS analysis explains that changes to surface and groundwater conditions with the Proposed Action would not be significant. The information on existing drainage conditions provided in the EIS (Figure 3.2c in the DEIS, for example) indicates that the Montevallo site drains from east to west, and not from north to south; there is no basis to assume that trees on adjacent properties to the south are dependent on the Montevallo site as a water source.

Issue WR-5: Existing stormwater management facilities and project impacts

Issue: Issue WR-5 incorporates comments primarily involving DEIS information about existing stormwater management facilities in the project area and the potential effects of the proposal on those facilities. These comments include requests for baseline information on the capacity, condition and other aspects of the existing facilities, and for impact information addressing the potential for sedimentation of drainage systems, impacts to systems serving the industrial area west of the Wood Trails site and drainage system impacts near Montevallo. Some comments disagreed with the DEIS analysis of impacts on existing drainage systems.

Applicable Comments: 5-49, 12-5, 19-4, 23-6, 41-2, 76-7, 85-6, T4-2, T12-4, T19-6

Response:

The applicant's engineering consultant completed a preliminary analysis of the capacity of downstream drainage facilities, which is documented in Appendices E, F, G and H of the Draft EIS and summarized in Section 3.2. This material addresses the location, capacity and condition of existing stormwater management facilities serving the area. The City has not yet completed its review of the applicant's deviation request concerning project drainage facilities; when that review is completed, it is possible the City would require some improvements to downstream capacity. The analysis conducted to date is sufficient to establish that the proposed project would not have significant impacts on existing drainage facilities, as is documented in the Draft EIS. Comments expressing disagreement with the conclusions provided in the EIS did not include specific information demonstrating that there would be significant adverse impacts. With respect to maintenance, the City notes that all drainage systems require periodic maintenance to remove sediments or other blockages. City regulations address obligations of developers for long-term maintenance when they construct connections to City stormwater facilities.

Issue WR-6: Plans for Wood Trails detention pond

Issue: Several comments focused specifically on the stormwater detention pond proposed for the Wood Trails site. This group included statements or questions about the proposed pond location, percolation/permeability conditions at the pond site, and the potential for the Wood Trails drainage system to discharge sands to the downstream industrial drainage system. One comment requested consideration of detention options that did not displace the wetland on the Wood Trails site.

Applicable Comments: 13-6, 13-10, 23-14, T4-3

Response:

The Wood Trails detention pond component of the proposal is designed according to current City standards for stormwater detention and water quality treatment, including secondary treatment for resource stream protection. The pond is designed to detain flows and discharge them at permissible rates and durations to the existing storm system, rather than to infiltrate flows at the pond; therefore, the percolation capability of the site is not a site factor. The stormwater management facilities are standard, proven designs that are in common use, and the drainage analysis documented in the technical appendices indicates the proposed system should function properly without discharge of sand fines to the downstream drainage facilities.

The applicant considered stormwater detention options that might not require displacement of Wetland A, as documented in Section 2.2.1 of the DEIS, but determined that an underground vault would not be feasible. The corner of the Wood Trails site selected for the stormwater pond is the only feasible location for such a facility; the pond needs to be situated where gravity flow can convey runoff from the development to a centralized collection location. Therefore, there are no viable options to the proposed pond that would satisfactorily meet the detention and treatment requirements. Nonetheless, the city believes that an underground or above ground vault is feasible, though partially so and that environmental constraints may preclude the building of the proposed pond.

Issue WR-7: Stormwater management practices and needs

Issue: This issue includes a variety of comments that relate to the general approach to stormwater management for the developments, based on management practices reflected in project design or needs for specific types of facilities. Some comments stated that the proposal should not be allowed to have any off-site discharge of runoff (i.e., that all runoff should be infiltrated), and/or that the City should require the use of low-impact development practices. This group includes questions about needs for long-term maintenance of project stormwater facilities, primarily the water quality treatment facilities, and for larger-capacity conveyance facilities. Some questions addressed specific information in various sections of the drainage appendices included in Volume 2.

Applicable Comments: 4-3, 23-8, 58-38, 71-9, 72-15, 72-59, 72-60, 72-61

Response:

The City does not have a low impact development (LID) ordinance that requires the use of LID, but encourages the use of LID methods where applicable. The preliminary design for the proposed stormwater facilities is based on the requirements of the 1998 King County Surface Water Design Manual (KCSWDM). The 1998 KCSWDM was the manual the City was following at the time the drainage report (included in the EIS Technical Appendices) by the developer was completed. Runoff can be discharged offsite in a manner that does not create a significant adverse impact to the downstream properties or drainage system. A flow control facility is required for these projects. KCSWDM allows the use of different types of flow control facilities including ponds, vaults, and tanks. Infiltration is an acceptable alternative where the site conditions are appropriate.

Potential erosion and sedimentation impacts and control measures are adequately addressed in Sections 3.1 and 3.2 of the Draft and Final EIS. The drainage deviation from standards request addressed in Appendix F is the only such drainage request the applicant has submitted. All drainage systems require periodic maintenance to remove sediments or other blockages. City regulations address obligations of developers for long-term maintenance when they construct connections to City stormwater facilities. The detailed questions in Comment 72-61 about operation and maintenance of drainage facilities are the types of questions City staff will consider in their subdivision review, but are not pertinent for consideration in an EIS.

Issue WR-8: Water quality impacts of existing uses and sewer service methods

Issue: A number of comments addressed the DEIS discussion of potential water quality effects associated with existing land uses and sewer service methods in the project area. Comments in this group include statements disagreeing with references to possible water quality impacts from septic systems and/or with the discussion of the water quality performance of sewers vs. septic systems, or with the DEIS characterization of domestic animal use on the Montevallo site. One comment included information about septic system performance in the local area.

Applicable Comments: 3-5, 5-32, 15-32, 20-5, 23-12, 42-5, 42-12, 58-41, 72-11, 79-10, T21-2

Response:

The observations provided in the DEIS concerning the potential water quality effects of septic systems are based on and consistent with numerous published documents indicating that these features can be significant sources of bacteria and other pollutants discharged to water bodies. The City considers these statements to be common knowledge based on scientific research. Section 3.2 of the FEIS has been modified to include references that support the statements in question. In addition, one DEIS comment specifically referred to known instances of failing septic systems in the Wellington area. While it is true that a broken municipal sewer line can be a major localized source of water pollution, such events are so rare and infrequent that they are major news events when they occur, and they are typically of very short duration. By contrast, failing septic systems are minor sources on an individual basis, but they can be substantial, collective long-term sources of pollution on a watershed or sub-watershed basis.

Similarly, there is extensive documentation of water quality effects associated with animal use, including information relevant to the King-Snohomish County area. Animal use on the Montevallo site was observed during field studies undertaken to support the plat application and EIS, including observations current through at least the summer of 2005. At that time two or three horses were seen grazing in the entire pasture portion of the site, including within the unfenced wetland area. The relatively large barn present on the site suggests that animal numbers of the site were larger in the past.

4.2.3 Plants and Animals (PA)

Issue PA-1: Montevallo wetland impacts and mitigation

Issue: This issue incorporates all comments primarily addressing potential wetland impacts on the Montevallo site. It includes specific statements that such impacts from the proposal would be illegal, not consistent with the Woodinville Municipal Code, and could not be allowed by the Development Services

Director; that the species affected could not be moved; that wetland impacts need to be addressed in the EIS; and that a 50-foot buffer around the Montevallo wetland was needed. Comments in this group also include questions about entries in the DEIS summary table, wetland impacts from the proposed sewer extension, future wetland impacts from a road stub at the Montevallo site and a purported conflict in the text of Appendix J.

Applicable Comments: 5-37, 5-48, 20-6, 23-10; 23-11, 23-13, 37-3, 40-11, 55-10, 61-15, 69-10, 71-10, 72-5, 72-16, 72-62, T12-5

Response:

B-12 Wetland Consulting, Inc. delineated wetlands on the Montevallo site in strict accordance with the applicable state and federal manuals and city requirements. Wetlands are distinguished from uplands based on three parameters: vegetation, soil characteristics, and soil moisture. Except in special circumstances which do not apply to the Montevallo site, only those areas that meet all three criteria are considered wetland. Because of the seasonality of some wetland areas, certain assumptions about soil moisture are made during the dry summer months using other site-specific indicators and the delineator's best professional judgment. Wetlands are first classified using the local jurisdiction's rating system, which is then used to assign an appropriate buffer. The state classification system would be used only to determine appropriate mitigation ratios if direct wetland impacts were proposed. The federal classification system referred to by several commenters is only used to categorize vegetation types (e.g., emergent, forested, scrub-shrub) within upland and wetland communities.

The *Wetland and Stream Analysis Report – Montevallo* (Appendix J of the Draft EIS) prepared by B-12 Wetland Consulting, Inc. has been updated to include a revised conceptual buffer mitigation plan. The updated wetland mitigation information is included in the FEIS as Appendix N. The revised plan illustrates the 100-foot wetland buffer that City regulations now require adjacent to Class 2 wetlands. Per WMC 21.24.330(A)(1)(b & d), a degraded 100-foot buffer may be reduced to 50 feet provided an enhancement plan is prepared that “provide[s] a net improvement in overall wetland and buffer function and value.” A detailed mitigation plan that includes a planting schedule, implementation sequence, and a maintenance and monitoring plan will be prepared prior to issuance of site development permits.

Since publication of the DEIS, the City of Woodinville has informed the applicant that standard practice in this respect would be to bore the sewer line underneath the wetland, to avoid surface disturbance in the wetland. Likewise, the City indicated it would not approve construction of the proposed pedestrian trail through the wetland and the wetland buffer unless on a raised platform walk. Removal of these two project elements would eliminate the permanent and temporary direct impacts to the wetland that were identified in the DEIS, would eliminate permanent impacts to the buffer, and would reduce temporary impacts to the wetland buffer. The remaining impacts to the wetland buffer from installation of the sewer line are also addressed in Appendix N and in Section 3.3 of the FEIS.

Several commenters were concerned about the introduction of “foreign soil and water runoff” to the wetland. Construction-related impacts to the wetland would be avoided or minimized during construction by implementation of a temporary erosion and sedimentation control (TESC) plan, which is required by City regulations. Post-construction sedimentation of the wetland and its buffer would be negligible or absent, because installed lawns and other landscaping would stabilize bare soils disturbed in construction. Stormwater runoff from roads and most roofs would be routed through the proposed detention pond,

which would settle any solids, such as sediment, and provide other water quality treatment prior to discharge into the wetland buffer. Additional biofiltration and treatment would occur in the wetland buffer. Roof runoff from a few of the residences would be discharged directly into the wetland buffer via a dispersal trench. Roof runoff is clean, containing no sediments or other pollutants, and would help maintain hydrology in the wetland.

Although the proposed segment of NE 204th Street on the north side of the Montevallo site extends west to the edge of the wetland buffer, that element of the plan does not indicate or imply the applicant's intent to propose an extension of the road to the west across the wetland and buffer in the future. The DEIS noted that on-site critical areas will be designated as Native Growth Protection Easement, which will preclude development in those critical areas. Any future proposal to extend 204th Street farther west, which again is not anticipated or necessary, would be subject to City, state and federal review and approval. There is no basis to speculate that this road would in the future be extended through the wetland.

Potential wildlife impacts on the Montevallo site are limited to displacement of those species that are generally already adapted to developed, residential environments. They are typically mobile species with habitat requirements that can be met in most residential landscapes. The Washington Department of Fish and Wildlife has developed a list of priority species that "require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance." As noted in the EIS and its appendices, no priority species have been mapped or observed in the proposed developed portion of the site. The most valuable wildlife habitat on the site, the wetland, will not be disturbed by the project. The degraded wetland buffer will also be enhanced as described and illustrated in Appendix N.

One commenter stated that Appendix J to the DEIS included conflicting information regarding the presence of wetlands on the Montevallo site. A statement that the Montevallo site did not contain wetlands could not be located during a careful review of that appendix. The same commenter also misquoted the DEIS as stating that alterations of wetlands and buffers are generally not allowed under the Woodinville Municipal Code. The misquoted language in the Draft EIS clearly describes the Planning Director's authority to approve certain necessary impacts in limited conditions.

Several commenters questioned the legality of the proposed wetland impacts, and appear to have assumed that impacts to the Montevallo wetland would not be permissible under any circumstances. Federal, state and local laws and regulations applicable to wetlands do not prohibit wetland impacts; they seek to avoid, reduce, minimize or compensate for wetland impacts, recognizing that in some cases wetland impacts may be unavoidable. Consequently, wetland regulations establish mitigation ratios to define the level of wetland habitat replacement and/or enhancement needed to offset the wetland impacts of a proposal. In any event, direct impacts to the Montevallo wetland have been eliminated from the current proposal

Issue PA-2: Wood Trails wetland impacts and mitigation

Issue: Similar to issue PA-1, this issue involves wetland impacts and mitigation for the Wood Trails site. It includes specific comments that wetland impacts at this site should not be allowed or that other options that would avoid wetland impacts should be pursued; requests for information on the stream corridor enhancement proposed as wetland mitigation; and questions about the 8:1 mitigation ratio referenced (per Appendix I), the ability to replace wetland habitat and potential hydrology impacts to an

off-site wetland.

Applicable Comments: 5-13, 5-38, 15-13, 20-10, 23-14, 39-2, 58-49, 58-50, T21-3

Response:

The applicant proposes to fill a small (0.03 acre) wetland (Wetland A) on the Wood Trails site in order to install a stormwater pond. The corner of the Wood Trails site selected for the stormwater pond location is the only feasible location for this facility; the pond needs to be situated where gravity flow can convey runoff from the development to a centralized collection location. Wetland A is of low quality and provides minimal habitat value. It is not a unique wetland and contains vegetation that is typical of disturbed sites, such as red alder and non-native, invasive Himalayan blackberry. This wetland is likely supported primarily by surface runoff from the ravine slopes to the east.

Because the applicant proposes to fill Wetland A, the U.S. Army Corps of Engineers and the Washington Department of Ecology also have jurisdiction over permitting for this action. In order to determine the appropriate level of mitigation that will be required by those agencies, the applicant will need to complete Ecology's Wetland Rating Form. Depending on the classification of the wetland under that system, Ecology may approve compensation for proposed wetland fill by enhancement of a wetland system in the same drainage basin at either an 8:1 or 6:1 ratio. As proposed by the applicant, wetland enhancement would occur on a property north of the impact area that is also owned by the applicant. A conceptual mitigation plan prepared by Sewall Wetland Consulting, Inc. is included as Appendix N to the FEIS. A detailed mitigation plan that includes a planting schedule, implementation sequence, and maintenance and monitoring provisions will be prepared prior to issuance of site development permits. The monitoring component of the mitigation plan can address concerns over potential human disturbance or erosion effects from the Wood Trails development on the enhancement area.

