JEFF GLICKMAN

Jeff Glickman
Email: jeff@glickman.com

19405 148th Ave NE
Woodinville, WA 98072

Phone: (503) 705-6900
Facsimile: (866) 201-0239

Board Certified Forensic Examiner
Fellow, American College of Forensic Examiners
Diplomate, American College of Forensic Examiners

EXHIBIT 102
PAGE 1 OF 69

April 5, 2007

Greg Smith, Hearing Examiner
Woodinville City Hall
17301 - 133rd Ave NE
Woodinville, WA 98072

Dear Hearing Examiner Smith,

The Wood Trails Project Permit Application consists of multiple parcels. The City of Woodinville Development Consistency Checklist for the Application identifies the parcels for this Application as: 0326059111, 0326059038, 0326059032, 0326059042, 0326059044, 0326059045 (Attachment 13)[1].

An Application for the City of Woodinville is defined as consisting of the City of Woodinville Department of Planning & Community Development General Application Form (Attachments 7 through 10)[2], and in the case of the Wood Trails Application, a list of documents specified by the Instructions for Filing Application, Department of Planning and Community Development, Preliminary Plat (Subdivision) (Attachment 11)[3] as specified by WMC 17.09.020(8) Project permit application. Included in the list of documents required for the Application is item 2 of Attachment 11, the completed SEPA environmental checklist.

Per WMC 17.09.020 Project permit application, all documents submitted by the Applicant to the Director such that the Director can determine that the submittal requirements are met, constitute the Application in its entirety.

---

[1] Source: City of Woodinville document production in response to Public Records Request
[2] Source: City of Woodinville document production in response to Public Records Request
[3] Source: City of Woodinville document production in response to Public Records Request

EXHIBIT 102
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Attached are the Parcel Reports for each of these parcels. On the second page of each parcel report (reverse side), in the "Environmental Areas" subsection, each parcel is identified as having Erosion Hazards (Attachments 1 through 6)[4]. This designation runs with the land.

The completed SEPA environmental checklist provided by the Applicant is provided as Attachment 12.[5] On page 4, Section B Environmental Elements, 1. Earth, subparagraph f, the checklist item reads "Could erosion occur as a result of clearing, construction, or use?" The Applicant proceeds to answer the question by discussing construction erosion only, and does not address use. This is a material omission for parcels designated as erosion hazards.

The designation of Erosion Hazard runs with the land, and the Applicant did not disclose this in the appropriate location on the Application. As the Applicant performed title work recently and prior to submitting the Application, the Applicant had demonstrable knowledge of the erosion hazards. Further, the Applicant had a legal burden to disclose the erosion hazard that runs with the land on the Application which was not done.

WMC 17.09.020(2) Project permit application states "An applicant shall attest by written oath to the accuracy and completeness of all information submitted for an application;" In the case of Erosion Hazards, the Applicant has not disclosed information on the Application that was known to them by way of Title.

The Applicant has sworn that the Application is complete and accurate and the Application is materially defective. As such, this Hearing cannot legally be conducted, and the Hearing Examiner must dismiss this case and direct the Applicant to refile a complete and accurate Application.

Sincerely,

Jeff Glickman
Board Certified Forensic Examiner
Fellow, American College of Forensic Examiners
Diplomate, American Board of Forensic Examiners

---

[4] Source: King County Parcel Viewer (http://www.metrokc.gov/GIS/mapportal/PViewer_main.htm)
[5] Source: City of Woodinville document production in response to Public Records Request

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ATTACHMENT 1

King County Home News Services Comments Search

PARCEL REPORT

Districts and Development Conditions

for Parcel number: **0326059111**

EXHIBIT 102
PAGE 5 OF 69

BY LAW THIS INFORMATION MAY NOT BE USED FOR COMMERCIAL PURPOSES.

Administrative Districts and Areas

Address	Not Available
Jurisdiction	**Woodinville**
Zipcode	**98072**
King County Council District (COUNCIL IN TRANSITION)	Council District:**3** Council Member: **Kathy Lambert** Phone: **(206) 296-1003** **Web site**
School District	**Northshore #417**
Fire District	**Woodinville Fire & Life Safety District**
Water District	**Woodinville Water District**
Sewer District	None
Water and Sewer District	None
Water Service Planning Area	**Woodinville Water District**
Tribal Lands	No

Planning Designations

King County Zoning	Not Available
Comprehensive Plan Land Use	Not Available
Urban Growth Area	**Urban**
Community Planning Area	**Northshore**
Unincorporated Area Council	None
P-Suffix Conditions	None
Kroll Map Page	**501**
Thomas Guide Map Page	**477**
Agricultural Production District	No
Forest Production District	No
Roads MPS Zone	**294**
Transportation Concurrency Zone	**117**

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Environmental Areas

Drainage Basin	**Little Bear Creek**
Rural Clearing Limits Apply	Not Available
Watershed Name	**Sammamish River**
WRIA Name	**Cedar-Sammamish**
WRIA Number	**8**
Wetland	None mapped
100-Year Flood Plain	None mapped
Coal Mine Hazards	None mapped
Erosion Hazards	**Yes**
Landslide Hazards	None mapped
Seismic Hazards	None mapped
Critical Aquifer Recharge Area	None mapped

DDES Permitting Information
Assessor Property Characteristics Report
Zoom to Parcel - iMAP (High Speed Internet Connection)
Zoom to Parcel - Parcel Viewer (All Internet Connections)

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ATTACHMENT 2

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PARCEL REPORT

Districts and Development Conditions

for Parcel number: **0326059032**

EXHIBIT 102
PAGE 7 OF 69

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Administrative Districts and Areas

Address	Not Available
Jurisdiction	**Woodinville**
Zipcode	**98072**
King County Council District (COUNCIL IN TRANSITION)	Council District:**3** Council Member: **Kathy Lambert** Phone: **(206) 296-1003** **Web site**
School District	**Northshore #417**
Fire District	**Woodinville Fire & Life Safety District**
Water District	**Woodinville Water District**
Sewer District	None
Water and Sewer District	None
Water Service Planning Area	**Woodinville Water District**
Tribal Lands	No

Planning Designations

King County Zoning	Not Available
Comprehensive Plan Land Use	Not Available
Urban Growth Area	**Urban**
Community Planning Area	**Northshore**
Unincorporated Area Council	None
P-Suffix Conditions	None
Kroll Map Page	**501**
Thomas Guide Map Page	**477**
Agricultural Production District	No
Forest Production District	No
Roads MPS Zone	**293**
Transportation Concurrency Zone	**117**

Environmental Areas

Drainage Basin	**Little Bear Creek**
Rural Clearing Limits Apply	Not Available
Watershed Name	**Sammamish River**
WRIA Name	**Cedar-Sammamish**
WRIA Number	**8**
Wetland	None mapped
100-Year Flood Plain	None mapped
Coal Mine Hazards	None mapped
Erosion Hazards	**Yes**
Landslide Hazards	None mapped
Seismic Hazards	None mapped
Critical Aquifer Recharge Area	None mapped

DDES Permitting Information
Assessor Property Characteristics Report
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PARCEL REPORT

Districts and Development Conditions

for Parcel number: **0326059038**

EXHIBIT 102
PAGE 9 OF 69

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Administrative Districts and Areas

Address	Not Available
Jurisdiction	**Woodinville**
Zipcode	**98072**
King County Council District (COUNCIL IN TRANSITION)	Council District:**3** Council Member: **Kathy Lambert** Phone: **(206) 296-1003** **Web site**
School District	**Northshore #417**
Fire District	**Woodinville Fire & Life Safety District**
Water District	**Woodinville Water District**
Sewer District	None
Water and Sewer District	None
Water Service Planning Area	**Woodinville Water District**
Tribal Lands	No

Planning Designations

King County Zoning	Not Available
Comprehensive Plan Land Use	Not Available
Urban Growth Area	**Urban**
Community Planning Area	**Northshore**
Unincorporated Area Council	None
P-Suffix Conditions	None
Kroll Map Page	**501**
Thomas Guide Map Page	**477**
Agricultural Production District	No
Forest Production District	No
Roads MPS Zone	**293**
Transportation Concurrency Zone	**117**

EXHIBIT 102
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Environmental Areas

Drainage Basin	**Little Bear Creek**
Rural Clearing Limits Apply	Not Available
Watershed Name	**Sammamish River**
WRIA Name	**Cedar-Sammamish**
WRIA Number	**8**
Wetland	None mapped
100-Year Flood Plain	None mapped
Coal Mine Hazards	None mapped
Erosion Hazards	**Yes**
Landslide Hazards	None mapped
Seismic Hazards	None mapped
Critical Aquifer Recharge Area	None mapped

DDES Permitting Information
Assessor Property Characteristics Report
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PARCEL REPORT
Districts and Development Conditions
for Parcel number: **0326059042**

EXHIBIT 102
PAGE 11 OF 69

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Administrative Districts and Areas

Address	Not Available
Jurisdiction	**Woodinville**
Zipcode	**98072**
King County Council District (COUNCIL IN TRANSITION)	Council District:**3** Council Member: **Kathy Lambert** Phone: **(206) 296-1003** **Web site**
School District	**Northshore #417**
Fire District	**Woodinville Fire & Life Safety District**
Water District	**Woodinville Water District**
Sewer District	None
Water and Sewer District	None
Water Service Planning Area	**Woodinville Water District**
Tribal Lands	No

