EXHIBIT 165
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Additional CNW Comments

The CNW Comments refer to the Nelson Geotechnical conclusion that past roadway cuts may have contributed to slope instabilities, and therefore additional slope instability is likely to occur as a result of the proposed development activity. The CNW Comment, however, neglects to recognize that the instability referred to by Nelson Geotechnical occurred along the drainage well to the north of the development area. Additionally, the CNW Comments do not acknowledge the conclusion of Nelson Geotechnical that the effects of past onsite disturbances appear to have been relatively minor. The FEIS also concludes that given the level of prior manmade disturbances, a greater degree of instability would be present if the site was not inherently stable.

The CNW Comments challenge the statements in the ESNW Addendum Report regarding conclusions made in the City of Woodinville Sustainable Development report. It is acknowledge that the recommendations in the Sustainable Development report are based on the worst case infiltration and slope stability analysis. The fact remains, however, that the Sustainable Development report concludes that site specific studies should be required to refute or confirm the presence of hazards on a case by case basis. These site specific studies have been completed for the Woodtrails site, and have concluded that the site is stable and development as proposed is feasible.

Faulting

We have reviewed the additional fault information provided in Section 6 Exhibit 161. Based on our review of this information, it is still our conclusion that there is no documented evidence that surface ruptures or associated scarp features exist on the site. Moreover, the study Holocene Fault Scarps And Shallow Magnetic Anomalies Along The Southern Whidbey Island Fault Zone (SWIFZ) Near Woodinville, Washington concludes that the overall hazards posed by the SWIFZ remain in question. The above mentioned report has been attached to this letter.

We trust this response to the CNW Comments meet your current needs. If you have any questions or if additional information is needed, please call.

Sincerely,

EARTH SOLUTIONS NW, LLC

4/26/07

RAYMOND A. COGLAS
STATE OF WASHINGTON
36018
REGISTERED
PROFESSIONAL ENGINEER

Raymond A. Coglas, P.E.
Principal

EXPIRES 7/29/2008

Attachment: USGS – Open File Report 2005-1136
Holocene Fault Scarps And Shallow Magnetic Anomalies Along The Southern Whidbey Island Fault Zone (SWIFZ) Near Woodinville, Washington