The applicant will only conduct those actions within the wetland and its buffer that are approved by the City of Woodinville, the U.S. Army Corps of Engineers, and the Washington Department of Ecology. Applications for wetland alteration will be submitted by the applicant to the U.S. Army Corps of Engineers and the Washington Department of Ecology after the City has completed the SEPA process and action on a development plan has occurred. The final mitigation plan implemented to compensate for the proposed fill will have been reviewed and approved by all agencies with jurisdiction; these agencies may modify the mitigation plan as presented in Appendix N.

Section 3.3.2 of the EIS has been revised to specifically address potential effects on the small, off-site wetland west of the Wood Trails site that is referenced in Comment 58-50. This wetland, as with Wetland A on the Wood Trails site, is likely supported primarily by surface runoff from the slopes to the east. Developed conditions on the Wood Trails site are not likely to result in a significant change in the local hydrology that supports this off-site wetland.

Issue PA-3: Spotted owl presence, habitat and impacts

Issue: Several review comments addressed the possible presence of spotted owls and/or spotted owl habitat on the Wood Trails site, or potential project impacts on this species. These comments include reported observations of spotted owls on or near the Wood Trails site and statements about the need to address adverse effects on spotted owls.

Applicable Comments: 5-26, 5-35, 15-26, 55-3, 71-12, 72-2

Response:

As documented in Section 3.3.1 of the DEIS, the ecological consultant for the applicant investigated the potential occurrence of endangered, threatened, rare and sensitive species on the project sites as part of its technical studies in support of the preliminary plat applications. A search of the Washington Priority Habitats and Species (PHS) Program database conducted by the Washington Department of Fish and Wildlife (WDFW, the state agency responsible for maintaining the PHS program), indicated there were no known identified or documented uses of either project site by any state or federally listed threatened or endangered species. Because the PHS search did not indicate the potential presence of northern spotted owls (or any other threatened or endangered species) and because the site does not possess characteristics typical of spotted owl habitat, there was no reason for the DEIS to address possible impacts of the project on spotted owls.

Several review comments on the DEIS maintained that spotted owls used the Wood Trails site, and that the DEIS should have addressed project impacts on this species. The comments in this group cited direct or anecdotal observations of birds on or near the Wood Trails site that were assumed or interpreted to be spotted owls. Comments 5-26, 15-26, 55-3 and 71-12 all refer to reported photographs of spotted owls, but none of these reviewers submitted such photographs with their comments. Comments 5-35 and 72-2 claim the existence of at least two photographs of owls from which the locations can be identified and in which the birds pictured have been identified as spotted owls by a professional biologist. These assertions cannot be verified by the City's consultants. The reviewers did not submit the photographs with the comments, did not provide any documentation from the biologist who reportedly examined the photographs, and did not identify the biologist or establish his or her credentials and expertise. In addition, Comment T12-8 referenced a photograph of an owl taken at the end of NE 201st Street and indicated that the type of owl was unknown. A black-and-white copy of this photograph was submitted at the February 16, 2006 public meeting.

The City requested The Watershed Company, the City's ecological consultant for the EIS, to investigate this question with the appropriate wildlife agencies. WDFW manages wildlife habitat and populations for the State, and has both jurisdiction and expertise related to spotted owls. The Watershed Company consulted WDFW wildlife biologist Julie Stofel, who specializes in sensitive birds, about the possibility of spotted owl use of the Wood Trails site. Ms. Stofel indicated that the site does not contain spotted owl habitat, as spotted owls are dependent on old-growth forest habitat and a single spotted owl pair may require thousands of acres of suitable habitat (personal communication, J. Stofel, wildlife biologist, Washington Department of Fish and Wildlife, Mill Creek, Washington, May 17, 2006). Ms. Stofel also stated "There is no likelihood of a pair of spotted owls nesting at the site in Woodinville. There is a slim possibility that a single bird, especially a juvenile, could be found far from habitat (one was found in downtown Everett many years back). On the other hand, the nearly identical barred owl is very common and abundant in the area, including Woodinville." After reviewing the black-and-white photograph submitted at the February 16, 2006 public meeting, Ms. Stofel concluded that the owl in the photo cannot be identified to species (personal communication, J. Stofel, wildlife biologist, Washington Department of Fish and Wildlife, Mill Creek, Washington, November 13, 2006). In addition, she restated that while it is possible that a juvenile spotted owl could have wandered outside of typical habitat, the likelihood of

seeing a rare vagrant (i.e., a spotted owl) outside of its habitat is much lower than the likelihood of observing a common breeding bird such as a barred owl in its typical habitat.

The information from WDFW is consistent with spotted owl information documented by the U.S. Fish and Wildlife Service (USFWS), which has jurisdiction over the spotted owl under the Endangered Species Act. The USFWS identified the habitat requirements of the spotted owl in its final rule on determining critical habitat (Federal register, Vol. 57, No. 10, January 15, 1992, 1796-1801). The agency noted that the owls have large home ranges and utilize large tracts of land containing significant acreage of older forest to meet their biological needs. The USFWS also observed that there were very few owls on non-federal lands. Patches of designated critical habitat for the spotted owl do exist in the mountainous areas of eastern King and Snohomish Counties. These areas are more than 30 miles from the Wood Trails site, which is indicative of the large geographic and physical difference between the project site and suitable spotted owl habitat.

Based on the available evidence, the City's consultant concluded that the owls reportedly observed at the Wood Trails site are not likely to be spotted owls, and are more likely to be barred owls. The copy of the photo submitted in conjunction with Comment T12-8 is rather blurry and grainy, and therefore indistinct. It is not possible from this photo to make a conclusive identification of the species of owl shown in the photo. Barred owls and spotted owls are very similar in appearance, which can easily lead to misidentification. It is possible that the owl shown in the subject photo is a spotted owl. As noted above by WDFW staff, there have been occasional sightings of spotted owls far from suitable habitat. If the owl in the photograph is indeed a spotted owl, that would document a single sighting of a spotted owl but would not establish use of the area by spotted owls. The Wood Trails site and nearby areas do not provide enough suitable habitat for a single spotted owl or a spotted owl pair to survive for long. Unlike spotted owls, however, barred owls can utilize city parks and low-density residential areas. The range of barred owls has steadily expanded since the early 1900s from the eastern United States into the Pacific Northwest, and competition with barred owls has been identified as one of the reasons for spotted owl decline in the Washington Cascades region.

Issue PA-4: Wildlife species/habitat impacts of the project

Issue: This issue incorporates all other comments that primarily involved impacts to wildlife and/or habitat, apart from those comments assigned to issues PA-1, -2, -3 and -6. Several comments in this group identified species the reviewer thought would be affected by the proposal. Others stated that wildlife impacts in general or impacts to various species (such as deer, bobcat, raccoon, possum, frogs and salamanders, redtail hawks) were inadequately or incorrectly addressed. Other aspects of this issue include requests for identification of incremental impacts and the effect on wildlife from their loss of water supply; comments on the quality of life aspects of wildlife impacts; questions about mitigation for wildlife impacts; and various points about specific items documented in Appendix K.

Applicable Comments: 5-27, 5-39, 5-41, 5-42, 5-50, 8-1, 9-1, 11-2, 15-27, 20-1, 20-3, 20-12, 24-6, 31-2, 34-3, 39-1, 39-4, 42-7, 46-8, 48-2, 50-3, 63-3, 64-5, 72-63, 75-4, 86-6, 92-3, T5-2, T6-7, T12-8, T22-1

Response:

Background information regarding the presence of special-status species on the Wood Trails and

Montevallo sites was obtained from the Washington Department of Fish and Wildlife and the Washington Department of Natural Resources. Neither agency has any record of sensitive species occurring on the sites, and field observations only indicated the presence of pileated woodpeckers. State law requires that an EIS address probable, significant adverse environmental impacts (WAC 197-11-402(1)). “Significant” impacts would generally occur to rare or vulnerable habitats and species, and species or habitat with special state or federal status. Alternatively, significant impacts could occur if an action would result in the loss of an obviously large area of quality habitat, or the loss of a large proportion of the available habitat for a species that did not have special state or federal status. The extent and value of expected habitat loss on the Wood Trails site for common species are not significant in this larger sense. While there are environmentally sensitive areas present on the Wood Trails site, those areas relate to geologic and soil conditions present and a small wetland, and not to wildlife use and habitat conditions. For that reason, detailed terrestrial wildlife discussions in this EIS have been limited primarily to the pileated woodpecker.

Numerous commenters requested additional EIS discussion of wildlife species that are not provided any special protection by state or federal law or City regulations. The SEPA Rules provide that EISs should be concise and should focus on significant impacts; the level of detail should be commensurate with the importance of the impact; and the description of the existing environment and the nature of impacts shall be no longer than necessary to understand the consequences of the alternatives (WAC 197-11-400 and 402). SEPA guidance is clear that the type of exhaustive inventory requested by such comments is neither required nor encouraged. Appendix K of the DEIS provides a listing of most, but not all, species that may be found on the Wood Trails site. The DEIS explained that more mobile species occupying the area proposed for clearing are likely to be displaced into other suitable habitats in the area, such as the retained on-site forested areas to the west or the off-site forested areas to the north. Many of these species will also use landscaping around residences for food, cover and nesting habitat; this was corroborated by one commenter who provided a list of more than 26 species that use area residential properties, and other commenters who provided lengthier lists. Individual animals that are less mobile may be harmed or killed during site development, but these losses would not represent significant impacts.

Detailed plans will be prepared prior to project approval for vegetation of the wildlife migration benches that will parallel the proposed stormwater pond and for providing snags and downed wood in the 21-acre preserved forest area. Contrary to the suggestion in Comment T22-1, the retained habitat would allow continued north-south movement of wildlife through the Wood Trails site and would not block access to wildlife water sources to the north of the site.

Issue PA-5: Impacts on fish and aquatic habitat

Issue: A number of comments primarily addressed the DEIS discussion of off-site fish and aquatic habitat. They include requests for additional information on this topic, such as discussion of the use of biofiltration measures and potential baseflow impacts to Little Bear Creek; statements about the importance of Little Bear Creek aquatic resources and discussion of consistency with the WRIA 8 goal to protect tree and vegetative cover in the watershed; and disagreement with the DEIS conclusion about aquatic resource impacts in Little Bear Creek. One comment raised questions about the mapping and location of a stream north of the Wood Trails site.

Applicable Comments: 3-6, 4-1, 5-36, 23-3, 23-4, 58-46, 58-47, 58-48, 71-11, 72-3

Response:

Section 3.3.2 has been modified in the FEIS to provide additional discussion of potential project impacts on fish and off-site aquatic habitat. The revised material is consistent with the approach applied to analysis of water quantity and quality impacts, as discussed previously in responses to Issues WR-1, WR-2 and WR-3. Likewise, additional information on groundwater conditions that has been added to Section 3.2 for the FEIS is relevant to some aspects of this issue.

Issue PA-6: Impacts to pileated woodpeckers

Issue: Several comments relating to wildlife focused specifically on pileated woodpeckers, which received considerable discussion in the DEIS. Specific comments in this group included statements about use of the Wood Trails site by pileated woodpeckers and possible impacts to the species, and questions about the validity of the DEIS information on woodpecker nesting activity. One comment stated that the EIS must prove there would be no impact to this species.

Applicable Comments: 5-40, 20-2, 42-6, 50-4, 72-6

Response:

Section 3.3 of the EIS contains an extensive discussion regarding potential use by the pileated woodpecker of the Wood Trails site, including recognition that failure to observe any woodpecker nests does not eliminate the possibility that the site includes active nests. As also noted in the DEIS, however, the majority of the suitable nesting trees are located in areas to be preserved as open space. State guidelines for management of pileated woodpeckers are discussed, and their recommendations are incorporated into the proposed project. Specifically, selective snag creation will take place on the 21 acres of preserved open space, through girdling of specific trees that would provide good potential snags. Transfer of large woody debris, such as logs and stumps, from clearing operations to the western portion of the site will also provide foraging materials for pileated woodpeckers and other wildlife.

One commenter noted that pileated woodpeckers have been observed in the woods on and adjacent to the Montevallo site. The Montevallo development proposal does not include removal of any habitats on the site that would be preferred by pileated woodpeckers for either foraging or nesting.

The statement that the DEIS must prove the pileated woodpecker would not be harmed by the proposed development is a personal opinion that is not consistent with SEPA law or with City regulations. There is no language in the SEPA statute, regulations or case law that requires proof that a specific impact would not occur; as a scientific negative, this would be a logical and physical impossibility. Applicable guidance in SEPA directs that an EIS shall provide impartial discussion of significant environmental impacts (WAC 197-11-400 [2]), analyze only the probable adverse environmental impacts that are significant (WAC 197-11-402 [1]), and be prepared in a professional manner and with appropriate interdisciplinary methodology (WAC 197-11-420 [2]).

4.2.4 Land Use (LU)

Issue LU-1: Compatibility of proposal with existing uses

Issue: This issue incorporates comments that relate primarily to the DEIS discussion of the direct land use impacts of the proposal, and its compatibility with existing land uses in the local area. Specific comments include statements that the proposed developments would be incompatible with the neighborhood, that the DEIS fails to adequately address impacts to changing land use and neighborhood character, and that R-4 zoning would not be in character with the area and should not be approved simply because a sewer line could be extended to an area. Some comments addressed the definition of urban character or the existing character of the neighborhood. Others expressed concern over aesthetic impact of high-density housing and how that would affect the neighborhood.

Applicable Comments: 5-31, 5-66, 11-1, 15-31, 19-1, 38-6, 40-2, 42-14, 46-3, 46-5, 55-4, 58-52, 63-1, 65-2, 65-5, 72-8, 72-22, 75-6, 76-8, 79-8, 84-2, 87-1, T3-4, T18-1

Response:

The role of an EIS is to evaluate and disclose information to agencies, tribes and the public about environmental impacts. The EIS itself is not a record of a land use decision and does not recommend approval or denial of proposals. Pursuant to the direction in SEPA, the appropriate City authorities will use information in the FEIS, along with other appropriate considerations, in this case an independent hearing examiner to help make their decision. The City will also be guided by adopted decision criteria and development regulations.

The presence of sewers is one factor that the City may appropriately consider in determining appropriate zoning, uses and density and in making a decision on a proposed subdivision (see WMC 20.02.030(2)). The Draft EIS does not state or suggest that extension of sewer service to the project area is conclusive in determining the appropriateness of the proposed plats.