Planning Designations

King County Zoning	Not Available
Comprehensive Plan Land Use	Not Available
Urban Growth Area	**Urban**
Community Planning Area	**Northshore**
Unincorporated Area Council	None
P-Suffix Conditions	None
Kroll Map Page	**501**
Thomas Guide Map Page	**477**
Agricultural Production District	No
Forest Production District	No
Roads MPS Zone	**294**
Transportation Concurrency Zone	**117**

EXHIBIT 102
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Environmental Areas

Drainage Basin	**Little Bear Creek**
Rural Clearing Limits Apply	Not Available
Watershed Name	**Sammamish River**
WRIA Name	**Cedar-Sammamish**
WRIA Number	**8**
Wetland	None mapped
100-Year Flood Plain	None mapped
Coal Mine Hazards	None mapped
Erosion Hazards	**Yes**
Landslide Hazards	None mapped
Seismic Hazards	None mapped
Critical Aquifer Recharge Area	None mapped

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PARCEL REPORT

Districts and Development Conditions

for Parcel number: **0326059044**

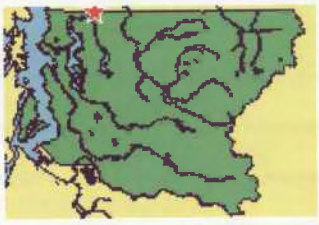

EXHIBIT 102
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Administrative Districts and Areas

Address	Not Available
Jurisdiction	**Woodinville**
Zipcode	**98072**
King County Council District (COUNCIL IN TRANSITION)	Council District:**3** Council Member: **Kathy Lambert** Phone: **(206) 296-1003** **Web site**
School District	**Northshore #417**
Fire District	**Woodinville Fire & Life Safety District**
Water District	**Woodinville Water District**
Sewer District	None
Water and Sewer District	None
Water Service Planning Area	**Woodinville Water District**
Tribal Lands	No

Planning Designations

King County Zoning	Not Available
Comprehensive Plan Land Use	Not Available
Urban Growth Area	**Urban**
Community Planning Area	**Northshore**
Unincorporated Area Council	None
P-Suffix Conditions	None
Kroll Map Page	**501**
Thomas Guide Map Page	**477**
Agricultural Production District	No
Forest Production District	No
Roads MPS Zone	**293**
Transportation Concurrency Zone	**117**

EXHIBIT 102
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Environmental Areas

Drainage Basin	**Little Bear Creek**
Rural Clearing Limits Apply	Not Available
Watershed Name	**Sammamish River**
WRIA Name	**Cedar-Sammamish**
WRIA Number	**8**
Wetland	None mapped
100-Year Flood Plain	None mapped
Coal Mine Hazards	None mapped
Erosion Hazards	**Yes**
Landslide Hazards	None mapped
Seismic Hazards	None mapped
Critical Aquifer Recharge Area	None mapped

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PARCEL REPORT

Districts and Development Conditions

for Parcel number: **0326059045**

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Administrative Districts and Areas

Address	Not Available
Jurisdiction	**Woodinville**
Zipcode	**98072**
King County Council District (COUNCIL IN TRANSITION)	Council District:**3** Council Member: **Kathy Lambert** Phone: **(206) 296-1003** **Web site**
School District	**Northshore #417**
Fire District	**Woodinville Fire & Life Safety District**
Water District	**Woodinville Water District**
Sewer District	None
Water and Sewer District	None
Water Service Planning Area	**Woodinville Water District**
Tribal Lands	No

Planning Designations

King County Zoning	Not Available
Comprehensive Plan Land Use	Not Available
Urban Growth Area	**Urban**
Community Planning Area	**Northshore**
Unincorporated Area Council	None
P-Suffix Conditions	None
Kroll Map Page	**501**
Thomas Guide Map Page	**477**
Agricultural Production District	No
Forest Production District	No
Roads MPS Zone	**294**
Transportation Concurrency Zone	**117**

EXHIBIT 102
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Environmental Areas

Drainage Basin	**Little Bear Creek**
Rural Clearing Limits Apply	Not Available
Watershed Name	**Sammamish River**
WRIA Name	**Cedar-Sammamish**
WRIA Number	**8**
Wetland	None mapped
100-Year Flood Plain	None mapped
Coal Mine Hazards	None mapped
Erosion Hazards	**Yes**
Landslide Hazards	None mapped
Seismic Hazards	None mapped
Critical Aquifer Recharge Area	None mapped

DDES Permitting Information
Assessor Property Characteristics Report
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CITY OF WOODINVILLE
PLANNING DEPARTMENT

ATTACHMENT 7

City of Woodinville
Department of Planning & Community Development
GENERAL APPLICATION FORM

File #	2004-054
Appl. Type	PPA
TRC III Date	
Fee paid	9840.00
Date Rec'd	6/18/04

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

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OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? ☒ YES ☐ NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property:	~~Immediately south of King-Snohomish County boundary and west~~ 148th Ave NE FROM NE 195th Street to NE 202nd Street.			
Legal Description:	(See Attached)			
Tax Parcel Number: (See Attached)	¼ Sec.: NE,SE	Sec.: 03	Twn.: 26	Range: 05
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential			Zone: R-1
Current Use:	Vacant Land			
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.			

EXHIBIT 102
PAGE 17 OF 69

AUTHORIZATION TO FILE:
SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name Kathleen G. Horton	Name
Signature	Signature
Tax No. or Lot & Subdivision 032605 9044 01	Tax No. or Lot & Subdivision
☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date_____	☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date_____

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc.	Date 6/9/04

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CITY OF WOODINVILLE
PLANNING DEPARTMENT
Received Stamp

ATTACHMENT 8

2-069

File #	2004-031
Appl. Type	PDA
TRC III Date	
Fee paid	9840 -
Date Rec'd	6-18-04

City of Woodinville
Department of Planning & Community Development

GENERAL APPLICATION FORM

EXHIBIT 102
PAGE 19 OF 69

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? ☒ YES ☐ NO
(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.				
Legal Description:	(See Attached)				
Tax Parcel Number: (See Attached)	¼ Sec.: NE,SE	Sec.: 03	Twn.: 26	Range: 05	
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential			Zone: R-1	
Current Use:	Vacant Land				
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.				

AUTHORIZATION TO FILE:
SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name G & S Sundquist Third Family Limited Partnership	Name
Signature G. S. Sundquist	Signature
Tax No. or Lot & Subdivision 032605 9111 09	Tax No. or Lot & Subdivision
☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date	☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc.	Date 6/9/04

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PLANNING DEPARTMENT
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City of Woodinville
Department of Planning & Community Development

GENERAL APPLICATION FORM

File #	2004 034
Appl. Type	PPA
TRC III Date	
Fee paid	9840
Date Rec'd	6-18-04

EXHIBIT 102
PAGE 21 OF 69

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? ☒ YES ☐ NO

(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review.

PROPERTY INFORMATION:

Location of Subject Property:	~~Immediately south of King-Snohomish County boundary and west~~ 148th Ave NE FROM NE 195th Street to NE 202nd Street.				
Legal Description:	(See Attached)				
Tax Parcel Number: (See Attached)	¼ Sec.: NE,SE	Sec.: 03	Twn.: 26	Range: 05	
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential			Zone: R-1	
Current Use:	Vacant Land				
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.				

AUTHORIZATION TO FILE:
SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name Charlotte E.Huse, as Trustee of the Charles R. Huse Testamentary Trust	Name
Signature Rose M. Lehmann	Signature
Tax No. or Lot & Subdivision 032605 9038 09 & 032605 9131 05	Tax No. or Lot & Subdivision
☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date	☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc.	Date 6/9/04

EXHIBIT 102
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ATTACHMENT 10

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JUN 18 2004

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CITY OF WOODINVILLE
PLANNING DEPARTMENT

City of Woodinville
Department of Planning & Community Development

GENERAL APPLICATION FORM

File #	2004-054
Appl. Type	PPA
TRC III Date	
Fee paid	9840
Date Rec'd	6-18-04

EXHIBIT 102
PAGE 23 OF 69

GENERAL INFORMATION:

Name of Development/Project:	Wood Trails
Applicant Name:	Phoenix Development, Inc. (Contact: Loree Quade)
Applicant Address:	P.O. Box 3167, 7127 196th St SW, Lynnwood, WA 98046
Phone Number:	425-775-8663
Description of Proposed Action:	A subdivision of 38.7 acres into 66 single-family detached lots, with concurrent zoning map amendment and environmental review.

OTHER PERMITTING INFORMATION:

Are you applying for a consolidated permit review? ☒ YES ☐ NO

(Consolidated Permit Reviews require all applications be submitted concurrently.)

If yes, what other permits/applications are you submitting at this time? Subdivision, zoning map amendment, Environmental Review

PROPERTY INFORMATION:

Location of Subject Property:	Immediately south of King-Snohomish County boundary and west 148th Ave NE FROM NE 195th Street to NE 202nd Street.				
Legal Description:	(See Attached)				
Tax Parcel Number: (See Attached)	¼ Sec.: NE, SE	Sec.: 03	Twn.: 26	Range: 05	
Size (ac/sq ft): 2,199,780 sf/50.5 ac	Comp. Plan Designation: Low Density Residential			Zone: R-1	
Current Use:	Vacant Land				
Are there Sensitive Areas on Property?	Yes, 21.9 Acres NGPA / Steep Slope.				