As noted in response to issue PD-4 above, the Draft EIS land use discussion clearly states that the proposed developments would have a higher density than existing residential development in the area. At the same time, the proposed land use – single-family residential development – is the same type of land use that currently exists in the surrounding area, although at a higher density. Note that the Comprehensive Plan designation for the area surrounding the proposed plats is “Low Density Residential,” which includes densities of 4 dwelling units per acre or less. Comparing just the types of uses, the proposals would not be incompatible with adjacent single family land uses. A different and higher intensity use, such as an industrial activity, could be considered incompatible because of its physical form (e.g., large in scale and non-residential in design), and because of the nature of activities conducted. An industrial use, for example, could generate noise, air emissions, truck traffic and similar impacts to adjacent uses.

Single-family residential development at the proposed densities is not seen as incompatible with the existing single-family residential development, however, based on the type of activity, the difference in density, or the types of impacts that would be generated. There would be differences and contrasts, and these are disclosed in the Draft EIS. As noted in the response to Issue PD-4, statements regarding proposed densities being “out of character” with the neighborhood are acknowledged as the perceptions of the commenters and/or their reactions to the proposal.

Please also refer to the responses to Issues EIS-6, EIS-8 and EIS-9 regarding the scope of issues identified for discussion in the EIS, and issues that are excluded from consideration by SEPA.

Issue LU-2: Secondary and cumulative impacts of the proposal

Issue: Several comments specifically addressing the DEIS land use analysis focused on the potential secondary and cumulative impacts of the proposal. These comments included requests for additional analysis of the secondary and cumulative land use impacts associated with the proposed sewer extension and/or rezone; comments disagreeing with the EIS discussion of indirect and cumulative land use impacts, or the ability to mitigate impacts; and a question about study of long-term effects of the proposal on future development in the area.

Applicable Comments: 35-4, 43-3, 47-3, 72-23, 84-3, 85-2

Response:

While these comments typically reference portions of the Land Use section in the DEIS or address potential future land use changes, they ultimately involve the broader question of potential secondary and cumulative impacts. Please refer to the comprehensive discussion concerning secondary and cumulative impacts in the response to issue EIS-5 above, which encompasses these comments.

Issue LU-3: Consistency with Comprehensive Plan, zoning and related regulations

Issue: This issue includes comments involving some aspect of the discussion of consistency with plans, policies and regulations in **Section 3.4.2** of the DEIS. It includes specific comments that rezoning the sites to R-4 would be inconsistent with the Comprehensive Plan; that higher-density housing should be placed closer to established services; that the density of proposed development would not be compatible with the intent of the existing low-density residential zoning; and that a rezone is not required or compelled under applicable plans and policies. This group also includes questions about how the zoning could be changed and about consistency with the City vision statement, and disagreement with DEIS statements about meeting growth targets for the City.

Applicable Comments: 5-30, 5-65, 15-30, 41-6, 49-4, 57-3, 58-51, 61-13, 61-16, 62-2, 62-3, 68-2, 69-7, 71-14, 72-9, 72-24, 72-27, 73-3, 73-4, 74-2, 82-2, 88-1, 90-2, T6-4, T19-4

Response:

Section 3.4.2. (a) of the Draft EIS summarizes policies contained in each element of the Woodinville Comprehensive Plan that are relevant to the proposals, and identifies the general consistency of the proposals with these policies. While several comments questioned the consistency of the proposal with some Comprehensive Plan policies, many did not provide references to specific policies which can be responded to, or merely asserted disagreement with a Draft EIS conclusion without providing an explanation. Still others raise questions of interpretation which are more appropriately answered by City decision makers in the context of their review of the applications. Questions or comments related to specific policies are addressed in the following responses. Similarly, responses are provided to specific comments or questions regarding development regulations. General statements of disagreement with the Draft EIS conclusion, and assertions of belief that the proposals do not meet a particular regulation are acknowledged.

The Woodinville vision contained in the Comprehensive Plan (Section 1.5.1.2) is a general statement of the varied attributes that, as a whole, comprise the City's desired character. It is acknowledged that the vision mentions neighborhoods and preservation of open space as important attributes of community character. Several comments asserted that the reduction of open space associated with the proposals would be inconsistent with the vision. As stated in the Comprehensive Plan, the vision was intended to provide a basis for developing Plan goals and policies. It is not appropriate to apply this general vision statement to evaluate any individual development proposal; if it were appropriate to do so, any conversion of vacant land to developed use would be inconsistent with the vision. Nevertheless, City decision makers may interpret this statement and its applicability when they consider the vision and other relevant policy statements in their review of the proposed developments.

Land Use Policy LU-1 calls for preserving neighborhood character, and several comments raised questions about the consistency of the proposals with this policy. The Draft EIS (page 3-61) evaluates this issue using factors primarily related to housing type, density and open space; these are believed to be valid measures of neighborhood character. The Draft EIS concludes that the alternatives would preserve existing character to varying degrees. The low-density, single-family alternative (R-1) is identified as being most similar to the existing pattern of development in the neighborhood, and the attached housing alternative is identified as having the greatest impacts on community character because it would introduce a different form of housing. The relative degree of impact on open space is also identified. Comments disagreeing with this discussion and asserting the inconsistency of the proposals are acknowledged.

A number of comments asserted that the City currently has a sufficient supply of land designated R-4 to meet its growth projections, and questioned the need for the rezone on that basis. The Comprehensive Plan, Appendix A-3, includes data on growth projections and on the amount of land designated to accommodate that growth; this data is intended to meet GMA's "buildable land" requirement. Table A3-2 indicates that approximately 72 percent of the City's residential land supply (net vacant and redevelopable land - even though much of this land has physical constraints) is in low-density residential designations (R-1 and R-4), and approximately 22 percent of the total (96 net acres) is currently designated R-4. The table indicates the City has a surplus of residential land available to meet the 2012 growth target of 1,797 households. A land surplus is permissible, according to numerous Growth Management Hearings Board decisions, to accommodate unanticipated changes and to provide market flexibility.

Updated growth targets for the year 2022 were adopted by the King County Growth Management Planning Council in 2002. Woodinville's 20-year target was revised to 1,869 households. There is, therefore, still likely to be some surplus land capacity relative to the growth targets, with the amount of the excess depending on the methodology used.

The City's decision criteria for changes in zoning designations are contained in WMC 21.44.070. They include a demonstrated need for additional zoning of the type proposed; that the rezone is consistent and compatible with uses and zoning of surrounding properties; and that the property is practically and physically suited for uses allowed in the proposed zone. The EIS does not address these criteria because they involve demonstrations that an applicant must include in its application, conclusions that staff must make based on its review of information in the record, including the EIS, and a decision that the Hearing Examiner will make when reviewing the application.

A number of comments questioned the density of the proposed developments, and whether the City was required to achieve a minimum density. In the R-4 zone, the City's zoning code (WMC 21.12.030) establishes a base density of 4 dwelling units per acre, a maximum density of 5 dwelling units per acre (with transfer of density credits), and a minimum density of 75 percent of the base (3 dwelling units per acre in this case). The factors and procedures used to calculate density are also identified in the code; they include a number of density credits for critical areas (WMC 21.12.060-080). The density calculations for the proposals are provided in Tables 2.1a and 2.1b of the Draft EIS. These calculations are believed to be consistent with the zoning code, but will need to be verified when all sensitive area buffers have been verified. Final City review of the proposal relative to the critical areas performance standards will occur in conjunction with review of the subdivision application, following completion of the SEPA process.

The Draft EIS noted in passing (page 3-60) that the R-1 zoning alternative could be viewed as inconsistent with numerous Growth Management Hearings Board decisions that have identified 4 dwelling units per acre as a "bright line" test for urban densities. This statement was provided for information purposes and was not intended to be a justification for the proposal. In addition, recent decisions of the Washington State Supreme Court (*Viking Properties v. Holm*, 155 Wn.2d 112, 118 P.3d 322 (2005)), and King County Superior Court (*City of Normandy Park v. Central Puget Sound Growth Management Hearings Board*, No. 05-2-27090-0, March 30, 2006.) have questioned whether Hearings Boards have the authority to establish bright line tests for urban density.

Several comments suggested that the proposals do not meet the criteria for the R-4 zone. The purpose and criteria of the requested zoning classification are set forth in the zoning code (21.04.080) and are summarized in the Draft EIS (Section 3.4.2(b)). The R-4 zone is appropriate for urban lands that are predominantly environmentally unconstrained and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services. Based on the analysis in the Draft EIS, the sites of the proposal are considered to be "predominantly environmentally unconstrained." "Predominantly," according to Webster's New World Dictionary, 4th Edition, means having a dominating influence or prevailing. Both sites do contain some environmental constraints – including wetlands and steep slopes/erosion hazard areas – which are identified in the Draft EIS. The Wood Trails site (Table 2.1a) contains 21.9 acres that are constrained by steep slope hazards and required buffers, and that would be placed in an easement; this comprises approximately 57 percent of the gross site area. For the Montevallo site, information in Section 2.1 of the Draft EIS (Table 2.1b) identifies a 1.63 acre wetland and 1.58 required wetland buffer; together these comprise 3.21 acres, which is approximately 19 percent of the gross site area.

As noted in a comment, the EIS discussion of Land Use Plans and Regulations (Section 3.4.2(b)) states that a "formal critical area report" had not been conducted by the applicant at the time the applications were submitted (p. 3-69). The City's regulations for Environmentally Sensitive Areas (WMC 21.24.120) require preparation of a "special study" for sites which contain *mapped* environmentally sensitive areas. The contents of a special study include identification and characterization of the sensitive area, an assessment of impacts, and identification of mitigation measures. The code also states that the special study may be combined with any studies required by other laws and regulations (21.24.120(2)).

At the time the plat applications and DEIS were prepared, the City's sensitive area maps did not identify wetlands, steep slope areas, landslide hazards or erosion hazard areas on The Wood Trails site. (An updated January 2006 map now identifies steep slope areas on the site.) In the course of site evaluation for the application and the EIS, however, steep slopes and a wetland were identified based on the

definitions of these resources contained in City regulations. The definitions in the WMC, rather than the maps, control whether sensitive areas exist on a site. The presence of these sensitive areas is disclosed in the EIS. The Final EIS identifies and characterizes on-site critical areas, evaluates the impacts of the proposals, and recommends mitigation measures. The City will determine whether and when the information provided by the applicant about critical areas on the site satisfies the requirements of a critical area special study, as required by the code.

Issue LU-4: Consistency of proposal with City Resolution 93

Issue: A number of comments specifically referenced Resolution 93, adopted by the City in 1995, and consistency of the proposal with this resolution. These comments included general statements that approving the proposal would be inconsistent with Resolution 93, or that the EIS needed to address consistency. Some noted neighborhood expectations, based on Resolution 93, that the Wood Trails site would remain a greenbelt or buffer area for the existing residences. One comment stated that the cross-section for Wood Trails site was in error and did not conform to the elevation limit set in Resolution 93.

Applicable Comments: 5-58, 12-7, 46-1, 58-7, 71-6, 73-1, 73-2, 85-7, T6-3, T8-1, T19-3

Response:

The text of Section 3.4.2 of the Final EIS has been modified to include a discussion of City Resolution 93 and its bearing on the proposal. As described in the text, the proposed Wood Trails subdivision would be consistent with Resolution 93. Comment 71-6 incorrectly states that Resolution 93 restricts the buildable elevation of the proposed Wood Trails development. The elevation reference in Resolution 93 to the 300-foot contour line is used in defining the boundary between the industrial area and the adjoining residential area, and not to establish an elevation limit on any specific development action. Comments 71-6 and T8-1 also refer to Resolution 93 as legislation and/or a legally binding document. As explained on the City's website, ordinances make up the local laws of the City, while resolutions act as less formal rules and generally are an expression of the City Council's opinions, and are not codified into the WMC. Although not codified, Resolution 93 indicates an expression of desire by the then existing city council. Its intent was mostly to separate the industrial and residential areas. It should also be stated that Resolution 93 was drafted as a response to the proposed construction of additional industrial space intruding into the R-1 area.

Issue LU-5: Review of specific Comprehensive Plan policies

Issue: Two comments addressed specific content in DEIS Section 3.4.2 describing project consistency with applicable policies stated in the Comprehensive Plan. In general, these comments disagreed with the DEIS discussion of consistency, and posed numerous questions about issues thought to be relevant to the referenced policies.

Applicable Comments: 72-25, 72-26

Response:

One comment letter raised multiple questions regarding the consistency of the proposals with individual Woodinville Comprehensive Plan policies. Policies believed to be relevant to the proposals and within the scope of the EIS are summarized and discussed in Section 3.4.2 (a) of the Draft EIS.

As a general matter, the commenter is inquiring as to whether or which policies are mandatory or permissive. A Comprehensive Plan is generally considered to be a blueprint for future growth and development which does not, in itself, regulate the use of land. The State Planning Enabling Act, originally enacted in the late 1950's, defines a comprehensive plan as a beginning step in planning for physical development, as a means for coordinating programs and services, and as a reference for developing land use regulations (RCW 36.70.020(6)). Washington State courts have consistently upheld the distinction between generalized plans, which are not regulatory, and development controls, which are. The Growth Management Act similarly defines a comprehensive plan as a "generalized coordinated policy statement" (RCW 36.70A.030 (4)), which is distinguished from "development regulations" such as zoning and critical area regulations (RCW 36.60A.030(7)). The GMA also requires that development regulations be consistent with and implement the comprehensive plan. The City of Woodinville reviews all development proposals to determine their consistency with Comprehensive Plan policies and adopted development regulations.

Responses to comments on individual policies are provided below.

LU-1.1. The comment states that the City has exceeded its planned growth, which is not accurate. Data in the Comprehensive Plan indicates that as of 2000, the City had achieved approximately 36 percent of its 20-year (1992-2012) growth target.

LU-1.3. The comment raises a number of questions regarding public services and facilities, including police, fire and water. The proposals' impacts to these services were not considered likely to be significant and these services were not considered in detail in the EIS. Please refer to the response to Issue EIS-7, above.

LU-2.2. The DEIS conclusions regarding the Land Use and Housing policies are not inconsistent. LU-2.2 speaks to connections between development, open space and transportation/pedestrian networks. The proposal includes streets and trails that would provide such connections. H-2.1 addresses provision of usable open space. The discussion acknowledges that the applicant proposes to pay a fee in lieu of providing park facilities on site, which is permitted by City regulations.