AUTHORIZATION TO FILE:
SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

* WITH POA FOR LEONARD DREBIN EDYTH DREBIN

Name: MORRIS GORELICK**	Name: HAROLD H. GORLICK
Signature: Morris Gorelick	Signature: Harold H. Gorlick
Tax No. or Lot & Subdivision: 032605-9042-03,	Tax No. or Lot & Subdivision:
☐ Owner 032605-9045-00 & 032605-9032-05 ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date	☐ Owner ☐ Contract Purchaser ☐ Option Purchaser (Owners signature also required) Option Expiration Date

CERTIFICATION:

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Signature: Loree Quade, Phoenix Development, Inc.	Date: 6/9/04

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ATTACHMENT 11

03-208

Instructions for Filing Application
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
PRELIMINARY PLAT (SUBDIVISION)

FOR CITY USE ONLY	
Received	Required

PROJECT NAME:

1. ***PRELIMINARY PLAT (SUBDIVISION) APPLICATION -*** shall include the following:

Whenever it is proposed to subdivide land into five (5) or more lots, tracts, sites or divisions, the applicant shall file with the Planning Department one 8 1/2" x 11" clear plastic reduction and nine (9) legible paper copies of the preliminary plat map on sheets 24" x 36" in size. Preliminary plat maps shall include or be accompanied by the following:

DOCUMENTS:

CT	
CT	
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1. A completed general application form to be obtained from the Planning Department.
2. A completed SEPA environmental checklist to be obtained from the Planning Department.
3. The filing fee in accordance with the fee schedule available from the Planning Department.
4. Names and addresses of all property owners within 500 feet of the subject property available from the County Assessor's Office (refer to address label requirements sheet).
5. Density Calculations
6. Northshore School District Safewalk Form
7. Consistancy Checklist
8. A Title Insurance Report or Plat Certificate obtained no more than 90 days prior to submitting the Preliminary Plat, confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the plat's certificate or instrument of dedication.

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MAPS/DRAWINGS - MYLAR

In addition to the document above the applicant shall file a vicinity map extending at least 800 feet in each direction from the proposed subdivision, or further if necessary, to assist in locating the subdivision. The vicinity map shall be drawn to a scale of <u>one inch equals 800 feet</u>. The vicinity map shall show the following:

CT

1. Vicinity Mapshowing:
   a. Street layout in the subdivision.
   b. Existing and tentatively approved street layout within 800 feet of the subdivision.
   c. Zoning designations within and adjacent to the subdivision.
   d. All property lines within 800 feet of the subdivision.
   e. Streams or watercourses and public facilities, such as schools and parks.
   f. All 100-year floodplain and designated shoreline boundaries in and within 800 feet of the proposed subdivision.

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g. Any other pertinent information that will assist in locating the proposed subdivision.

2. A title block in the lower right hand corner of the preliminary plat map showing:

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a. The proposed name of the subdivision.

b. The scale of the drawing.

c. The date of the drawing.

d. The name and address of the engineer, surveyor, or other individual responsible for laying out the subdivision.

A detailed plan of the proposed subdivision drawn to scale of one inch equals 100 feet or larger, provided that for subdivisions of 50 acres or more the Planning Director may authorize a smaller scale where an entire subdivision cannot be shown on a single sheet.

3. The detailed plan shall clearly show the following information:

a. North arrow.

b. The location, names and right-of-way widths of all existing and proposed streets and driveways within 250 feet of the boundaries of the proposed subdivision.

c. The location, names and right-of-way widths of all proposed streets within the proposed subdivision and their proposed paved width.

d. Lot layout with lot line dimensions, the area in square feet contained in each lot.

e. The location and use of all existing buildings within the proposed subdivision indicating which buildings are to remain and which are to be removed.

f. The use and approximate location of all buildings within 150 feet of the boundaries of the proposed subdivision.

g. The location, size and use of all contemplated and existing public areas within the proposed subdivision, and a description of the adaptability of the area for uses contemplated.

h. The location, size and kind of public utilities in and adjacent to the proposed subdivision indicating those utilities which will provide service to the proposed development and their planned location within the subdivision.

i. Location and disposition of any wells, creeks, drainage courses, drainageways, septic tanks, drainfields, 100-year floodplain boundary and easements in or within 200 feet of the proposed subdivision.

j. Topography and 5-foot contours certified by the engineer or surveyor within the proposed subdivision; or, as an alternative, in the case of a partition of one acre or less, elevations at each existing and proposed property corner. One foot or two foot contours may be required at the discretion of the Planning Director.

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Instructions for Filing Application
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
PRELIMINARY PLAT (SUBDIVISION)

k. Topography and at least ten foot contours outside, but within 200 feet of the proposed subdivision. The base for such information shall be the National Geodetic Survey (U.S.G.S.); or other survey approved by the Planning Director.

l. The location of all trees more than six inches in diameter at a height of four feet above grade within the proposed subdivision, and for 150 feet beyond the terminus of all dead end streets (individual trees in a stand of five trees or more need not be shown, but the area covered by the stand (dripline) shall be shown). For trees outside of the subdivision boundaries, the location of said trees may be based on aerial photographs or other methods acceptable to the Planning Director which does not require the applicant to trespass on adjacent property.

m. For all 100-year floodplain boundaries shown on the vicinity map, the elevation of the 100-year flood at the point immediately upstream from the subdivision and the direction and distance to said point.

n. The location of identified hazards or development limitation areas identified by the City of Woodinville Sensitive Areas Map.

o. The location of any state shorelines and associated wetlands within the subdivision as defined by State law and the City of Woodinville Shoreline Master Program.

4. Profiles of all proposed streets within the proposed subdivision showing the grades to which the streets will be built and the existing groundline of the proposed streets including the probable future extensions of any stub (dead end) streets for a maximum distance of 150 feet beyond the boundaries of the subdivision. As an alternative, the preliminary plat map may show topography in two foot contours within 50 feet of each side of the centerline of all probable future extensions of any stub (dead end) streets for a distance of 150 feet beyond the boundaries of the proposed subdivision. The contour information shall be certified by a registered engineer or surveyor.

5. Slope analysis indicating areas where existing grades within the subdivision exceed 15%, 25%, and 40%. the percentage and the area in square feet of the subdivision with slopes of 0 - 15%, 15 - 25%, and 25 - 40% and over 40% shall be noted. The percentage of slopes is to be covered by impervious surface and shall be noted for slopes in the 15 - 25% and 25 - 40% categories.

6. Interim Design Principles Application and Checklist (applicable for development in all Commercial Zones and Tourist District).

Additional information may be required by the City. The applicant will be notified in writing if additional information is necessary.

PLEASE NOTE: In order to help work out potential problems, if any, before formal submittal, the City of Woodinville encourages applicants to attend a pre-application meeting with a sketch of the proposal for preliminary review. The sketch should be drawn to scale and be reasonably accurate. It may be prepared by the applicant.

Applicants Signature _____ Date 6/10/04

☐ The items marked as received above will be forwarded to a project planner for review. You will be notified regarding the completeness of your application and whether additional information will be required.

☐ The items marked in the required column are missing from your application packet. Your application will not be accepted until you have presented those items with your packet.

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Instructions for Filing Application
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
PRELIMINARY PLAT (SUBDIVISION)

If you have any questions, please contact the Planning Department at 489-2754.

_____ _____
Planning Department Representative Date

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Purpose of Checklist: The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the environment. The purpose of this checklist is to provide information to help King County's Responsible Official and any other agencies with jurisdiction to identify impacts from a proposal (and to reduce or avoid impacts from the proposal, if it can be done), and to help King County decide whether an EIS is required.

A. BACKGROUND

1. Name of proposed project, if applicable:

Wood Trails

2. Name of proponent:

Phoenix Development, Inc.

3. Address and phone number of proponent and contact person:

Proponent:
Phoenix Development, Inc.
Contact: Loree Quade
P.O. Box 3197
7127 – 196th Street SW
Lynnwood, WA 98046-3167
(425) 775-8663 ext.106

Contact Person:
George Newman, Principal
Triad Associates
11814 115th Avenue NE
Kirkland, WA 98034
(425) 821-8448

4. Date checklist prepared:

June 10, 2004

5. Agency requesting checklist:

City of Woodinville

6. Proposed timing or schedule (including phasing, if applicable):

The proponent will begin construction upon receiving all necessary approvals and permits. It is anticipated that the proposed project will be constructed beginning in Spring, 2005.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, please explain.

Yes. Sanitary sewer extension through the subject property which could serve other areas within the Urban Growth Area (UGA).

RECEIVED
JUN 18 2004
CITY OF WOODINVILLE
PLANNING DEPARTMENT

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8. Environmental information that has been prepared, or will be prepared, directly related to this proposal.

An environmental assessment will be made based on the review of this SEPA Checklist. Supplemental to this SEPA Checklist are the following technical studies with specific technical information including:

- ***Level 1 Downstream Analysis***, April 26, 2004 –Triad Associates
- ***Preliminary Technical Information Report***, June 10, 2004 –Triad Associates
- ***Geotechnical Engineering Study***, June 9, 2004 – Earth Consultants, Inc.
- ***Wood Trails Traffic Study***, June, 2004 – The Transpo Group
- ***Wood Trails Wetland Reconnaissance***, June 7, 2004, B-twelve Associates, Inc.

Each of the above documents are hereby incorporated by reference into this Checklist.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by this proposal?
Utility extension and construction approvals from the Woodinville Water District for public water and sanitary sewer.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

The following approvals/permits will likely be needed for this proposal:

• Rezone & Preliminary Plat Approval.....	City of Woodinville
• SEPA Threshold Determination.....	City of Woodinville
• Clearing and Grading Permits	City of Woodinville
• Forest Practice Permit.....	State Dept. Natural Resources
• Road and Storm Drainage Approval.....	City of Woodinville
• Water Extension Approval.....	Woodinville Water District
• Sanitary Sewer Extension Approval	Woodinville Water District
• Building Permits.....	City of Woodinville
• NPDES Permit.....	State Dept. of Ecology

11. Description of the proposal including the proposed uses and the size of the project and site.
Proposal

The initial total property assemblage is 50.5 acres. The northerly 11.8 acres of this assemblage is unusable and is not needed for tree retention and open space requirements of the proposed 66 lots. This northerly Tract A will be segregated through a boundary line adjustment to be approved by the City prior to recording of the final plat.