LU-3.1. The comment states that only the R-1 alternative would be consistent with existing development patterns, and this position is acknowledged as an individual opinion. Please refer to the response to Issue LU-1. The proposal and the alternatives all involve different densities and forms of single family residential land uses. The EIS concludes that some alternatives would create a greater contrast with the existing pattern (e.g., attached housing) than others (e.g., R-4).

LU-3.6. The comment regarding moderate and medium densities is acknowledged; these are higher than the densities proposed in the Wood Trails and Montevallo plats. The zoning code categorizes R-4 as a low-density designation (WMC 21.04.080).

LU-3.7. The proposals contain a single type and density of housing. Policy LU-3.7 is intended to express a general city-wide policy that the Comprehensive Plan and development regulations should permit a range of densities and housing types. It is not intended to suggest that each individual development proposal should contain this mix.

H-1.1. Please see the response to the preceding policy, LU-3.7.

CD-1.2. Please refer to the response to Issue PD-4 above, which addresses how density is calculated based on direction in the Woodinville zoning code.

CF-3.1. Impacts and mitigation to park facilities and open space are discussed in the EIS (Section 3.6.2 and 3.6.3). As noted previously in regard to park level of service standards, Woodinville development regulations allow applicants to pay a fee in lieu of providing parks on site (WMC 3.36). Please see the response to Issue EIS-7.

Env-3.1. As noted in the EIS, the proposal would meet the City's tree retention requirement. The site is currently undeveloped and wooded but it is not designated in the Comprehensive Plan as forest lands or open space. Comments asserting extensive indirect impacts from the proposal are speculative.

Env-3.2. The EIS project description (Chapter 2.1.1) notes that a small stream is located approximately 100 feet north of the boundary of the Wood Trails site. The statement in the EIS is accurate regarding the absence of on-site streams or shorelines. Wetlands are located on both sites and are discussed in the EIS.

Env-3.3. The City has adopted development regulations (WMC Chapter 21.24) to implement Comprehensive Plan policy Env-3.3. These regulations require that functions and values of wetlands be preserved, enhanced and/or mitigated. Chapter 21.24.330-350 set forth applicable city standards. The Final EIS and Technical Appendices contain updated and supplemental information regarding wetland impacts and mitigation in compliance with City adopted City standards. The site does not contain designated fish and wildlife habitat conservation areas as defined in WMC 21.24.410.

The statements in the EIS regarding likely water quality improvements from installation of a sanitary sewer system are believed to be accurate. Water quality data from the Department of Ecology indicates that the main source of pollution to Little Bear Creek is fecal coliform bacteria. Such pollution is often associated with septic system effluent.

Env-3.4. As stated in the comment and in the EIS, development of the sites would result in clearing and removal of existing vegetation and habitat and displacement of wildlife; that is an unavoidable consequence of development. The EIS notes that species that would be displaced are common, human-tolerant species that are able to move and adapt to changed conditions. With the possible exception of pileated woodpecker, no protected or sensitive species use the sites. A contiguous 21-acre area on the west side of the Wood Trails site would maintain a corridor for wildlife movement and habitat for pileated woodpeckers.

4.2.5 Transportation (TR)

Issue TR-1: Project study area and intersections

Issue: Issue TR-1 includes comments primarily relating to the definition of the study area for the traffic analysis. Most of these comments were requests to address more intersections or road segments in the traffic study, with specific reference to the Golf Course Road intersections, 240th/156th, 240th/Woodinville-Snohomish Road, SR 522/195th, SR 9/195th, Woodinville-Duvall Road/156th and Woodinville-Duvall Road/168th, Woodinville-Duvall Road east of 156th and 156th/75th SE in Snohomish County. This group also includes a statement about traffic impact from the project on NE 175th Street in downtown Woodinville.

Applicable Comments: 5-14, 15-14, 17-3, 18-3, 25-3, 29-3, 30-2, 36-4, 40-5, 42-10, 51-3, 53-3, 54-3, 55-7, 61-4, 65-4, 72-30, 79-1, 81-7, 81-10, T3-2, T7-1, T15-3

Response:

The Draft and Final EIS's include all the necessary intersections to adequately determine impacts from the proposal and that had been identified during the EIS scoping process as needing to be studied and analyzed. Additional traffic counts, turning movements, intersection analysis, and traffic accident data for intersections beyond those identified in scoping have been obtained and incorporated into the Final EIS. Specifically, the 240th Street SE/Woodinville-Snohomish Road and 240th Street SE 75th Avenue SE intersections have been analyzed for the Final EIS, along with the new intersections on 156th Avenue NE proposed to serve the Montevallo development.

Other intersections mentioned in these comments do not need to be analyzed in detail in the EIS, based on traffic distribution patterns and the level of impacts determined for intersections nearer to the project sites. For example, WSDOT has determined that additional trips from the projects would have an insignificant effect at the SR 522/NE 195th Street interchange and would neither require modifying the ramps nor trigger the requirements for the developer to contribute toward the costs of future projects (see comment letter 1 from Ramin Pozooki, WSDOT, dated February 28, 2006). The comment reference to the SR 9/NE 195th Street intersection presumably applies to the NE Woodinville-Snohomish Road/NE 195th Street intersection, which was already included in the DEIS analysis, as was the intersection of Woodinville-Duvall Road and 156th Avenue NE. Project impacts at the latter intersection were determined to be insignificant, so there is no need to also include the intersection of Woodinville-Duvall Road and 168th Avenue NE, where project-generated volumes would be lower. The assertion in Comment T7-1 that the project would impact traffic on NE 175th Street in downtown Woodinville is not supported by any data or analysis, and is not consistent with the results of the study conducted for the EIS.

Issue TR-2: Characterization of local roadway system

Issue: This group includes various comments about the description of existing local roadway facilities and conditions presented in Section 3.5 of the DEIS. Most of these comments referenced deficiencies or issues with the road network, such as narrow or winding roadways, grades or potholes. Other comments stated that the DEIS makes no reference to Woodinville-Duvall Road, erosion on 148th Avenue, or responsibility for road maintenance. One comment referred to the DEIS discussion of planned road

improvements and their likely effect on future traffic conditions. Some comments mentioned incorrect DEIS references to Boston or Bostan Road.

Applicable Comments: 5-15, 5-18, 15-15, 15-18, 25-11, 29-11, 36-12, 51-11, 53-11, 54-11, 55-1, 55-8, 61-8, 64-3, 72-33, 72-46, 72-56, 81-21, T20-3

Response:

The Final EIS contains additional information about existing roadway conditions within the Wellington neighborhood. Further description of the roadway system noting the topography of the area and that many of the streets are dead-end streets has been added within Section 3.5.1.2 of the Final EIS. Photographs of NE 195th, 198th, 201st, 202nd Streets west of 156th Ave. NE, 156th Ave. NE, and NE 195th and 198th Streets east of 156th Ave. NE are included to further depict the roadway conditions. Additional sight distance measurements were performed on 156th Ave. NE and the results are presented in the Final EIS.

Section 3.5.1.11 accurately reflects the City's adopted *2005 to 2010 Capital Improvement Program* (the City had adopted in November 2006 the *2007 to 2012 Capital Improvement Program*) and will review how these actions might relate to traffic conditions associated with the proposal. It is standard practice to identify any known, planned or proposed road improvement projects within a traffic study area and factor any applicable improvements into the traffic analysis. In this case, the impact analysis appropriately identifies some future projects but explains they would not affect traffic conditions within the analysis period and does not assume any such improvements would lessen the traffic impacts of the proposed projects.

The statement in Comments 5-18 and 15-18 that the DEIS makes no reference to Woodinville-Duvall Road is incorrect; Section 3.5.1(a) of the DEIS clearly indicates that two intersections on Woodinville-Duvall Road are within the study area, and the remaining text of Section 3.5 (excluding tables and figures) contains more than 20 references to Woodinville-Duvall Road. References to Bostian Road, an alternative name for 75th Avenue SE in Snohomish County, have been removed from Section 3.5 of the Final EIS. Any erosion problems that might exist on 148th Avenue NE are not caused by the proposed projects and do not represent a significant impact issue that is appropriate for consideration in this EIS. The streets in the proposed subdivisions would become public roadways and would be the maintenance responsibility of the City, as are the existing public streets in the neighborhood.

Issue TR-3: Trip generation estimates

Issue: Comments that appeared to primarily address some aspect of the trip generation component of the transportation analysis are addressed in Issue TR-3. Comments include specific questions about use of a trip credit for the existing homes on the Montevallo site and the figures for daily trips per unit for various alternatives. One comment stated that the numbers of trips noted in the DEIS are misleading or inconsistent.

Applicable Comments: 5-24, 14-2, 15-24, 22-1, 37-4, 57-2, 58-57, 58-59, 58-63, 65-3, 65-7, 79-3, 81-22, 87-4, T20-3

Response:

The Institute of Transportation Engineers (ITE) *Trip Generation* manual is a national standard used to determine the anticipated number of trips generated by specific land uses. This manual is also the standard that has been adopted by the City to establish the estimated trips generated by all new and existing land uses. This standard was appropriately used for the EIS analysis to establish the number of trips for each alternative land use for the Wood Trails and Montevallo sites and any existing residences identified within the EIS.

The single-family detached units have the highest trip generation rate per dwelling unit of all residential land uses because they are the largest units in size and have more residents and more vehicles per unit than any other type of residential land use (i.e. versus townhomes). For each type of land use the manual provides both a per-unit average rate and regression equations that can be used as an alternate means to derive a per-unit rate. The traffic analysis for the EIS employed the regression equation to determine trips for the proposed number of units and the credit given for existing units displaced by development. The regression approach provides a more conservative (i.e. greater number) estimate of trips per unit than does the average rate published in the manual.

Table 3.5i has been corrected to read 85 daily outbound trips and 14 AM peak-hour outbound trips for Montevallo.

Comments 57-2 and 81-22 assert that the trip generation approach used for the EIS is not valid but do not explain why a manual that is the approved national and local standard should not be applied or provide documentation supporting alternative trip rates that are considered to be valid for the situation.

Issue TR-4: Current, future baseline and with-project traffic volumes

Issue: This issue incorporates a variety of comments addressing some aspect of the traffic volume component of the transportation analysis. Statements that the traffic data used in the analysis are not current because they pre-dated the Costco store and other recent development in the area, or did not include traffic from some uses, including a new church scheduled to be built in 2008, reflected a common theme for this group of comments. This issue also includes requests for a summary and validation of the traffic counts used; more information on “pipeline” projects, especially in King County; inclusion of traffic volumes for the new Montevallo intersections; and more data on baseline traffic volumes. Some comments posed various questions about specific aspects of the traffic counts and other data supporting the traffic volume forecasts. Others stated there were errors in Table 3.5e, that the forecast traffic increase with the proposal was underestimated, or that a negligible traffic impact was only asserted in the DEIS.

Applicable Comments: 5-16, 5-20, 5-22, 6-2, 12-4, 15-16, 15-20, 15-22, 17-6, 18-2, 25-2, 29-2, 30-1, 31-8, 36-3, 40-4, 42-11, 43-5, 45-3, 46-12, 50-6, 51-2, 52-1, 53-2, 54-2, 58-53, 61-1, 69-4, 72-19, 72-28, 72-38, 72-48, 76-3, 79-2, 81-4, 81-9, 83-2, 85-1, 86-1, 88-2, 89-4, 91-3, 92-1, T15-1, T16-4, T20-1

Response:

The traffic count tabulations were inadvertently omitted from Appendix L of the Draft EIS. The Final EIS (in Appendix O) now contains summaries for all of the counts performed for the Draft as well as the additional counts for SE 240th Street (Golf Course Road) and its intersections with the Woodinville-

Snohomish Road and 75th Avenue SE (the extension of 156th Avenue NE in Snohomish County). The traffic counts contained within Appendix O were taken from 7 and 9 AM and 4 to 6 PM on week days. The peak hour within each 2-hour period was then determined using the highest four consecutive 15-minute intervals. As an example, the AM peak hour at the intersection of 156th Avenue NE and NE 203rd Street may occur between 7:30 and 8:30, and the peak hour for the intersection of 156th Avenue NE and NE 202nd Street may occur between 7:15 and 8:15.

Traffic counts for the roadways and intersections within the study area were obtained from various sources. They were performed during the time period of 2003 to 2006. Each set of these counts was then adjusted to current volumes and then again for the project horizon year (date of build-out) using the background growth factor, plus the volumes from known pipeline projects, together with the projected number of trips generated by each land use option for the Woodtrails and Monteverello developments.

Forecasted traffic volumes with the proposed project and without (the No Action Alternative) were developed for 2008 conditions to reflect the year of anticipated build-out and occupancy of the development. Forecasts were developed assuming a general traffic growth rate of 2.5 percent annually, *plus* the effect of approved but unoccupied development in the area, commonly referred to as “pipeline projects.” Additional coordination occurred with Snohomish County regarding approved projects in that jurisdiction, for which Snohomish County maintains a database that assigns future project-generated traffic volumes to key intersections. The traffic data obtained from the Snohomish County database was added to future traffic volumes and extended to all study intersections based on existing travel patterns. The unincorporated area within King County east of Woodinville has been designated a “Red Zone” by King County’s Department of Transportation for purposes of planning improvements and determining concurrency for proposals in unincorporated King County. This designation is due to the high levels of traffic congestion along King County arterial roads and the need for additional improvements. Significant growth can not occur in this zone until road improvements are implemented. The list of pipeline projects did not include any projects in King County because there were no major projects under City or King County jurisdiction pending at the time. The background growth factor of 2.5 percent per year was used to account for the growth in traffic volumes traveling through the study area.

Traffic volumes from all of the pipeline projects, except the Costco development, were assigned cumulatively to the study intersections based on the number of trips indicated by the Snohomish County volume database. A total of 17 AM and 14 PM peak hour pipeline trips were assigned to the intersection of Woodinville-Duvall Road and 156th Avenue NE.

The Costco trips were assigned separately, and were based on the *Transportation Impact Analysis Report* completed for Costco. At the intersection of the Woodinville-Duvall Road and 156th Avenue NE, 6 AM and 92 PM peak hour Costco trips were assigned to the intersection. In total, there were 23 AM and 106 PM peak hour pipeline trips added to this intersection’s baseline future traffic volumes due to anticipated pipeline projects. Similar assignments were made to all other study area intersections.

Comments referenced proposed construction in 2008 of a church serving 1000 worshippers at 17856 NE Woodinville-Duval Road, and indicated traffic from that project should be accounted for in the EIS analysis. Peak period trips for this future facility will occur at the beginning and ending of worship services, which for churches typically occur on Sunday mornings. This timing pattern is not concurrent with a typical roadway peak hour, which occurs during the weekday. The proposed church would be

adding minimal traffic volumes to study-area roadways during weekday AM and PM peak hours, and this traffic component need not be specifically accounted for in the EIS analysis.