The proposal is to subdivide southerly 38.7 acres based upon a rezone to R-4. Based on steep slope constraints 66 detached, single-family lots can be accommodated on the buildable portion of the site which meet city standards. The minimum density required pursuant to 21.12.060 WMC is 38 lots while the maximum density allowed is 85 lots. The applicant expressly preserves the option of transferring surplus density (19 lots) as permitted through Ch. 21.36 WMC, Transfer of Density Credits, to other potential sites within the Woodinville UGA.

Based on steep slope constraints and connectivity to the existing road system, three logical neighborhoods or pods have been created through careful site planning: a southerly pod of 13 lots, a central pod of 20 lots and a northerly looped pod of 33 lots. Forty-nine of the lots (74%) will have been designed to abut the common open space.

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Zoning/Density
Property is currently zoned R-1. The subject property is within the City's Urban Growth Area (UGA) and designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for Industrial use. Gross density will be 1.7 dwelling units per acre.

Site Utilities
All lots will utilize sanitary sewers and public water provided by Woodinville Water District. Puget Sound Energy will be the primary provider for electrical service. Verizon will provide telephone service and AT&T will serve cable subscribers.

Vehicular Access and Circulation
The 66 proposed lots will take access from three new public road extensions which will connect with the existing city road stubs to the property. The two existing city streets proposed to serve the new connected road system is NE 198th Street and NE 201st Street.

Site Clearing and Grading
The proposal will require clearing and grading for roads, utilities, and individual lot development.

Proposed Treatment of Steep Slopes
Steep slopes in the westerly portion of the site will be protected as a Native Growth Protection Area in common open space Tracts L and F.

Open Space Areas
A total of 22.8 acres of common open space is being provided which represents 59% of the area within the plat. Approximately 21.9 acres of that open space will be protected in perpetuity as Native Growth Protection Area (NGPA). Approximately 3 acres of the subject plat will be contained within the lower Tract D for detention. An additional 2.5 acres will be utilized for public road right-of-way and private access tracts.

Storm Drainage
Most of the new storm water runoff from road and house impervious surfaces will be collected and directed to a single detention pond located within the lower, west central area of the site (Tract D, 3.0 acres). Due to topographic constraints, drainage from 6 lots in the southerly pod and 2 lots from the central pod will bypass the proposed detention pond. Runoff from Lots 1-4 and the short private access road (Tract M) will be conveyed to the existing storm drainage system within 144th Avenue NE via underground pipes along the southern boundary of the subject plat. Runoff from Lots 12, 13, 29 and 30 is proposed to be discharged through a dispersion trench in common open space Tract L. A waiver from the standard drainage design will be required.

12. Location of the proposal. Provide a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if available.

The subject is located in the north portion of the City of Woodinville and the Woodinville Urban Growth Area (UGA). The 50.5 acre assemblage is south of the Wellington Hills Golf Course and immediately south of the King-Snohomish County boundary. The rectangular shaped property lies on the west side of the 148th Avenue NE and can be accessed from NE 202nd Street, NE 201st Street,

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NE 198th Street and NE 195th Street. The property lies in a portion of Section 3, Township 26N, Range 5E, W.M., in King County, Washington

Refer to the preliminary plat map for the legal description and vicinity map.

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B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): rolling, hilly, steep slopes, mountainous.

The proposed residential development will occupy approximately 16 acres of the total site with the remainder being in common open space tracts as Native Growth Protection Area.

b. What is the steepest slope on the site (approximate percent slope)?

Generally, the western portion of the site is level, while the eastern portion of the site slopes downward from west to east. The steepest slopes, 40% or greater, are located along the western half of the project site in the future native growth protection area.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

A Geotechnical Engineering Report has been prepared by Earth Consultants Inc., dated June 9, 2004. It contains specific information in regard to existing conditions, groundwater, steep slopes, as well as general recommendations for site preparation, foundations, retaining walls and other construction, is included as supplemental environmental information with this environmental checklist. The geotechnical report identifies surface and subsurface conditions and concludes that the site can accommodate the development as proposed with inclusion of some construction recommendations.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None identified.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Grading for this residential development will be limited to those areas identified for roads, storm drainage, utility infrastructure and home sites. It is estimated that there will be up to 80,000 cubic yards of soil moved with an additional 30,000 cubic yards of stripping. The ultimate cut and fill quantities will be determined during final engineering. No clearing or grading activity will start until the necessary permits are obtained.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Limited erosion could occur as a result of the initial construction on-site. However, erosion control measures will be utilized during the construction phase to minimize

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potential erosion impacts. Temporary erosion and sedimentation control plans will be submitted to and approved by the City of Woodinville prior to any clearing or grading activity.

g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Total impervious area is estimated at 8.91 acres, or about 23% of the total area included in the proposed plat.

h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

The development area will largely be confined to the east and central portion of the property. The majority of the site encompassing the steep slopes will be preserved as a Native Growth Protection Area (21.9 acres). A temporary erosion and sedimentation control plan, designed in accordance with City of Woodinville standards, will be employed during the construction phase of this project. Said plan will be prepared in conjunction with the recommendations of the geotechincal report.

2. **Air**

a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

During project construction, heavy equipment operation and workers' vehicles would generate exhaust emissions into the immediate vicinity. Construction activity on the site could also stir up exposed soils and generate dust and particulate matter into the local air. The completed project would result in a minor increase in the amount of emission-related pollutants in the local air from project related traffic.

b. **Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.**

There are no known off-site sources of emissions or odors that are likely to impact this project.

c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

Watering of the site as necessary during the construction phase of the project will help control dust and other particulates.

3. **Water**

a. **Surface:**

1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The proposed plat is located within the Little Bear Creek watershed. An offsite wetland area was investigated by a wetland biologist at the request of city staff at the TRC III meeting. These findings are specified in a letter from B12 dated June

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7, 2004 appended to this checklist. It was concluded that no wetlands, streams or buffers of off-site wetlands or streams are located on the property.

2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

No.

3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.**

There is no surface water or wetlands impacted.

4) **Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.**

No.

5) **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. If so, note location on the site plan.**

No.

6) **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

Additional stormwater runoff would occur in proportion to the total new impervious and cleared surfaces associated with the project. Small quantities of petrochemicals, fertilizers, and other household and yard products normally expected with a residential development are anticipated to be present in the runoff. Primary control of these potential pollutants would be provided through the inclusion of water quality measures in the drainage design.

b. **Ground:**

1) **Will groundwater be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

No. The proposed development will be served by public water from Woodinville Water District. Therefore, no ground water will be withdrawn to serve future residences.

2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals ..; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

There will be no waste material discharged into the ground. The plat will be served by sanitary sewers from Woodinville Water District. Eight lots will discharge storm water through dispersion trenches or into existing drainage systems.

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c. **Water Run-off (including stormwater):**

1) **Describe the source of run-off (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

The new plat roads, future homes and cleared lots will create additional impervious surfaces (8.91 acres total impervious surfaces). Increased storm water runoff will occur as a result of the home construction and paved roadway.

Refer to the Technical Information Report (TIR) dated June 10, 2004.

2) **Could waste materials enter ground or surface waters? If so, generally describe.**

Minimal pollutants normally associated with this type of development could enter the surface water. However, the amount would be minimal since the on-site drainage will include the use of treatment facilities in conformance with current City of Woodinville standards. The proposed plans for stormwater and run-off control are expected to minimize entry of waste materials or pollutants to groundwater resources and/or surface waters.

d. **Proposed measures to reduce or control surface, ground, and run-off water impacts, if any:**

See Level 1 Downstream Analysis dated June 1, 2004. Discharge of these additional waters would be collected and routed through water quality facilities designed to meet City of Woodinville water quality standards which require design per the 1998 King County Surface Water Design Manual. Since site drainage is tributary to Little Bear Creek, a detention pond designed to Level 2 flow control standards along with water quality treatment from the Resource Stream Protection Menu is required. These standards have been developed to minimize potential surface and ground, water impacts.

4. **Plants**

a. **Check or circle types of vegetation found on the site:**

X **Evergreen trees:** western red cedar, western hemlock
X **Deciduous trees:** red alder, black cottonwood, big leaf maple
X **Shrubs:** salmonberry, vine maple, sword fern, Pacific bleeding heart, false lily-of-the-valley

b. **What kind and amount of vegetation will be removed or altered?**

The entire site is forested with a canopy of deciduous and coniferous trees. To generate the site grade appropriate for the road, detention pond and proposed houses, all of the vegetation within these areas will be removed. The majority of the trees on this site will remain protected as NGPA within the 21.9 acres of common open space.

c. **List threatened or endangered species known to be on or near the site.**

There are no known threatened or endangered species on or near the site.

d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

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The development area of the site is approximately 16.8 acres and consists of the area for roads, utilities, trails, buffer and lots. The area of the proposed preliminary plat is approximately 38.7 acres in size. The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation.

WMC 21.16.130(1) (a) indicates that a minimum tree-credits factor required for the buildable area of each site is 30 tree credits per acre. The buildable area of the site is 16.8 acres then 504 tree credits are required to be provided. WMC 21.16.140 requires the preparation of a Tree Preservation Plan concurrent with a proposed preliminary plat application.