Table 3.5e within the DEIS was developed using the methodology developed by Institute of Transportation Engineers, which is the methodology required by the City and the standard practice of the transportation planning industry. There is no regulatory basis for employing an alternative methodology in the study.

Table 3.5e does not contain inconsistencies as asserted by comment 72-48. The daily, AM Peak Hour, and PM Peak Hour trips for both the five existing single-family units and the new units at Montevallo were developed using the regression equation developed by the Institute of Transportation Engineers. This regression equation is a formula of the “best fit” of data from hundreds of single-family developments consisting of various sizes. Using the regression equation versus the average number of trips per unit gives a more conservative and thus a higher number of trips based on the number of units. As shown in the table below, using the regression equation shows a greater impact between the existing five homes and the proposed Montevallo development.

	<u>Average Daily Rate per Unit</u>	<u>Total Trips using Ave.</u>	<u>Regression Equation Rate</u>	<u>Total Trips using Equation</u>
Montevallo 66 units	9.57	631	10.74	709
Existing Five Homes	9.57	49	13.20	66
Net Total		582		643

Turning movement volumes for the new intersections proposed for the Montevallo development are presented for each alternative in the Final EIS. The proposed action for Montevallo will have access to 156th Avenue NE at NE 204th and NE 203rd Streets. With the proposed project, all of the stop-sign-controlled intersections along 156th Avenue NE would operate at LOS C or better. Therefore, project-generated traffic at these intersections would not have significant impacts.

Issue TR-5: Trip distribution data and graphics

Issue: Comments primarily addressing some aspect of the trip distribution component of the transportation analysis were assigned to issue TR-5. These comments include multiple questions about specific numbers or graphics in the trip distribution discussions; statements claiming some type of weakness in the assumed trip distribution pattern, such as a comment that additional school-related traffic was not accounted for; and more general statements that the trip distribution was unclear and needed to be validated. This group includes a question about the future availability of SE 240th Street as a local travel route.

Applicable Comments: 5-19, 15-19, 38-2, 45-4, 58-60, 58-66, 61-3, 81-6, 81-8

Response:

The graphics in Section 3.5, including the trip distribution figures, have been revised and supplemented for the Final EIS to improve the clarity of the information. In addition, the text in Section 3.5.2 has been modified to better explain the trip distribution reflected in the analysis results. The City notes that Figure 3.5e in the DEIS had already been modified to indicate that 18-19 percent of project trips were anticipated to use SE 240th Street, not the 40-percent figure indicated in Comments 5-19 and 15-19. Comments 58-60 and 81-6 incorrectly state that Figure 3.5e shows 45 percent of the PM outbound trips heading north on 156th Avenue NE; this figure actually indicates that 18-19 percent of the outbound trips would head north on 156th and then turn west on SE 240th Street while another 15 percent would continue north on 156th, for a northbound total of 33-34 percent. Comments 5-19 and 15-19 are also incorrect about the model routing trips “through the existing barricade” on NE 195th Street; Figure 3.5e in the DEIS shows trips eastbound *toward* the barricade, but not through it.

The distribution of project trips presented in the DEIS was generally based on the VISUM traffic model developed by the City and applied for analysis of transportation issues. Documentation of the development of this model is well beyond the scope of this EIS, but the model is based on traffic counts from a variety of sources over a period of years. At the onset of the project City staff approved use of the City’s traffic model to develop the distribution for Wood Trails and Montevallo trips. As a check on the model distributions, it is reasonable to assume that the future residents of Wood Trails and Montevallo would have trip distributions that are similar to the patterns of the existing Wellington and surrounding area residents. The applicant’s traffic consultant performed a comparison of the distributions predicted through the model with distributions measured in the field and found they are reasonably similar; the City’s traffic consultant concurred with this finding. The distributions presented in the EIS reflect manual changes to the model output to assign some of the AM traffic to and from NE 195th and NE 198th Streets to account for parent drop-offs at the barricade at Wellington Elementary School. The impact of this barricade on local trip distribution is not reflected in the City’s traffic model, but is accounted for in the EIS analysis. Roads in the local area are closed or impassable because of ice and/or snow conditions that it would not be reasonable to modify typical trip distribution patterns based on perceived differences in conditions among various streets.

The City does not find that the future availability of SE 240th Street is an issue for this EIS. While it is true that SE 240th Street (Golf Course Road) is not located within a dedicated Snohomish County public right-of-way, it is commonly and appropriately regarded as a public road. Use of 240th Street by the public is established through what is known as a prescriptive right – the long-term, established use of the roadway by the public, without action by a private owner to bar that use. There is at least one posted sign on 240th Street stating “Local Traffic Only,” but there are no “Private Road” signs and public use of the road is clearly widespread. Based on case law, Snohomish County can claim jurisdiction of SE 240th Street to the outside edge of the ditch line, or to the outside edge of the pavement if there is no ditch line. Therefore, it is reasonable to assume the public will continue to have use of 240th Street into the future. If the Wellington Hills Golf Course were developed for other, more intensive uses in the future, as has been rumored, local approval of such development would likely require transportation improvements rather than closure of the street.

Issue TR-6: Intersection level of service (LOS) analysis

Issue: A number of comments primarily addressed some aspect of the intersection level of service (LOS) component of the transportation analysis and were assigned to issue TR-6. Among these comments are requests to include traffic volumes for the new intersections at Montevallo in the LOS analysis, and a question about use of residential standards for the LOS definitions. One comment stated that project impacts at the SR 522/195th interchange would be insignificant. Another expressed concern over increased wait times for making turns in the local area.

Applicable Comments: 1-1, 16-1, 47-2, 72-18, 72-37, 72-39, 72-49, 72-55, 79-5, 87-3

Response:

Please see the response to Issue TR-1 regarding impacts at SR 522/195th interchange; the agency responsible for this interchange (WSDOT) indicated project impacts at this location would be insignificant, and no further response is necessary. Similarly, the response to Issue TR-1 addresses the question of traffic volumes for the two new intersections proposed to serve the Montevallo development and the response to Issue TR-4 addresses the turning movements and level of service for the new Montevallo intersections.

Some comments in this group (e.g., Comments 47-2 and 72-49) assert that the level-of-service (LOS) analysis conducted for the DEIS was flawed or misrepresented the impact of the additional traffic, but did not provide any more specific information on the perceived flaws or demonstrate how the LOS results should have been different. Consequently, the City cannot provide a specific response to these comments, other than to reiterate that the LOS analysis was based on valid counts for baseline traffic, was conducted using appropriate standards and modeling tools, and was adequately documented in the EIS.

Some similar comments reference personal experience with wait times at a specific intersection and question the LOS results based on those individualized observations. The LOS results for signalized intersections are based on an overall intersection delay or *average delay for all vehicles* using the intersection, and not the delay for an individual vehicle or movement. The delay for an individual approach or movement can be considerably higher or lower than the overall average delay for the intersection, although the extreme case would have a strong influence on a motorist's perception of typical conditions for an intersection. Assuming the intersection of 156th Avenue NE and Woodinville–Duvall Road is at or near its capacity and has a signal cycle length of 90 seconds, if a vehicle just misses getting through the green light, the greatest amount of time it normally would have to wait to the next green light is less than 80 seconds. (This allows 10 seconds for a vehicle to clear the intersection in all traffic movements).

Comment 87-3 questions the conclusion of no change in future LOS conditions at most study area intersections “when Costco traffic has already impacted traffic flow.” Increased local traffic resulting from the Costco development is an impact associated with that development, not the proposal evaluated in the Wood Trails and Montevallo Subdivisions EIS, and traffic associated with the Costco store is already accounted for in the EIS analysis and improvements as part of the baseline condition. The requirement for this EIS is to identify and evaluate the incremental impacts of the proposed subdivisions, and that requirement is met in the EIS analysis.

Comments 72-37 and 72-55 question the use of LOS definitions from a highway manual in an analysis of traffic on residential streets and inquire about the standards applicable to residential streets. The LOS classification criteria reported in Appendix L, Exhibit T-1 of the DEIS, for which the 2000 edition of the Highway Capacity Manual was used as the source, are applicable to all signalized and unsignalized intersections (including those on residential streets) and are universally applied by all jurisdictions and transportation agencies. These criteria have been in use for decades and do not change periodically; criteria published in 2000 remain valid.

A portion of Comment 72-39 also states that the state of Washington has determined that 195th Street is a Red Zone, which is consistent with a Class E LOS rating. As noted in the response to Issue TR-16, there is no program within the Washington State Department of Transportation (or any other State agency) to designate “Red Zones,” and no such classification applies to NE 195th Street. As noted above and in the response to Issue TR-1, WSDOT has indicated that project impacts at the SR 522/195th interchange would be insignificant.

Issue TR-7: Queuing analysis

Issue: Some of the transportation-related comments focused specifically on the queuing analysis presented in the DEIS. These comments included several statements that the analysis ignored limited sight distance on 156th Avenue NE and the associated accident potential, and/or that the storage capacity at this location was already exceeded. Some comments disputed the conclusion of the queuing analysis. Others questioned why the queuing analysis was not completed for the weekday PM peak hour or why it ignored the left turn from Woodinville-Duvall Road onto northbound 156th Avenue NE.

Applicable Comments: 42-9, 50-7, 58-56, 72-32, 72-40, 72-50, 81-13, 88-3

Response:

Several comments questioned whether there was adequate sight distance on 156th Avenue NE relative to the southbound left-turn queue, due to the hill just north of the intersection and north of the end of the queue. In response to this concern, the City’s traffic consultant performed field measurements at this location. As documented at multiple locations in Section 3.5 of the FEIS, the stopping sight distance was measured to be 377 feet from the end of the queue with the Proposed Action. This stopping sight distance exceeds the required sight distance of 360 feet for a roadway with a 45 mph design speed. Therefore, the incremental effect of the project would not extend the queue length to the point at which sight distance thresholds would be crossed.

The southbound left-turn pocket for 156th Avenue NE at the Woodinville-Duvall road extends north using the channelization for the two-way left-turn lane. The combination of the left-turn pocket and the two-way left-turn lane provides sufficient vehicle storage, if properly used. There may be occasional instances of left-turning vehicles blocking the southbound right-turn lane. If the left-turn storage capacity was exceeded more than 5 percent of the time during the peak hours, the City would consider increasing the safe storage area.

The queuing analysis has been supplemented for the FEIS to address conditions on 156th Avenue NE during the weekday PM peak hour. This analysis yielded results similar to those for the weekday AM

peak hour – while the southbound left-turn storage capacity is already exceeded under existing conditions, the incremental impact of the project on the queue length would be insignificant and would not result in insufficient sight distance at the end of the queue.

The analysis indicates the storage length for eastbound left-turn vehicles at 156th Avenue NE and the Woodinville-Duvall Road would be exceeded during the PM peak hour under all future alternative conditions, including the “No Action” alternative. The incremental impact of all of the project alternatives would be insignificant in relation to this future “No Action” deficiency. An analysis of 5 years of traffic accident data does not indicate that a safety problem exists at this location with the current traffic volume conditions.

Issue TR-8: Roadway volume/capacity conditions

Issue: This issue includes comments that primarily appeared to address some aspect of the DEIS discussions of roadway volume/capacity conditions. (For this issue in particular, a number of the associated individual comments overlapped with other issue topics such as the characteristics of the local roadway network or the effects of with-project traffic volumes.) Several comments involved the capacity estimates for local streets that were presented in the DEIS, indicating the estimates were overstated and/or based on incorrect standards. One comment stated that roadway capacity was not properly addressed, and that the analysis should instead focus on intersections. This group also includes more general comments on road and traffic impacts, such as statements that the local infrastructure was not designed to accommodate the additional traffic from R-4 development, that major road improvements are needed before additional housing can be built, and that traffic from the proposal would stress the local roads.

Applicable Comments: 5-17, 8-2, 15-17, 21-3, 27-1, 48-4, 52-2, 58-61, 61-2, 61-5, 63-2, 65-6, 72-34, 72-41, 72-51, 81-14, 90-1, T3-3, T9-12

Response:

The EIS presents two different measures to analyze impacts to residential streets – levels of service at intersections (related to the capacity of the intersection) and the overall capacity of the street links (the roadway between intersections) to accommodate current daily traffic levels. The level of service at intersections is addressed in detail in the EIS and in the response to Issue TR-6. While the capacity of key intersections is probably a more important determinant of the ability of a street network to absorb additional traffic, consideration of the overall capacity of the street links is nevertheless a standard component of a traffic analysis.

The EIS describes one measure of local roadway capacity based on estimated link capacities developed by King County (provided in Appendix L, Exhibit T-3 of the Draft EIS). The King County link capacities were cited because they are an applicable measure and were developed by the transportation department of a relevant local jurisdiction. The King County figures indicate an ADT roadway capacity of 7,400 vehicles is applicable to two-lane roadways such as those in the project area (paved roads with less than a 20-foot traffic lane and minimal shoulders). Several comments were critical of this figure as an unreasonable or misleading measure of true or practical capacity. Because this is a maximum theoretical capacity, the EIS also includes a comparison to a practical capacity of 1,000 ADT, which is often used as a “livability” or quality of life measurement. The “livability” measurement for residential streets was developed by Donald Appleyard, Professor of Urban Design at the University of California, Berkeley, in

his pioneering study of social and psychological effects of traffic and neighborhood layout. His book *Livable Streets*, published in 1981, laid out the social effects of cars on cities, using the best social-network-analysis methods available. This alternative or more-realistic measure of local roadway capacity was reported throughout the analysis of project impacts on roadway links.

Projected residential-street traffic volumes for the baseline condition and all project alternatives indicate that surplus roadway capacity would remain. The total ADT with all alternatives would remain between 3 and 10 percent of the roadway capacity identified by King County (7,400 ADT) and 25 to 74 percent of capacity based on the general practical/livability criterion (1,000 ADT). While one reviewer characterized an increase in traffic volumes that would use 70 to 74 percent of the capacity on a street as a major impact, the City does not share this opinion. At this level of use, 26 to 30 percent of the roadway capacity would be unused (surplus), indicating the roadway could accommodate the additional traffic without inconveniencing motorists and would still have a sizable cushion for future growth.