The tree survey indicates that 1,656 trees (of 6" size or greater) will be removed from the development area of the site to facilitate development. The trees located within the steep slopes greater than 40% and open space have not been surveyed. However, WMC 21.16.140(1) recommended by staff indicates that a tree survey may be conducted by a method that locates individual trees or by using standard timber cruising methods to reflect general locations, numbers, and grouping of trees. The tree survey identified 1,656 trees within the buildable area which would equate to 3,055.6 total tree credits, or, 184.52 credits per acre within the buildable area. This means that 2.7 acres of the 21.0 acres of the open space portion of the site will be utilized to meet the tree credit requirements for the project. By virtue of protecting the steep slopes greater than 40%, the plat as designed has over eight times the necessary tree retention requirement.

5. Animals

a. Check or circle any birds and animals which have been observed on or near the site, or are known to be on or near the site:

X **Birds**: hawk, heron, eagle, songbirds, other: American crow (*Corvus brachyrhynchos),* American robin (*Turdus migratorius*), black-capped chickadee (*Poecile atricapillus*), bushtit (*Psaltriparus minimus*), common raven (*Corvus corax*), rufous-sided towhee (*Pipilo erythrophthalmus*), song sparrow (*Melospiza melodia*), steller's jay (*Cyanocitta stelleri*), and winter wren (

X **Mammals**: deer, bear, elk, beaver, raccoon, other: species that easily adapt to suburban environments such as bats (*Myotis spp.*), deer mice (*Peromyscus maniculatus*), eastern cottontail rabbits (*Sylvilagus floridanus*), moles (*Scapanus spp.*), raccoons (*Procyon lotor*), shrews (*Sorex spp.),* skunks (*Mephitis spp.*), squirrels (*Sciuris carolinensis*, *Tamiasciurus douglasii*), Virginia opossums (*Didelphis virginiana*), and white-tailed deer (*Odocoileus hemionus*).

_ Fish: bass, perch, salmon, trout, herring, shellfish, other:

X **Amphibians:** expected amphibian species include the pacific tree frog (*Hyla regilla*), the bullfrog (*Rana catesbeiana*), and the northwestern salamander (*Ambystoma gracile*).

b. List any threatened or endangered species known to be on or near the site.

Based on a field inspection by Triad Associates staff, there were no threatened or endangered species observed on or near the site.

c. Is the site part of a migration route? If so, explain.

None known.

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d. Proposed measures to preserve or enhance wildlife, if any:

The subject application proposes to leave 21.0 acres of the site as Native Growth Protection Area (NGPA) within common open space Tracts F and L. Approximately 0.9 acres in Tract L will be impacted for necessary utility installation. By virtue of protecting the steep slopes greater than 40%, the plat design has over eight times the necessary tree retention requirement.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electric and/or natural gas will be used to meet the primary energy needs of the new homes.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The detached single family residential structures will be constructed to meet or exceed applicable local, state, and federal building codes to ensure compliance with energy conservation standards.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

Under normal working conditions, it is unlikely that environmental health hazards would be encountered. All project related construction will meet all current local, county, state and federal regulations.

1) Describe special emergency services that might be required.

None.

2) Proposed measures to reduce or control environmental health hazards, if any:

State regulations regarding safety and the handling of hazardous materials would be enforced during the construction process. Equipment refueling areas would be located in areas where a spill could be quickly contained, and where the risks of the hazardous material entering surface water is minimized.

b. Noise

1) What types of noise exist in the area, which may affect your project (for example: traffic, equipment operation, other)?

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The immediate vicinity to the east is a suburban density residential neighborhood with minimal off-site noise which would affect the subject property on a routine basis. The immediate vicinity to the west is an industrial area with some off-site noise which may affect the subject property. The retention of trees in the NGPA should provide some noise reduction.

2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Construction activities on the site would temporarily increase the peak on-site noise levels. All construction would be during the City of Woodinville's approved hours of operation. The completed project would result in a slight increase in ambient noise levels in the vicinity.

3) **Proposed measures to reduce or control noise impacts, if any:**

Construction activity will be limited to hours as specified by the City of Woodinville, which will help to mitigate the impacts of potential construction noise.

8. **Land and Shoreline Use**

a. **What is the current use of the site and adjacent properties?**

The subject property of the proposed subdivision is wooded and undeveloped. The area to the east is predominantly developed with residential single-family lots.

The immediate vicinity to the west is an industrial area which is topographically separated from proposed Wood Trails and the upper residential neighborhoods.

b. **Has the site been used for agriculture? If so, describe.**

No.

c. **Describe any structures on the site.**

None.

d. **Will any structures be demolished? If so, what?**

No.

e. **What is the current zoning classification of the site?**

The subject property is zoned R-1.

f. **What is the current comprehensive plan designation of the site?**

The City of Woodinville GMA Comprehensive Plan includes the Future Land Use Map. The subject property is designated *Low Density Residential*, not to exceed four dwelling units per acre on the Future Land Use Map. The R-4 zone is one of the implementing zones for the *Low Density Residential* designation. Areas to the north, south and east are comparatively designated. Areas to the west are designated and zoned for Industrial use.

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g. **If applicable, what is the current shoreline master program designation of the site?**

No shoreline; not applicable.

h. **Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.**

The area of steep slopes greater than 40% would be defined as sensitive area. They have been identified, delineated, and protected or mitigated in accordance with City of Woodinville sensitive area requirements (Ch.21.24 WMC).

i. **Approximately how many people would reside or work in the completed project?**

Assuming approximately 2.5 people would live in each of the 66 developed homes, it is estimated that an additional 165 persons would reside in the built-out subdivision.

j. **Approximately how many people would the completed project displace?**

None.

k. **Proposed measures to avoid or reduce displacement impacts, if any:**

None.

l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

The requested R-4 zoning conforms to the R-4 locational criteria as revised by Ordinances 03-098 and 03-099. As specified by the Ordinances, the revised locational criteria are deemed as appropriately implementing the comprehensive plan, particularly Objective LU 6.F and Policy LU 6.F.2.

The requested R-4 zone, a zone specifically articulated by the City of Woodinville Comprehensive Plan as appropriate for areas designated Low Density Residential, complies with and will implement the City of Woodinville Comprehensive Plan.

The project will be developed in accordance with the applicable City of Woodinville development regulations which have been adopted as GMA development regulations to implement the goals and policies of the adopted GMA Comprehensive Plan.

9. **Housing**

a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

Sixty-six market-priced, detached single-family units will be constructed on the subject plat.

b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

None.

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c. **Proposed measures to reduce or control housing impacts, if any:**

The project will provide needed detached single-family housing in the north King County market.

10. Aesthetics

a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Architectural plans for homes have not been specified at this stage. However, the proposed building plans will be governed by height restrictions dictated by the zoning requirements and the adopted uniform building code.

b. **What views in the immediate vicinity would be altered or obstructed?**

Development of the site would change the visual character of the site for the nearest existing residences from that of largely undeveloped land to that of a single-family residential development. Views of the Olympic Mountains to the west may be opened up in certain areas to improve the vistas from individual homes.

c. **Proposed measures to reduce or control aesthetic impacts, if any:**

The preservation of over 20 acres of forested area between the new residential development and the lower industrial area should minimize impacts.

11. Light and Glare

a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

The completed project will generate limited light and glare typically associated with residential development (i.e., security and/or street lighting).

b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

Not to our knowledge.

c. **What existing off-site sources of light or glare may affect your proposal?**

None known.

d. **Proposed measures to reduce or control light and glare impacts, if any:**

None.

12. Recreation

a. **What designated and informal recreational opportunities are in the immediate vicinity?**

The subject property is informally used for walking.

b. **Would the proposed project displace any existing recreational uses? If so, describe.**

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The project would not displace any existing recreational uses.

c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

The project would provide passive recreational opportunities onsite by preserving over 22.8 acres of common open space in separate Tracts C, G, J, L, N and O.

13. Historic and Cultural Preservation

a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

None known.

b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

There are no landmarks or evidence of any significant historic, archaeological, scientific, or cultural resources known to be on or next to the site.

c. **Proposed measures to reduce or control impacts, if any:**

If any historic or cultural evidence was encountered during construction or installation of improvements, an archaeologist/historian would be engaged to investigate, evaluate and/or move or curate such resources as appropriate.

14. Transportation

a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

Primary access to the development will be from 198th Street NE and 201st Street NE which will connect with 156TH Avenue approximately 0.5 miles to the east. Circulation within the development will be provided by a new public road, 148th Avenue NE, which will connect each of the three neighborhoods or pods.

b. **Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Transit is available on 156th Avenue NE.

c. **How many parking spaces would the completed project have? How many would the project eliminate?**

The completed project will provide at least two off-street parking spaces per residential unit. The proposed project will not eliminate any parking spaces.

d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

Yes. The project proposes to construct new plat streets as permitted by City of Woodinville. The primary access to the site will be from 198th Street NE and 201st Street NE. The proposed road construction shall include a 30' right-of-way dedication

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with a 5-foot planting strip and 5-foot sidewalk in a public access easement on the lots.

e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No.

f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Please see the Traffic Impact Analysis prepared by The Transpo Group, dated June, 2004, for more detailed information.

g. **Proposed measures to reduce or control transportation impacts, if any:**

The traffic impact analysis summarized the projected traffic impacts of the proposed Wood Trails development. Briefly, these are the general findings of this study:

• The roadway network and study intersections would accommodate project and background traffic volumes without any improvements. Traffic impacts associated with the proposed development do not cause any of the study intersections to degrade in LOS below the City of Woodinville LOS E standard. Thus, no specific additional mitigation is warranted.