Some of the comments in this group included points about characteristics of the local street network that were considered to adversely affect roadway capacity; the previous response to Issue TR-2 applies to these comments. Comments that were general questions about the impacts of project traffic on the local streets, statements that the street network was inadequate or requests to investigate whether the current infrastructure can handle the traffic impacts cannot be addressed specifically. In general, the portions of Section 3.5 relating to roadway volume/capacity conditions address the concerns indicated in these comments.

Issue TR-9: Left-turn lane warrants

Issue: Several comments specifically addressed some aspect of left-turn lane warrant analysis presented in the DEIS. They include comments claiming there were inaccuracies in the analysis and disagreeing with the conclusions of the analysis; comments in the latter category stated there was a need for left-turn lanes on 156th Avenue NE, based on use of alternative criteria or guidance on left-turn lane warrants. One comment requested the rationale for not including left-turn pockets on 156th Avenue NE.

Applicable Comments: 58-54, 69-3, 72-31, 72-52, 81-2, T9-13, T20-2

Response:

The analysis of future traffic volumes on 156th Avenue NE indicates that left-turn lane warrants are not met for any of the alternatives. Appendix O, Exhibit T-11 contains the most recent (2000) Highway Capacity Manual (HCM) Exhibit 17-6, which provides guidance on left-turn lane needs. Exhibit 17-6 shows the potential capacity for all movements on two-lane streets where the side street is stop-sign controlled. It shows that there would be excess capacity on 156th Avenue NE for left-turn movements at all of the intersections from the Woodinville-Duvall Road to 240th Street SE in Snohomish County. The HCM includes standards for all classifications of roads, not just highways, and is appropriate for use in this analysis.

One key facet of this issue, per Comments 72-31 and 72-52, is the interpretation of the left-turn lane warrant guidance applied in the EIS analysis (provide in Appendix L, Exhibit T-9 of the DEIS) and whether the margin of error around the traffic estimates is sufficient to suggest that left-turn lanes would be required on 156th Avenue NE. These comments, 72-52 in particular, claim that small errors in the

traffic volumes are likely and sufficient to change the conclusions about the need for left-turn lanes. The validity of this argument can be assessed by examining the specific data for point A4 on Exhibit T-9; this point depicts the condition at the intersection of NE 201st Street and 156th Avenue NE and is the intersection for which volumes are closest to the curve (and therefore closest to meeting the left-turn lane warrant). Applying the traffic volume data from Figure 3.5h (page 3-95 from the DEIS), the total volume (total DHV, the y-axis) for A4 is 672 vehicles. Given the same left-turn proportion at this intersection of 5 percent, the total volume at this location would have to be approximately 760 vehicles for the A4 condition to be on the 40-mph curve. That is a net difference of 88 vehicles, or 13 percent of the base DHV value, and is vastly greater than the 5-vehicle rounding applied to the traffic volumes. Similarly, Comment 72-52 maintains that the left-turn percentage figure (%DHV) would only have to be off by 1 percent to change the conclusion of the analysis. The left-turn percentage for A4 is 5, whereas the corresponding point on the 40-mph curve is at 7 percent; therefore, the left-turn percentage for NE 201st Street would actually have to be 40 percent higher ($2/5=.4$) for the A4 condition to be on the curve. The error tolerances for the left-turn lane conclusions are clearly much larger than suggested by this comment. In addition, this discussion is based entirely on the actual traffic conditions for this intersection relative to a left-turn lane warrant for a road with a 40 mph posted speed limit, while the posted limit on 156th Avenue NE is actually 35 mph. This difference in speed indicates there is an even greater margin for safety in the conclusion than is shown in Exhibit T-9. In summary, there is no basis to assume that a small inaccuracy in the traffic estimates would invalidate the left-turn lane conclusions, and there is no reason to perform a statistical analysis on these results.

A second key point in this issue concerns the origin of the left-turn lane warrants applied in the EIS analysis. The original traffic analysis for the projects was performed by the applicant's traffic consultant, who applied left-turn storage guidelines from the WSDOT Design Manual. The City agreed with this approach at the beginning of the project review process, and most public agencies within the state of Washington use the WSDOT Design Manual to determine when left-turn lanes are required. The City's traffic consultant also concurred with the use of the WSDOT guidance in its input to the DEIS and in evaluation of the DEIS review comments.

Comment 81-2 claims that the WSDOT guidance is suited for higher-volume facilities and/or state highways and should not have been used, and instead recommends use of Highway Research Record (HRR) # 211, Exhibit 9-75 of the American Association of State Highway and Transportation Officials (AASHTO) 2001 Policy, and the Oregon Department of Transportation (ODOT) Left Turn Lane Criteria. (Note that Comment 81-2 is critical of the WSDOT guidance as better suited to highways, yet recommends use of an AASHTO policy entitled "Guide for Left-Turn Lanes on Two-Lane Highways.") The comment acknowledges, however, that left-turn lane warrants are *nearly met* (but are not actually met) under the HRR and AASHTO guidance. Consequently, the operative question is whether the City should accept an analysis based on WSDOT or ODOT guidance. Comment 81-2 does not demonstrate specifically why the WSDOT guidance should be considered inapplicable and why the ODOT guidance is a preferred standard, particularly when the ODOT guidance attached with the comment letter clearly reflects a context of planning for state highways in Oregon. The City sees no reason why a municipality in Washington should base a local traffic analysis on guidance from the Oregon state transportation agency when comparable guidance from the Washington state transportation agency is available.

Other comments in this group requested the rationale for not providing left-turn pockets on 156th Avenue NE, expressed concern about the lack of such features or noted individual anxiety when making a left turn from 156th Avenue NE under existing conditions. These comments are all addressed by the results of the

analysis documented in the EIS, which indicated that left-turn lanes on 156th Avenue NE were not needed.

Issue TR-10: Pedestrian routes, facilities, use and safety

Issue: Comments that primarily appeared to address some aspect of the pedestrian safety component of the transportation analysis are addressed in issue TR-10. (The DEIS included separate discussions of pedestrian activity and vehicular traffic safety, while a number of comments directly or indirectly addressed both of these topics. Consequently, there is a degree of unavoidable overlap between issues TR-10 and TR-11.) Specific comments in this group include statements that the pedestrian counts taken for the analysis were not done on typical days and therefore were non-representative, and observations of specific pedestrian numbers from personal experience. There were also more general comments to the effect that the analysis of traffic safety/school use, walking routes, bus service, etc. was incomplete, deficient, and should be redone.

Applicable Comments: 5-21, 7-3, 15-21, 17-4, 21-2, 24-7, 41-3, 45-2, 45-5, 50-8, 55-5, 57-1, 63-5, 64-2, 66-2, 70-1, 72-35, 72-42, 81-15, 88-4, T2-4

Response:

Most of the comments in this group addressed the timing of the local pedestrian counts reported in Section 3.5.1(e) of the Draft EIS, and most of these comments maintained that the counts were not representative or valid because they occurred at times of a typical school activity (or, in one case, because the counts did not cover more portions of the day). The City acknowledges that the pedestrian activity and school bus loading volumes for the area west of 156th Avenue NE were taken during the last week of school in June 2005, which may not be indicative of the level of activity on a typical school day. (The observations of activity along 156th Avenue NE itself were taken in early December 2004, during a normal week in the school calendar.)

However, the pedestrian counts and the actual number of pedestrians using walkways along the local streets have no bearing on the conclusions of the EIS regarding accidents and safety. The pedestrian numbers cited in Section 3.5.1(e) of the Draft EIS were provided essentially as background or contextual information; they were not applied in the subsequent impact analysis to quantify pedestrian safety risks (nor did they need to be), and no impact conclusion in the Draft or Final EIS is based on the pedestrian numbers. As reported in Section 3.5.1(h) of the DEIS and Section 3.5.1.8 of the FEIS, the accident history data for the local area show no (0) accidents involving pedestrians. With no accident rate to apply, there is no appropriate means to perform a quantitative analysis.

The key factors considered in the pedestrian component of the transportation study are whether there are suitable walking routes present in the area, the location of school bus stops, and whether accident data indicate there is an existing pedestrian safety problem. The pedestrian observations that were performed for the study are representative of the locations of pedestrian activity and were performed at times when the most vulnerable pedestrians are using the roadway shoulders and walkways. Information on school walking routes, bus routes and bus stops was provided in Section 3.5.1(e) and Appendix L, Exhibit T-6 of the DEIS. As noted above, accident data were reviewed and did not indicate the existence of a pedestrian safety problem.

Comment T2-4 notes that the DEIS did not identify school bus routes to the Wood Trails subdivision or indicate how school children would access school buses. The applicant has not raised this question with the Northshore School District, and the City assumes students living in the Wood Trails development would walk to the nearest bus stops indicated in the corresponding EIS graphics (as would current students living near 148th Avenue NE).

Several comments in this group (e.g., Comments 45-2, 45-5, 72-42 and 81-15) addressed the physical characteristics of pedestrian facilities and walking routes and how those characteristics might relate to pedestrian safety. The DEIS provided a description of the pedestrian walkways serving the area in Section 3.5.1(e) and addressed their adequacy relative to pedestrian safety. The DEIS indicated that NE 198th and 201st Streets, which would be the primary routes to and from the Wood Trails development, meet acceptable standards for shoulder width, have a low speed limit and low traffic volumes, and have no known pedestrian safety problems. Section 3.5.1.5 of the FEIS contains additional discussion and photographs that further depict the roadway and pedestrian conditions within the Wellington neighborhood. While there are segments of NE 198th and 201st Streets that have inadequate stopping sight distances, these streets have shoulders that are sufficiently wide (generally 6 feet) to provide adequate pedestrian space; pedestrians are not forced to walk in the street along these routes. All school bus stops are at locations where sight distances are greater than the respective stopping sight distance standards.

The Northshore School District recognizes that there are risks associated with walking to the schools serving the Wellington neighborhood. For this reason, the District provides pickup and drop off school bus service for elementary school children through the neighborhood west of and along 156th Avenue NE, and for elementary and older students along 156th Avenue NE.

The remaining comments in this group were general statements or questions reflecting concern over pedestrian safety and/or a desire for safe access to schools in the area. These comments are addressed by the consideration of pedestrian activity and school access documented in the EIS.

Issue TR-11: Traffic safety analysis

Issue: This issue includes comments primarily relating to some aspect of the vehicular traffic safety analysis provided in the DEIS. (As noted above, comments for this issue overlap to some degree with those for issue TR-010.) A common theme among these comments was concern that the analysis did not account for local physical characteristics that affected traffic safety, such as curves, topography and limited sight distances, or behavioral issues such as speeding traffic. Similar comments referenced existing traffic safety problems such as the offset roadway geometry at NE 198th Street/156th Avenue NE intersection, or noted a need for a 4-way intersection at NE 203rd Street. Several comments stated that the accident data used in the analysis were old and out of date, and therefore questioned the results of the analysis. A comment indicated that the safety of the proposed new Montevallo intersections was not addressed, and that these locations would have spacing problems that would be safety issues.

Applicable Comments: 11-4, 12-2, 21-2, 25-5, 29-5, 30-3, 36-6, 38-1, 40-7, 44-1, 45-1, 46-11, 49-3, 51-5, 53-5, 54-5, 58-55, 58-64, 67-1, 69-5, 72-20, 72-29, 72-44, 72-53, 75-2, 79-4, 81-3, 81-12, 81-18, 85-4, 86-2, T3-1, T7-4, T20-5

Response:

Approximately 10 comments in this group were general statements of concern about traffic safety or the belief that additional traffic would create or aggravate safety problems. Another 15 comments were similar, general references to safety concerns that mentioned physical or behavioral characteristics such as local topography, limited sight distance/blind curves and speeding drivers. These comments are addressed by referring the reviewers to the discussions of traffic safety in the Draft and Final EIS.

Two comments specifically addressed traffic safety issues associated with left-turn movements. Comment T20-5 stated that there are no left-turn lanes on the Woodinville-Duvall Road, resulting in many accidents and some fatalities. That statement is not accompanied by specific supporting data, however, and is not entirely consistent with information presented in the DEIS. Section 3.5.1(b) of the DEIS states that Woodinville-Duvall Road has three to five lanes (indicating the existence of a two-way center turning lane or left-turn lane), and there is a left-turn lane at 156th Avenue NE for eastbound traffic. The traffic accident data presented in the EIS indicate that two relevant intersections on Woodinville-Duvall Road have accident rates that are well below the level for consideration of an intersection as a high-accident location. Comment 81-18 suggests that additional through traffic and left turns on 156th Avenue NE will result in more frequent accidents along this street. The accident data provided in the EIS show a total of only one accident on 156th Avenue NE within the study area, however, indicating there is not an existing safety problem with left turns on this street. The incremental traffic associated with the proposal does not represent a change sufficient to indicate a future problem given the current low accident rate. Furthermore, the left-turn lane guidance issued by transportation agencies is intended to address potential safety problems, and the EIS analysis demonstrated that left-turn lanes were not warranted on 156th Avenue NE (see also the response to Issue TR-9).

At least two comments addressed the currency of the traffic accident data reported in the Draft EIS and suggested more recent data should be provided. The safety analysis presented in the Draft EIS was based on the traffic study submitted to the City, which included the most recent accident information available at the time of publication. The City's traffic consultant obtained additional, more recent accident information (for 2004 and 2005) and incorporated this additional information into the Final EIS (Section 3.5.1.8, including Table 3.5-4). The 2004-2005 data show a pattern similar to that described in the DEIS, and does not support different traffic safety conclusions or identify any new problem locations. For most intersections and roadway sections in the study area, accident rates for the combined 2001-2005 period were lower than those originally reported for the 2001-2003 period.

Several comments addressed spacing and related aspects of road geometry in raising concerns about traffic safety. These comments referenced existing situations, such as the intersection of NE 198th Street and 156th Avenue NE, or perceived spacing issues with the new intersections proposed to serve the Montevallo development. Topography and sight distance issues for all streets within the study area were disclosed in Draft EIS. The Final EIS provides photographs and modified discussion of these conditions. While there is a slight existing offset of the centerline of NE 198th Street at 156th Avenue NE, the 5 years of accident data gathered for the EIS do not show an existing safety problem at this intersection (no accidents in 5 years). Because the estimated volume increases due to the proposed projects are relatively small, there is no basis to conclude that this intersection would become a safety problem. Please see also the response to Issue TR-7 regarding the perceived sight distance problem on 156th Avenue NE north of the Woodinville-Duvall Road.

Similarly, Comment 81-12 requests evaluation of vehicle operating speeds on 156th Avenue NE and physical conditions on NE 195th Street in assessing safety concerns. While the EIS discusses sight distance and related issues on NE 195th Street, the accident data show there have been no accidents on this local street and indicate there appears to be no existing safety problem. Therefore, the City concludes there is no need for additional, more detailed analysis.