• Due to the location of the nearest transit stop, and other area attractions, it is not anticipated that the pedestrian volumes along NE 201st Street or NE 198th Street would increase significantly as a result of this project.

• Left turn lanes are not warranted based on WSDOT left turn lane storage guidelines at either 156th Avenue NE/NE 201st Street or 156th Avenue NE/NE 198th Street, both of which would provide access to the site.

• NE 201st Street and NE 198th Street, in their current configuration, will have adequate capacity to accommodate the additional traffic to be generated by the proposed project. Furthermore, a comparison of forecast volumes to roadway capacity suggests there is sufficient capacity to support additional growth in the area.

• Proportionate share mitigation fees towards three City of Woodinville CIP projects in the area have been estimated to be approximately $1,000.

15. Public Services

a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

The completed project would result in a slight increase in need for police and fire protection, as well as emergency medical service. Also, a slight increase in school enrollment will result from this proposal.

b. **Proposed measures to reduce or control direct impacts on public services, if any.**

The project will be designed and constructed with adequate water pressure, properly located fire hydrants and sanitary sewers which meet Woodinville Water District

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standards. Streets will be constructed as determined by the City Engineer to allow adequate access for fire protection and police vehicles.

16. Utilities

a. Indicate utilities currently available at the site:

Electricity, **Natural Gas**, **Water**, **Refuse Service**, **Telephone**, **Sanitary Sewer**, **Septic System**, Other. All utilities will be extended to and through the site.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Sanitary Sewer:	Woodinville Water District
Water:	Woodinville Water District
Electricity:	Puget Sound Energy
Natural Gas:	Puget Sound Energy
Telephone:	Verizon
Cable Service:	AT&T

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: H. George Newman Date Prepared: June 10, 2004

H. George Newman, AICP
Principal
Triad Associates

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ATTACHMENT 13

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CITY OF WOODINVILLE
DEVELOPMENT CONSISTENCY CHECKLIST

The City of Woodinville must issue a Determination of Consistency for all project permits pursuant to Woodinville Municipal Code Chapter 17.13. All project permits are reviewed to verify consistency with the current Comprehensive Plan and development regulations. In order to assist us in this process, a Development Consistency Checklist must accompany an application packet to be considered a complete application. You may attach additional sheets as necessary.

A. BACKGROUND

1. Name of proposed project, if applicable:

Wood Trails

2. Site Address:

The subject property is located immediately south of the King-Snohomish County line, west of 148th Ave NE, between NE 195th Street and NE 202nd Street.

3. Site Parcel Number(s):

Parcel A - 032605-9045	**Parcel B - 032605-9042**	**Parcel C- 032605-9032**
Parcel D - 032605-9038	**Parcel E - 032605-9111**	**Parcel F - 032605-9044**

4. Name of applicant:

Phoenix Development, Inc.

5. Address and phone number of applicant or contact person:

George Newman
Triad Associates
11814-115th Avenue NE
Kirkland, WA 98034-6923
Office: (425) 821-8448 Fax: (425) 821-3481
gnewman@triadassoc.com

6. Date checklist was prepared:

June 11, 2004

B. DEVELOPMENT REGULATION ELEMENTS

1. Land Use

a. Describe the type of land use that will be developed on the property.

Detached, single family residential

b. List any land use permits that are required for this development.

Concurrent rezone and preliminary plat approval

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PLANNING DEPARTMENT

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c. If a land use permit is required, have all applications and documents been submitted?

Yes.

2. Density

a. If the development is residential, how many units per acre are proposed? Show density calculations pursuant to WMC 21.12.080.

66 – detached, single-family lots are proposed.
85 - lots is maximum density allowed.
38 - lots is minimum density allowed.
See attached Preliminary Plat cover sheet with calculations (Sheet 1 of 9)

b. What is the Comprehensive Plan designation for this site?

Low Density Residential

c. What is the zoning for this site?

Existing zoning – R-1
Proposed zoning – R-4

3. Infrastructure

a. Describe the roads and street improvements proposed.

Due to steep slopes, topographic separation, and industrial use to the west, street connectivity to 144th Avenue NE is not appropriate. Three cul-de-sacs will be created to serve three small neighborhood clusters. These will be extensions of NE 202nd, NE 201st and NE 195th Street.

b. Attach a certificate of Water Availability (available from the Woodinville Water District).

See attached water availability letter from Woodinville Water District.

c. Describe the sewers proposed to serve your project. If no sewers are proposed, attach proof of King County Department of Health approval for an on-site septic system.

Sanitary sewer main extension. See attached sewer availability letter from Woodinville Water District.

d. Describe storm water improvements that are proposed.

Storm water will be collected through road catch basins, roof drain, yard drains and conveyed to a detention facility in the lower, west portion of the site (Tract J). Water quality treatment will occur prior to discharge.

e. Describe on-site recreation parks or open space that are proposed as a part of the development (if required) pursuant to WMC Chapter 21.14.

A total of 22.8 acres, on 59% of the area to be subdivided, is proposed to be permanent open space. 21.9 acres shall be Native Growth Protection Area (NGPA) in Tracts F & L and 0.9 acres shall be Recreation Area Tracts C, G, I & N. Park impact mitigation fees are also required.

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4. Character

a. Provide the following information about your proposal for compliance to Density and Dimension requirements found in WMC Chapter 21.12:

Residential

Lot Widths:

60' Width or greater – 12 Lots
45' – 60' Width – 54 Lots

Building Height:

Not to exceed City of Woodinville requirements as required.

Street Setbacks:

10'

Building Coverage Percentage:

Not to exceed 35%

Interior Setbacks:

Front: 10' Side: 5' Rear: 5'

Impervious Surface Percentage:

Not to exceed 45%

Commercial/Industrial

(If your project is in a special district, see Section 5)

Street Setbacks: **N/A**

Floor to Lot Ratio (square feet): **N/A**

Interior Setbacks: **N/A**

Impervious Surface: **N/A**

Building Height: **N/A**

c. List any Design Requirements found in WMC Chapter 21.14 that are applicable to your project such as on-site recreation space requirements or clustered development; and describe how your project conforms to these requirements.

Fee in lieu

d. Describe the landscaping proposed for your project/development as required by WMC 21.16.

	Street Frontage	Interior Lot Lines	Parking Lot
Location on Plans (page #)	**N/A**	**N/A**	
Landscape Type	**III**	**N/A**	**N/A**
Area (Sq. Ft.)	**1 tree every 50 feet**	**N/A**	**N/A**

e. Provide a significant tree retention plan, if required by WMC Chapter 21.16.

Provided with Preliminary Plat Submittal (Sheet 3 of 9)

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f. How does your project comply with the parking and circulation regulations described in WMC Chapter 21.18? Please provide detail and applicable calculations.

N/A

g. Does your commercial project require Interim Design Principles (IDP) review? If yes, attach an IDP application and checklist.

N/A

5. Special District Overlay Requirements.
If your project is located within a special district overlay, you are required to complete this section of the checklist.

a. Which special district overlay is your project located in?

N/A

b. Describe how your project meets the requirements of the special district overlay of WMC Chapter 21.38.

N/A

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the City is relying on them to make its decision.

Signature: D. George Marman Date: 6/11/04

WOOD TRIAL-MONTEVALLO HEARING

ROBERT A. HARMAN
14949 NE 202 WOODINVILLE 98072
harmanhouse@verizon.net 425-483 6898

PLEASE INSERT INTO MY GREEN HEARING NOTE BOOK (BOOKLET)

Thank You

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THESE FEW CHARTS WERE NECESSARY I COULD NOT USE MY POSTERS AND TIME LIMITS USE OF THE BOOKLET

To: HEARING EXAMINER
FROM: Robert A. Harman, resident 14949 NE 202nd St Woodinville

At the first hearing I was surprised I could not use my posters and it took too much time to make references to the BOOKLET we both had. So I have made for you **SUMMARY LISTS** along with **MAJOR VISUALS** for both Wood Trails & Montevallo . Hopefully this will speed up my presentation and quickly summarize why I believe WOOD TRAILS & MONTEVALLO SHOULD BE KEPT AS R-1

The **WOODINVILLE CRITICAL ORDINANCE** (UPDATED 13 DEC 2004) states that they will use the **"BEST AVAILABLE SCIENCE".** The two posters (p1 of the Public Hearing Comments in the booklet) labeled GEOLOGICAL & HYDROLOGICAL R-1 JUSTIFICATIONS are **listed failures to conform to their policy**. In booklet 11 page 5 list the numerous investigations conducted in the EIS for Redmond City is in sharp contrast to the exclusions of study areas found in the Woodinville's FEIS reports.

However, the more relevant topic tonight is the *CITY CRITICAL ORDINANCE GOALS* **"PRESERVE AND ENHANCE AQUATIC AND WILDLIFE HABITAT PROTECTION AND IMPROVE WATER QUALITY, PROTECT THE PUBLIC FROM NATURAL DISASTERS"** These developments would fail the AQUATIC GOALS since Chinook-Sockeye Salmon & cutthroat trout will be threatened and the WILDLIFE'S only drinking water site would be diminished and it's WATER QUALITY polluted by increases in unfiltered oils, fertilizers, pet wastes & other human activity inputs. The PROTECTION OF THE PUBLIC will be threatened by earthquake triggered landslides in the Wood Trails Site.