The City's *Traffic Infrastructure Standards and Specifications* (Section 1-4.2.2(6)) state: "Street intersections with centerline offsets of less than 300' for arterials and collectors and 126' for local streets shall not be allowed unless specifically approved by the Public Works Director." For the Proposed Action, the centerline distance between the proposed NE 204th Street and the existing NE 203rd Place is 570 feet and the distance between NE 203rd Place and the proposed NE 203rd Street is 240 feet. In both cases, the offset distance for the proposed streets exceeds the City's minimum standard. Thus, the spacing of the intersections at NE 203rd Street, NE 203rd Place and NE 204th Street on 156th Avenue NE with the Proposed Action is consistent with the City's standards

Comment 72-44 posed several questions related to the traffic safety analysis that were generally related to the definition of the study area and the fact that areas east of 156th Avenue NE on Woodinville-Duvall Road were not included. As indicated in the trip distribution discussion and graphics, traffic from the proposed projects would predominantly travel to the north on 156th Avenue NE or south on 156th Avenue NE and then west on Woodinville-Duvall Road. Project-related volumes eastbound on Woodinville-Duvall Road were not considered sufficient to warrant detailed intersection and roadway segment analysis for this area. Given that the analysis concluded there would not be significant traffic impacts within the study area as defined, and since an EIS is to focus on significant impacts, the City determined there was no justification to study areas farther to the east. As discussed in Section 3.5.2.2 of the FEIS, the without-project baseline traffic volumes account for known projects in the area and general growth. As indicated in the response to Issue TR-4, the proposed church on Woodinville-Duvall Road east of the study area would have minimal impact on weekday peak-hour traffic volumes.

Issue TR-12: Student drop-off activity

Issue: Comments that specifically referenced some aspect of student drop-off activity analysis were assigned to issue TR-12. Most of these were general statements that the treatment of traffic safety/school use, school walking routes, bus service, or related parts of the analysis were incomplete, and the analysis should be redone. (To some extent, this issue also overlaps with issue TR-10). Some comments included questions on assumptions used in this part of the analysis, such as the per-lot drop-off trip generation rate.

Applicable Comments: 58-62, 69-1, 72-45, T20-6

Response:

The previous responses to Issues TR-10 and TR-11 regarding count dates, pedestrian traffic, and safety concerns overlap with and are applicable to some of the specific topics raised in this group of comments. Comments 58-62 and 72-45 pose a number of issues concerning the methods and results for the analysis of student drop-off activity, which addressed factors such as the drop-off rate for the area and whether this activity would occur via NE 198th Street as well as NE 195th Street. Student drop-off activity at the NE 195th Street barricade was estimated for all of the alternatives by applying a drop-off rate calculated for

the existing residences in the area. The City and its consultant consider this to be a reasonable approach, and have not identified an assumed alternative drop-off rate for the Wood Trails development that would clearly be more justifiable than the rate applied. For example, Comment 58-62 suggests that once parents had driven their children to the school bus stop at 152nd Avenue NE, they would be “almost halfway to the schools” and likely continue on NE 198th Street across 156th Avenue NE to a drop-off point at 164th Avenue NE. The City disagrees with this logic; it is 4 blocks from the Wood Trails site to 152nd Avenue NE and 12 more blocks from there to 164th Avenue NE. The school bus stop is only one-quarter of the way to the schools, and continuing on to drop students at 164th Avenue NE would require parents to make an additional loop of more than 20 blocks to return to 156th Avenue NE and resume their outbound trip.

More importantly, the volume of vehicle trips associated with student drop-off activity would be modest because the number of students generated by the projects would be relatively small, regardless of the drop-off rate applied to the new development (see the response to Issue EIS-7). If the analysis applied a hypothetical drop-off rate to the new development that was twice the rate calculated for the existing residences, the resulting number of trips would be 8 rather than 4 and would still have a minimal impact on traffic operations.

Comments in this group also suggested that local parents use drop-off locations other than the barricade on NE 195th Street (specifically, NE 198th Street to 164th Avenue NE). While student drop-offs were observed at no other locations during the traffic study, the City acknowledges such use of other locations is possible. Even so, analysis of drop-off activity at other locations would not change the conclusions of the analysis. For example, the four AM peak hour trips from the Proposed Action that were assigned to NE 195th Street could have been assigned to NE 198th Street instead, or could have been split between the two locations. The determining factor in the analysis is that the 4 trips (or 8 trips, if the drop-off rate were doubled) are so few that they would have minimal impact on traffic operations however they were assigned to intersections.

Issue TR-13: Bicycle routes, use and safety

Issue: A number of comments specifically referenced the DEIS discussion of bicycling activity in and near the project area. Most of these comments noted that 156th Avenue NE receives a lot of bike use and should be acknowledged as a popular bike route, while several took exception to DEIS statements to the contrary. Some comments in this group stated there would be safety problems in the future with bikes and more vehicle traffic on 156th Avenue NE.

Applicable Comments: 17-2, 18-5, 24-5, 42-8, 50-10, 55-6, 69-2, 72-43, 75-1, 79-7, 81-16, 85-5, T16-3, T19-5

Response:

Section 3.5.1.6 has been revised for the FEIS to include additional information about bicycle use on 156th Avenue NE. While bicycle activity on this route is higher than indicated in the DEIS, traffic accident data reviewed for the EIS did not include any car-bicycle accidents and do not indicate the existence of a bicycle safety problem in this location. The east side of 156th currently has a minimal shoulder and bike riders must share the roadway with vehicles. Due to bicycle and pedestrian activity along 156th the City installed an asphalt path along the west side of the roadway in 1998. This path was intended to be a route

that could be used by both pedestrians and bicyclists, and provides an alternative to riding in the vehicle travel lane.

Issue TR-14: Parking demand and impacts

Issue: Three comments related to some aspect of the DEIS consideration of parking demand and impacts. They include statements that the parking demand for the proposal was understated and that off-street parking use generated by the proposed developments would have impacts on the adjacent neighborhood. One comment maintained that the street design variance required for the proposal should not be granted.

Applicable Comments: 58-58, 72-54, 81-19

Response:

Estimation of parking demand for the EIS was based on the Institute of Transportation Engineer's (ITE) *Parking Generation* (3rd Edition, 2004), which is the generally accepted national standard for determining parking demand for many land use activities. The ITE manual identifies an average peak parking demand of 1.83 vehicles per dwelling unit for land use #210 (single-family detached housing). The City and its traffic consultant concur with this demand figure and are not aware of alternative demand rates that are both documented and widely accepted. Comment 72-54 asserts that there are at least 2 cars per household (a figure not much higher than the 1.83 rate applied in the analysis) for every existing house in the Wellington area but does not explain how that figure was derived. Similarly, Comment 58-58 asserts with no documentation that the average number of vehicles per unit is easily greater than 2 and probably closer to 3. These comments also appear to misinterpret the parking demand rate cited in the EIS. The comments are referring to the *total number* of vehicles per household; the 1.83 figure from the ITE manual is the *average peak* parking demand per unit, or the average number of parked vehicles likely to be present at a peak time. Because all vehicles associated with a specific household are not parked at that residence at all times, the average peak parking demand will be less than the total number of vehicles.

The statement in Comment 81-19 that parking within the proposed R4 and townhouse alternatives will be minimal is contrary to information submitted in the applicant's applications and presented in the EIS. For all of the alternatives the development plan will provide garages and private driveways that will accommodate the expected parking demand. On-street public parking will be possible throughout much of either development and will adequately serve any occasional overflow. Comment 72-54 asserts that the Proposed Action would generate a significant amount of on-street parking at all times and that overflow would not be occasional, but provides no information to substantiate that assertion.

Issue TR-15: Traffic impacts from future R-4 infill

Issue: Several comments stated that the EIS should specifically address the indirect traffic impacts that would result from future R-4 infill development that would be attributable to the proposal, and include such volumes in the traffic analysis. (This issue can be considered a subset of issue EIS-5 concerning secondary and cumulative impacts, but these comments are treated separately because they specifically address traffic volumes from infill development.)

Applicable Comments: 81-5, 84-4, T12-2, T17-2

Response:

In general, the response to Issue EIS-5 also addresses these comments, as the underlying issue is whether it is reasonable, possible and/or necessary to predict some speculative level of infill development and assess the impacts of that development. As noted in the prior response, the SEPA Rules direct that an EIS address impacts that are probable and not merely speculative; the land use analysis for the EIS determined that future, higher-density infill development in the Wellington area after extension of sewer service was possible but not probable. The response to Issue EIS-5 also notes that the City's Comprehensive Plan does not identify significant amounts of vacant or redevelopable land in the Wellington area, and that the potential for additional infill would be slight unless the City were to take affirmative action, such as a Comprehensive Plan revision, to permit such development.

Comment 81-5 maintains that it is reasonable to expect spot development of smaller parcels (such as 5-acre parcels) to occur within 1 to 2 years, but does not demonstrate why that would be reasonable or probable. The comment also asserts without support that an analysis of traffic impacts from such development is required. The EIS does provide an analysis of secondary and cumulative impacts, and that analysis is consistent with SEPA guidance and practice concerning which types of actions and impacts to include in that analysis.

Issue TR-16: WSDOT/KCDOT oversight of traffic issues

Issue: Two comments included specific references to oversight and approval of local development projects by state- or county-level transportation agencies. One stated that the project could not be approved because it was on the Washington State Department of Transportation (WSDOT) "red zone" map. The other comment indicated that the DEIS failed to address the traffic concurrency map and requirements of the King County Department of Transportation, and that the DEIS must demonstrate the project would have no adverse impact within the red zone identified on this map.

Applicable Comments: 71-8, T1-4

Response:

Through contacts with WSDOT staff and a thorough review of the WSDOT website, the City confirmed that WSDOT does not have a program in which it identifies and/or creates "red zones" for concurrency determinations on local development projects. As noted in the response to Issue TR-1, WSDOT's comments on the DEIS indicated the proposed projects would have insignificant impacts to the state highway system.

The King County traffic concurrency map and "red zone" designation referenced in Comment 71-8 is a program implemented by the King County Department of Transportation. It indicates unincorporated areas that have existing/planned traffic capacity (colored green on King County's traffic concurrency maps) or that do not have such capacity (colored red on King County's maps). That program, which is used by King County to plan traffic improvements, is applicable only to unincorporated areas under the jurisdiction of King County and does not apply within the boundaries of Woodinville or other cities in King County (King County Department of Transportation 2006b). Both proposed subdivisions are within

the incorporated area of Woodinville and are not subject to the King County traffic concurrency program. The June 2004 edition of the Residential Transportation Concurrency Map published under this program identifies numerous red zones in the portions of King County east of the urban growth line, but applies no concurrency designations to Woodinville and other incorporated areas west of the urban growth line.

Issue TR-17: Construction traffic impacts

Issue: This issue incorporates comments primarily relating to physical impacts to local streets or traffic disturbance during the construction period. It includes statements that the EIS did not sufficiently address construction impacts to local streets, or that it should address construction traffic impacts and management plans to resolve those impacts. Some comments raised questions about impacts and improvements to NE 195th Street, or about the responsibilities of the developer for repairs to streets damaged during construction. Others offered suggestions for ways to reduce such impacts.

Applicable Comments: 5-10, 7-2, 15-10, 37-5, 58-65, 60-3, 72-47, 76-5, T9-6

Response:

The introduction to Section 3.5.2 of the DEIS acknowledged that construction activity for the Proposed Action would result in some short-term transportation impacts in the neighborhoods adjacent to the Wood Trails and Montevallo sites during the construction period. The DEIS described these impacts, which would likely include temporary traffic disruptions or detours on local streets caused by construction vehicle traffic and construction of roadways and utilities to serve the proposed subdivisions. Construction activity would may result in some level of damage to the surfaces of local streets. These types of development impacts are common and occur throughout the City and other urban jurisdictions. Similarly, measures to limit construction-period impacts and restore roadway damage are standard items that the City addresses during review of construction plans, and are routinely incorporated into the terms of the haul route agreement and/or heavy hauling permit that authorizes the construction disturbance. These impacts would be temporary and of short duration, would be confined to a limited geographic area and would be mitigated through permit conditions. Impacts would be insignificant and do not need to be addressed in detail in the EIS.

Comment 60-3 addresses construction noise in addition to transportation-related impacts from construction activities; see the response to Issue EIS-6 for relevant discussion.

Issue TR-18: Conditions at NE 195th/148th NE intersection

Issue: A group of comments that focused on traffic and related conditions at the intersection of NE 195th Street and 148th Avenue NE were assigned to issue TR-18. Most of these comments stated that the removable bollards for this location identified in the proposal would block access for existing residents and cause hardship for them. Some addressed expected traffic impacts from the development at this intersection.

Applicable Comments: 24-1, 24-4, 25-9, 29-9, 36-10, 51-9, 53-9, 54-9, 61-10, 81-20, T11-1

Response:

The text and site plan graphics for the Proposed Action presented in the DEIS indicated that removable bollards would be installed on a diagonal near the north side of this intersection to direct Wood Trails traffic to NE 198th and 201st Streets, which are better suited as primary access routes than is NE 195th Street. While these bollards would prevent access to and from the Wood Trails site via NE 195th Street, they would also block the current access from NE 195th Street to one existing residence and the detached garage to a second existing residence. The applicant proposes to maintain access to these properties by construction of a new private access drive from the proposed extension of 148th Avenue NE. This aspect of the access plan was not clearly described in the DEIS, but is included in Section 2.1.1 of the FEIS.

Comment 81-20 raises the hypothetical issue of Wood Trails residents or visitors parking at the bollards and walking into the development. As described, it appears any such action would block the roadway of NE 195th Street and subject the operators of the vehicles to parking citations and possible removal of the vehicles. The City would require appropriate signs at this location, and does not anticipate such a problem.

Issue TR-19: Traffic impacts in Bothell

Issue: One comment stated that the DEIS did not assess impacts to traffic facilities within the City of Bothell, and requested a meeting with Woodinville to discuss the issue.

Applicable Comments: 2-1

Response:

It is approximately 4.5 miles from the project locations to the Bothell city limits using 228th Street SE in Snohomish County, and 3 miles using NE 195th Street within the City of Woodinville. The trip distribution component of the traffic study indicates the number of vehicles from any of the alternatives that might travel these distances to Bothell city streets is so small that it cannot be determined with any precision. Volumes of this magnitude would not affect operating conditions on Bothell streets. The City is available for discussion of any specific transportation impact issues identified by Bothell representatives

Issue TR-20: Transit service and impacts

Issue: Three comments addressed the discussion of transit service and impacts in the DEIS. They include statements that the DEIS did not sufficiently address impacts on transit service, and that a lack of transit service to the local area will require more auto trips than expected.