The MONTEVALLO SITE is located in the Golf Course Basin which has the **highest city basin percentage of wetlands** which includes the downstream CANYON WETLAND next to Wood Trails. The city wetland expert has visited this site but not the developers expert. The 1993-2004 city wetland ordinance does not follow the present Department of Ecology 2004 STATE WETLAND RATING SYSTEM. This site should have a third party review. I am not a wetland experts but did report wetland sites in state reports and state trials (See Bibliography). These Canyon Wetlands should be classified as a Class 1 Wetland based on the WASHINGTON STATE **D.O.E. WETLAND RATING SYSTEM** which contains five categories which the Canyon Wetlands meet four of their qualifications (one needed):

1) ***SENSITIVITY TO DISTURBANSES*** = the R-4 WOOD TRAILS dense housing adjacent to the site will create resident erosion paths & visits that discourage the wildlife presence.
2) ***RARITY*** = only yearlong drinking water for wildlife in a rare deep canyon tree shaded wetlands in the city of Woodinville. Rarity for the state does implies the uniqueness of the habitat and not only species on the federal endangered species list.
3) ***ABILITY TO REPLACE THEM*** = MONTEVALLO SITE WILL PREVENT THE RECHARGE OF ITS YEARLONG DEEP GROUND WATER SYSTEM TO THE WETLAND CANYON CREEK.
4) ***FUNCTIONS THEY PROVIDE*** = **SOURCE YEARLONG DRINKING WATER** ; R-4 pollutants & sediment discharges will have a negative impact on the **SALMON HABITAT OF LITTLE BEAR CREEK**
5) *NATURAL HERITAGE* not applicable.

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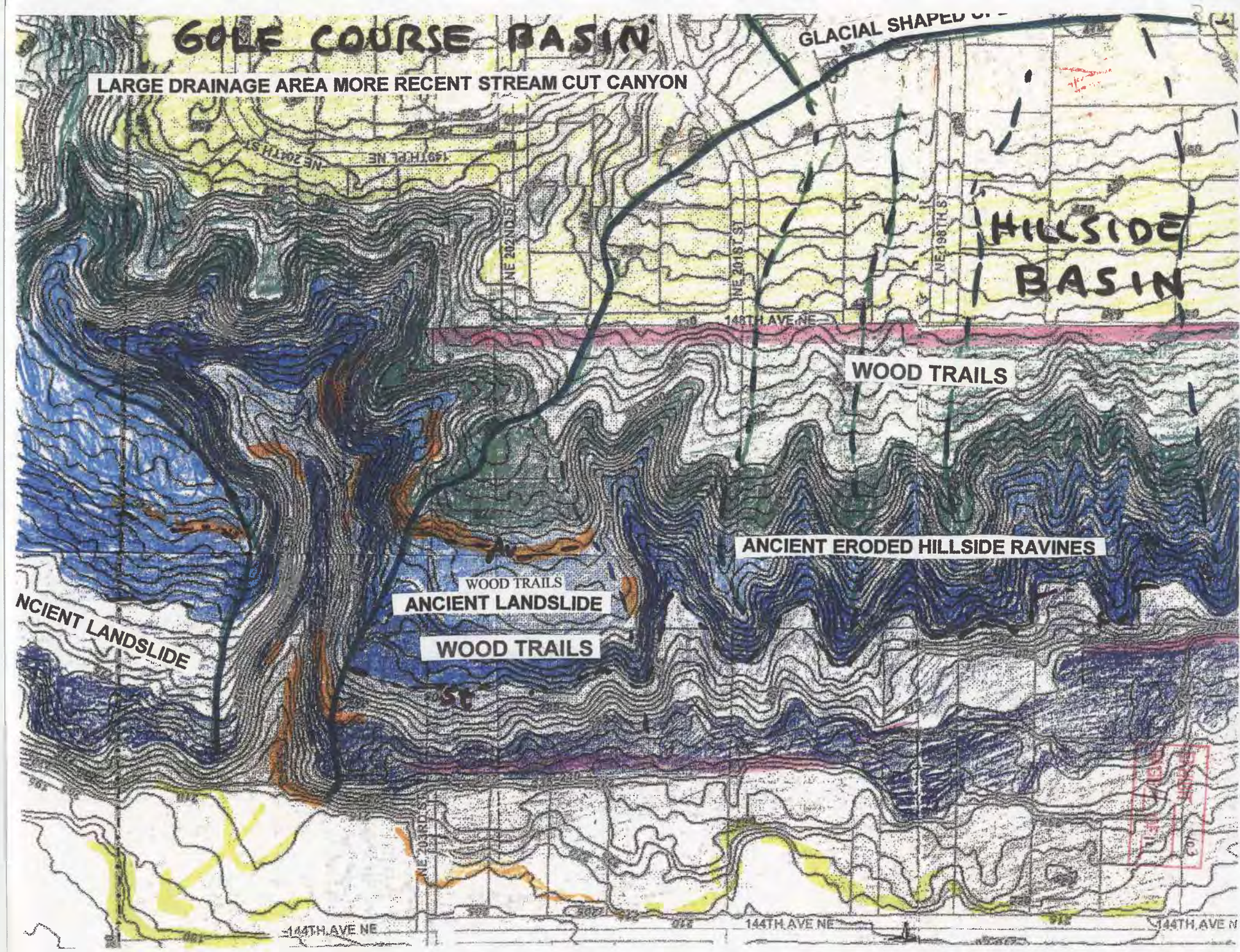
SUMMARY OF MAJOR IMPACTS FROM THE WOOD TRAILS DEVELOPMENT

1) Our expert witness Otto Paris and King County acknowledge WOOD TRAILS AS A **EROSION HAZARD SITE**. Dr. Curtis Koger at a Northwest Geology Meeting indicated that rapid erosion occurs on the non-vegetative exposed OUTWASH SANDS that dominate this area.
2) The Golder Associates geological consultants, and resident geologists Otto Paris & Susan Boundy-Sanders indicated that the Wood Trails site is also a **LANDSLIDE HAZARD SITE**. Susan's geophysical investigation indicated that the loss of large tree roots, vegetation and rainfall seepage's with EARTHQUAKES will trigger life threatening landslides and destruction of homes. I left off showing you the major **SLUMP LANDSLIDE THAT CROSSES WOOD TRAILS.** (see contoured landform maps and vegetation maps). The leading landslide edge is steep with unusually increases in water loving red cedars shown in booklet 4 map and profiles. The wetland plants help define this landslide. In the adjacent gully the slip silt layer is exposed, water loving Salmonberries and stinging needles are **high up on the landslide slip side** and **low on the downside of the wetland canyon**. THIS SLUMPLIKE LANDSLIDE SHOULD BE VERIFIED THROUGH GEOPHYSICAL INVESTIGATIONS OR DEEP CORE DATA to ascertains whether slip surface silts or blue clays exists in the subsurface strata.
3) THE NORTHERN CANYON WETLANDS HAS THE ONLY PERRENIAL DRINKING WATER CREEK FOR WILDLIFE. Pollutants from pets, cars, fertilized lawns will be excessive due to the high number of R-4 homes up slope from the creek. Resident visits will **CREATE EROSION PATHS** visits to the wetlands and **DISCOURAGE THE PRESENCE OF WILDLIFE**. Kids will find these areas to play in & camp out. Most adults find the climb up & down these slopes too difficult which now creates an undisturbed by humans a wildlife wetland habitat.
4) The CANYON WETLAND FLOOR PRESENTLY PROVIDES THE DENITRIFICATION & NITRIFICATIONS OF OVER 100 R-1 RESIDENT HOUSEHOLDS SEPTIC TANKS ,OILS, FERTILIZER, PET WASTES. If Wood Trails, Montevallo, & the Newly Proposed 156th Ave Developments would INCREASE THESE POLLUTANTS TO THE CANYON WETLAND FLOOR **DEGRADING THE SEDIMENT CLEANSING EFFECTIVENESS.**
5) Other major critical concerns have been **already discussed by residents** such as:
   REMOVAL OF THE WOOD TRAILS FOREST WIND BUFFER & SOUND BUFFER
   THE LONG DISTANCE FOR SCHOOL CHILDREN TO CATCH THEIR BUS
   ROADS MADE IMPOSSIBLE TO USE DURING LONG TIMES OF ICED STREETS
   FIRE & POLICE DOES NOT HAVE EASY QUICK RESPONSE TIMES


GOLF COURSE BASIN
GLACIAL SHAPED
LARGE DRAINAGE AREA MORE RECENT STREAM CUT CANYON
HILLSIDE BASIN
NE 202ND ST
NE 201ST ST
NE 198TH ST
144TH AVE NE
WOOD TRAILS
ANCIENT ERODED HILLSIDE RAVINES
WOOD TRAILS
ANCIENT LANDSLIDE
WOOD TRAILS
NCIENT LANDSLIDE
144TH AVE NE
144TH AVE NE
144TH AVE N

THE LOWER PORTION OF THE 25 FOOT STEEP FACE OF A POSSIBLE SLUMP LIKE LANDSLIDE IS NOT MENTIONED IN THE FEIS OR STUDIED GEOPHYSICALLY. NEARBY FAULTS AND FUTURE EARTHQUAKES ONCE STABILIZING TREES ARE REMOVED WILL MOST LIKELY TRIGGER DISPLACEMENT, DESTROY HOMES AND CAUSE HARM TO RESIDENTS.