Applicable Comments: 5-23, 15-23, 81-17

Response:

The response to Issue TR-3, which addresses the general issue of estimating trip generation for any of the project alternatives, is also applicable to consideration of transit service. Trip estimates for the traffic analysis were developed using the Institute of Transportation Engineers (ITE) *Trip Generation* manual, as is standard practice for such studies. The ITE manual is a compilation of the results from numerous studies throughout the U.S. that were used to determine the number of vehicle trips generated by differing land uses. With the large number of sites and studies performed for residential land uses, one can safely assume the range of studies covered residential sites with and without direct access to transit service. The derived ITE rates for residential units would account for the influence of not having readily available transit service.

Residents from Wood Trails and Montevallo would be able to access transit service by traveling 156th Ave NE, via the pathway along the west side of the roadway, to the Woodinville-Duvall Road and service by the two bus routes noted in the EIS. They would also have the option of driving to park-and-ride lots in Woodinville, Bothell or elsewhere in the general vicinity.

It is worth noting that numerous national studies have indicated that higher-density development is generally more supportive of public transit use compared to lower-density development. The proposals could, therefore, have a positive influence on transit use overall.

Issue TR-21: Mitigation for traffic impacts

Issue: This issue includes comments that appeared to primarily address mitigation measures associated with traffic impacts. Among these comments are statements that there was no mitigation for traffic impacts, which should include sidewalks, storm drains and streetlights on the access streets for the developments. Other comments were requests for specific measures involving speeding, lighting, and traffic signals, improvement of 156th Avenue NE to minor arterial standards, and mitigation for inclement weather conditions. Some comments raised questions about the nature, timing and/or costs for road improvements, including whether the developer would be responsible for those costs.

Applicable Comments: 6-4, 7-4, 11-5, 19-2, 24-3, 35-2, 39-5, 46-10, 72-57, 81-11, 89-3

Response:

Mitigation for transportation impacts is discussed in Section 3.5.4 of the DEIS and Section 3.5.5 of the FEIS. A key principal involving SEPA-based mitigation is that mitigation measures are appropriate to address significant impacts that are identified. The transportation analysis did not identify any expected significant transportation impacts from the Proposed Action; therefore, the applicant did not propose any

physical measures (such as street widening, turn lanes, traffic calming measures, street lights or shoulder or sidewalk improvements) to mitigate for transportation impacts. Similarly, in the absence of identified significant impacts, the City did not identify mitigation measures that should be considered for the Proposed Action. Because the R-1 Zoning Alternative and Attached Housing Alternative would involve somewhat different access plans for the Wood Trails site, for those alternatives the EIS did recommend consideration of street improvements for a section of NE 195th Street with substandard existing conditions.

The Draft and Final EIS also both note that the applicant would be required to pay a transportation impact fee for each unit constructed under any alternative pursuant to the City's adopted impact fee program. The impact fee payments would be available to the City for use on "off-site" improvements identified within the City's Six-Year Transportation Improvement Program (TIP). The timing of such off-site improvements would be as outlined within the TIP. Projects in this program can be funded using various combinations of the collected impact fees, grants and loans obtained by the City, and local taxes paid by new and existing residents and businesses. Consequently, while the EIS does not identify impacts from the Proposed Action for which specific mitigation measures need to be considered, the applicant would nevertheless be providing a substantial amount of funding (\$409,000 for the Proposed Action) through transportation impact fees that would be available to address existing, site-specific concerns identified by reviewers of the DEIS.

It is possible that residents of Wood Trails might park within the public rights-of-way along NE 198th, NE 201st, and NE 202nd Streets to avoid the steep descent into Wood Trails during occurrences of snow or freezing rain. These public roads have shoulders of varying width that are now used by existing Wellington residents for on-street parking. As noted in Section 3.5.1.5, gravel shoulders along NE 198th Street and NE 201st Street (the two primary accesses proposed for Wood Trails) are generally 6 feet wide. Therefore, additional vehicles parked legally alongside the roadway would not present a safety hazard.

Following post-construction inspection and acceptance of the completed facilities, streets within the new subdivisions would become public streets within the City street network. Long-term operation and maintenance of these streets would be the responsibility of the City, and would be paid for with City funds available to the Public Works program. These include gas tax revenues distributed by the State (based on the City's population) and other taxes collected by the City from new and existing residents and businesses.

Comment 81-11 states that the DEIS incorrectly identified 156th Avenue NE as a collector roadway, whereas the street is actually classified as a minor arterial in the City Comprehensive Plan and street standards. Consequently, the comment maintained that the applicant was required to dedicate right-of-way and street improvement to minor arterial standards along the Montevallo frontage on 156th Avenue NE. The comment is correct in that Comprehensive Plan Figure 9-4, Existing Street Classification depicts 156th Avenue NE as a minor arterial. Per WMC 12.12.030, however, 156th Avenue NE is actually classified as a collector arterial street and not as a minor arterial. Drawing 105A in the City's *Transportation Infrastructure Standards and Specifications, Part 3 Standard Details* is the typical illustration applicable to a collector street, and indicates a two-lane street with bike lanes and sidewalks. (Note 1 on Drawing 105A states that collector residential streets are intended to serve areas with zoning principally consisting of R-4 and greater classification.) WMC 12.03.020 requires applicants for subdivisions to perform a transportation impact analysis and to mitigate impacts identified through the analysis, which can be done by dedication of rights-of-way and/or construction of improvements.

Consistent with the mitigation discussion above and the street classification established in the City Code, right-of-way dedication and street improvements on 156th Avenue NE to minor arterial standards are not required.

Issue TR-22: Impacts of NE 204th St. access to Montevallo

Issue: One comment specifically referenced adverse impacts (e.g., to privacy, property values) expected to result from traffic using the proposed NE 204th Street access to/from the Montevallo development.

Applicable Comments: 79-6

Response:

The type of impact referenced in this comment (headlights from cars shining on properties and residences within the immediate vicinity) is a widespread occurrence that is an unavoidable consequence of locating residences adjacent to a public street. This is considered to be a minimal impact that does not need to be addressed in the EIS or through mitigation. See also the responses to Issues EIS-8 and EIS-9.

4.2.6 Public Services (PS)

Issue PS-1: Availability of neighborhood parks for public use

Issue: Several comments focused on the DEIS discussion of proposed park resources identified by the City. These comments stated that the parks mentioned in this discussion were privately owned and were not available for use by new residents associated with the proposal.

Applicable Comments: 5-25, 15-25, 55-9, T15-4

Response:

Comments 5-25, 15-25 and T15-4 appear to misinterpret the information on the subject community parks that was presented in the EIS. Draft EIS Section 3.6.1(c), Proposed Park and Recreation Actions (a part of the Affected Environment discussion) described park and recreation actions by the City that were identified in the City's 2005 Parks, Recreation and Open Space (PRO) Plan, which included the suggested future acquisition of two private, community facilities owned by homeowners associations for use as public parks. This discussion in the DEIS was not in reference to any proposal by the applicant to acquire those community parks as mitigation for the recreation impacts of the projects, as appears to have been assumed in these comments. The City notes the local objections to such potential acquisitions and will ensure that this information is relayed to the Parks and Recreation Department.

Issue PS-2: Impacts of proposed developments on existing recreation resources

Issue: Three comments addressed the DEIS discussion of project impacts on existing recreation resources, primarily the indirect impacts associated with the recreation demands of the new residents. They raised questions about where the new residents would go for recreation and on the secondary and cumulative impacts from future residential infill development and whether those demands were adequately reflected in the analysis.

Applicable Comments: 5-67, 58-67, T2-6

Response:

Section 3.6.2 of the DEIS adequately disclosed the direct and indirect recreation impacts of the proposal and the alternatives. Residents of the Wood Trails and Montevallo subdivisions would presumably have a pattern of recreational activity similar to that of existing residents of the area, which involves varying levels of use of resources provided by the City, neighboring municipalities, King County, the State of Washington, federal agencies and private-sector providers. Section 3.6.2(e) of the DEIS (Section 3.6.3 in the FEIS) addresses secondary and cumulative impacts within the appropriate context for this proposal; see the response to Issue EIS-5 regarding consideration of potential secondary and cumulative impacts associated with possible infill development in the area.

Issue PS-3: Recreation mitigation measures

Issue: Two identical comments addressed the adequacy of the mitigation measures for recreation that were proposed by the applicant and/or to be undertaken by the City, suggesting that the applicant should provide other recreation facilities and that payment of recreation impact fees to the City would not be sufficient mitigation.

Applicable Comments: 5-68, 58-68

Response:

The applicant's proposal with respect to mitigation of recreation impacts is consistent with the City's standard procedures and regulations. City regulations permit development applicants to rely solely on park impact fees as mitigation if they so choose or they can propose to include on-site recreational facilities that they believe fit with their development and will be accepted by the City as credit against the impact fees. As described in the EIS, the applicant proposed to construct recreation facilities that it considered to be consistent with the objectives for the proposal and responsive to local recreation needs. The City has expressed reservations about whether those actions would meet City objectives and qualify for credits against the impact fees. As established in the WMC, the City cannot require the applicant to construct on-site (or off-site) facilities that the City believes best meet the needs of City residents. At any time prior to a final decision on the applications, it is conceivable that the applicant and the City could reach agreement on construction of recreation facilities that are acceptable to both parties. If not, the recreation impacts of the project would be considered fully mitigated with payment of the impact fees prescribed in the regulations.

4.3 OTHER ISSUES

A substantial number of the 909 individual comments on the Draft EIS addressed issues that did not specifically pertain to the scope and/or substance of the EIS, and did not identify programmatic/policy issues or element/resource issues discussed above. A large group of comments conveyed the writer's or speaker's opinion about the merits of the proposal but did not address a substantive EIS issue relating to alternatives, impacts or mitigation. A number of individuals expressed opposition to the proposal or to certain forms of development, while others expressed support for specific alternatives or planning actions.

Another group of comments are statements of opinion, values or beliefs related in some way to the proposal or to the various entities involved in the project and the review process. Comments in these two groups are related in various ways to the EIS and/or to the project addressed in the EIS, but they are not comments about a specific, substantive aspect of the Draft EIS.

The City grouped these non-substantive comments into two “Other” issue categories, classified as Support/Opposition and Value/Belief Statements. Multiple individual issues exist in each of these categories. The following content in Section 4.3.1 includes explanations as to why the topics identified as Other Issues are not addressed in the EIS. Because the comments classified as Support/Opposition and Value/Belief Statements do not address the substance of the EIS, it is not possible or appropriate to provide a substantive response in the Final EIS. These statements have been reviewed and are acknowledged. The decision makers who will undertake final action on the proposed project may consider these forms of input when evaluating the proposal, however.

4.3.1 Support/Opposition (SO)

The SEPA Rules (WAC 197-11-550) provide that comments on an EIS shall be as specific as possible and may address either the adequacy of the environmental document or the merits of the alternatives, or both. Comments that are limited to expressing support for or opposition to, an action or an alternative do not address the substance of an EIS and do not provide the basis for a specific response. Therefore, these comments are acknowledged without further response. Comments of this nature were assigned to six support/opposition issue categories.

Issue SO-1: Support for R-1 zoning in the local area

Issue: This issue includes comments expressing support for maintaining R-1 zoning in the West Wellington area.

Applicable Comments: 5-47, 7-1, 10-1, 11-6, 21-5, 27-2, 30-5, 38-8, 41-5, 45-10, 46-14, 52-3, 57-4, 70-3, 72-21, 74-1, 83-3, 87-9, 89-1, 89-8, 91-2, 94-1, T5-3, T11-2, T13-1, T18-2

Issue SO-2: Support for the R-1 Zoning Alternative

Issue: Comments interpreted as expressing support for or acceptance of the R-1 Zoning Alternative were assigned to issue SO-2.

Applicable Comments: 12-8, 19-6, 34-4, 37-2, 46-4, 47-4, 64-10, 79-12, 80-1, T6-6, T14-3, T15-6

Issue SO-3: Support for the No Action Alternative

Issue: These are statements in favor of the No Action Alternative evaluated in the EIS.

Applicable Comments: 6-6, 11-6

Issue SO-4: Opposition to the Proposal

Issue: This issue includes comments expressing opposition to the proposed subdivisions and rezoning to R-4, and/or recommending denial of the development as proposed.

Applicable Comments: 4-4, 5-46, 6-6, 6-7, 18-6, 19-5, 28-1, 35-5, 43-1, 49-1, 50-2, 56-1, 64-1, 66-1, 77-1, 78-1, 82-1, 83-1, 90-4, 93-1, T7-5, T8-3, T15-5, T16-1, T19-1

Issue SO-5: Opposition to attached housing

Issue: Two comments specifically expressed opposition to the Attached Housing Alternative, or to attached or multi-family housing in general.

Applicable Comments: 37-8, 41-1

Issue SO-6: Tree preservation/fewer units

Issue: One comment expressed hopes that fewer trees could be cleared and fewer units could be built on the Wood Trails site.

Applicable Comments: 59-3

4.3.2 Value/Belief Statements (V/B)

A number of the comments from the Draft EIS review were statements based on the values or beliefs of the writer/speaker relating in some way to topics addressed in the Draft EIS. Similar to the Support/Opposition comments, these comments do not address the substance of the EIS and do not provide the basis for a specific response. In addition, because these statements are based on personal values and beliefs, there is no “right” or “wrong” associated with the statements and a response would be inappropriate. Comments of this nature were interpreted as representing three separate value/belief issues and are acknowledged in the Final EIS.

Issue VB-1: Responsibilities of developers

Issue: This issue includes opinions that developers should pay for various actions and/or mitigation measures, including the costs for schools/education, recreation and connections to the proposed sewer extension, or that developers should prove why a rezone was needed.

Applicable Comments: 6-5, 21-1, 21-4, 74-4, T14-1

Issue VB-2: Merits of sewer extension

Issue: Two comments stated opinions about the economic aspects of connecting two patches of development with sewer, or forcing existing properties to hook up to the sewer.

Applicable Comments: 5-45, 46-6

Issue VB-3: Responsibilities or policies of the City

Issue: This issue reflects personal views on the responsibilities or policies of the City and/or State, e.g., that the City should support and/or protect neighborhoods, should not allow development in the buffer zone east of the industrial area, and is responsible for managing local growth (rather than the State).

Applicable Comments: 46-2, 66-3, 74-3, 93-2, T8-2, T8-4, T11-3, T13-2, T14-2