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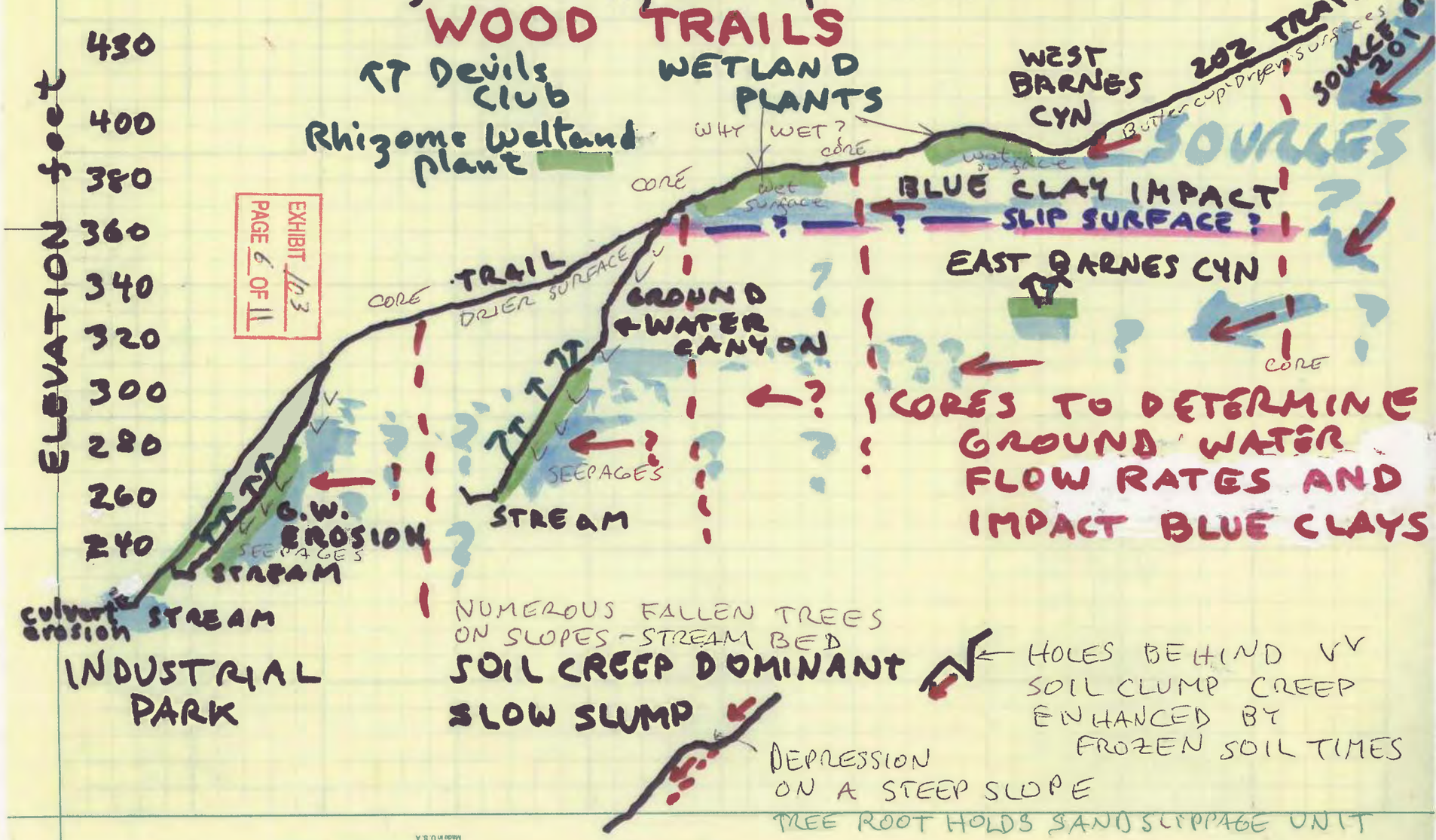
M-5 HARMAN

G.W.-SEE MAP 3 - HIGH GROUND WATER SITES

TOPOGRAPHIC PROFILE STEEP 202 SIDE
from King Co Map LUMBER CO. TRAIL

WOOD TRAILS



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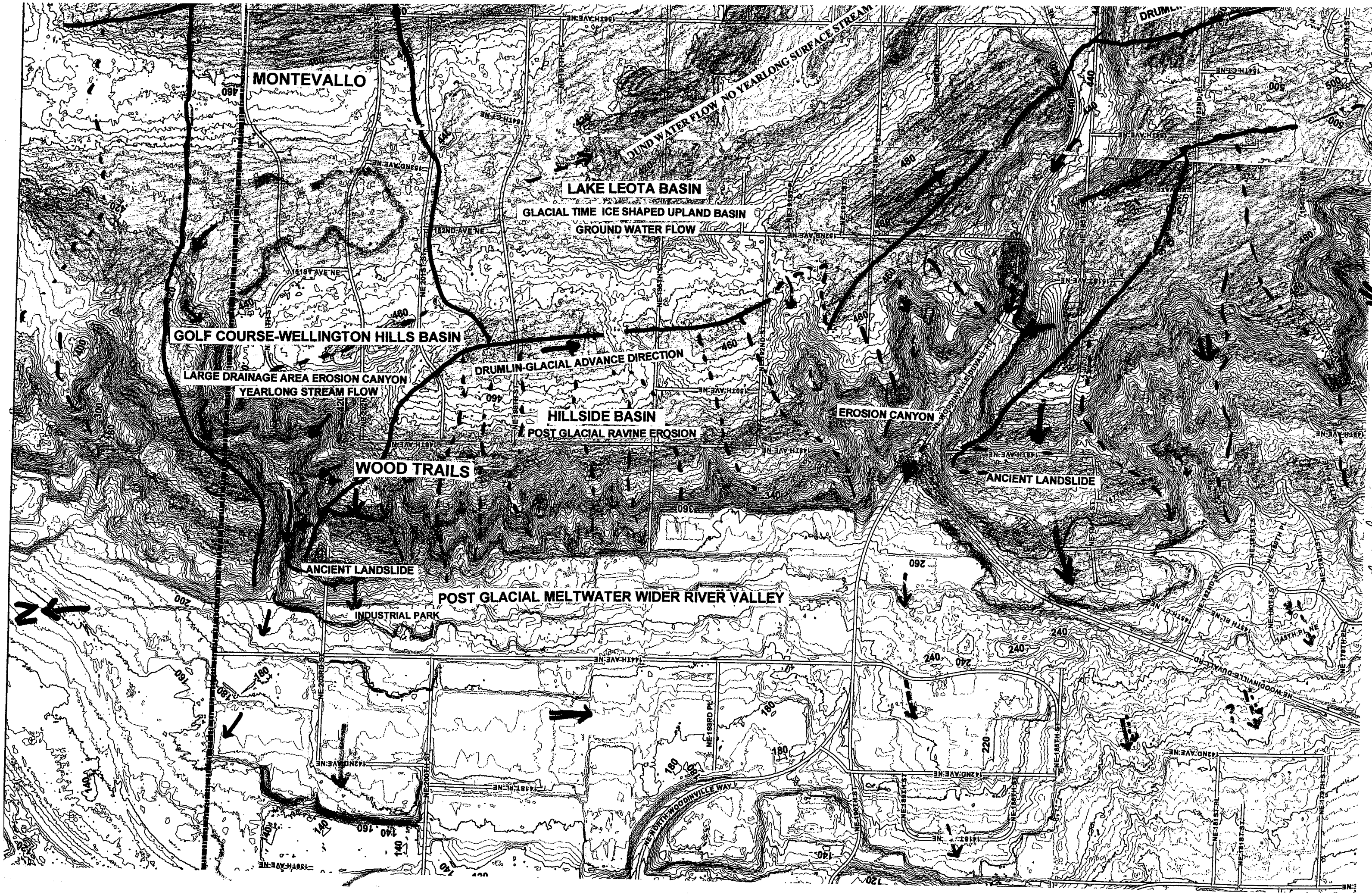

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MONTEVALLO DEVELOPMENT SITE CONCERNS

POSTER 4A,B & YOUR BOOKLET DIVIDER 4

Matt Schultz, our resident engineer, indicated that the rate of discharges from this development site will be very high due to the large amounts of impervious surfaces so that the filters to remove pollutants will fail. The city consultants recommended that a portion of the ***MONTEVALLO SITE*** should remain as R-1 based on Litowitz tests. However, important to the geologist, hydrologist and engineers are DRAINAGE BASINS BASED ON DRAINAGE DIVIDES that would help predict the increases from R-4 developments in their gravity flows from sewers, drains, ditch & creek flows, and water sources for wetlands. The city maps do not use drainage divides and are in error showing ditch flow going uphill. Developer reports fail to mention the city documented FLOODS AT THE 202TH ST PARK & GOLF COURSE. My rates of ditch flows are shown in booklet 6 where adjacent R-1 homes have wetlands that are part of the Montevallo Wetlands. The developer reports do not site a city report that **FLOODS OCCUR** in the connecting 202 RESIDENT WETLAND PARK due to cottonwood leaf filled 12 inch drain pipes and cause resident water damages. The Detention System based on the COSTCO COMPARISON TO SAVE SALMON IS TOO SMALL.

The developers HAVE NOT SUBMITTED TO SNOHOMISH COUNTY THE MONTEVALLO DEVELOPMENT IMPACTS on their wetlands and only summertime drinking water pond. DEVELOPERS & THEIR CONSULTANT REPORTS END AT COUNTY LINES & SITE BOUNDARIES = *NOT GOOD GEOLOGY OR HYDROLOGY*

SUMMARY OF MAJOR IMPACTS FROM THE MONTEVALLO DEVELOPMENT

1) Rainfall will no longer be slowly introduced into the Montevallo Site but have rapid impacts on detention ponds-trenches. This will cause greater seepage's into adjacent areas that will DAMAGE R-1 HOMESITES.

2) The large impervious surface areas requires a higher detention system based on a comparison with COSTCO EFFORT TO SAVE IMPACTS ON LITTLE BEAR CREEK

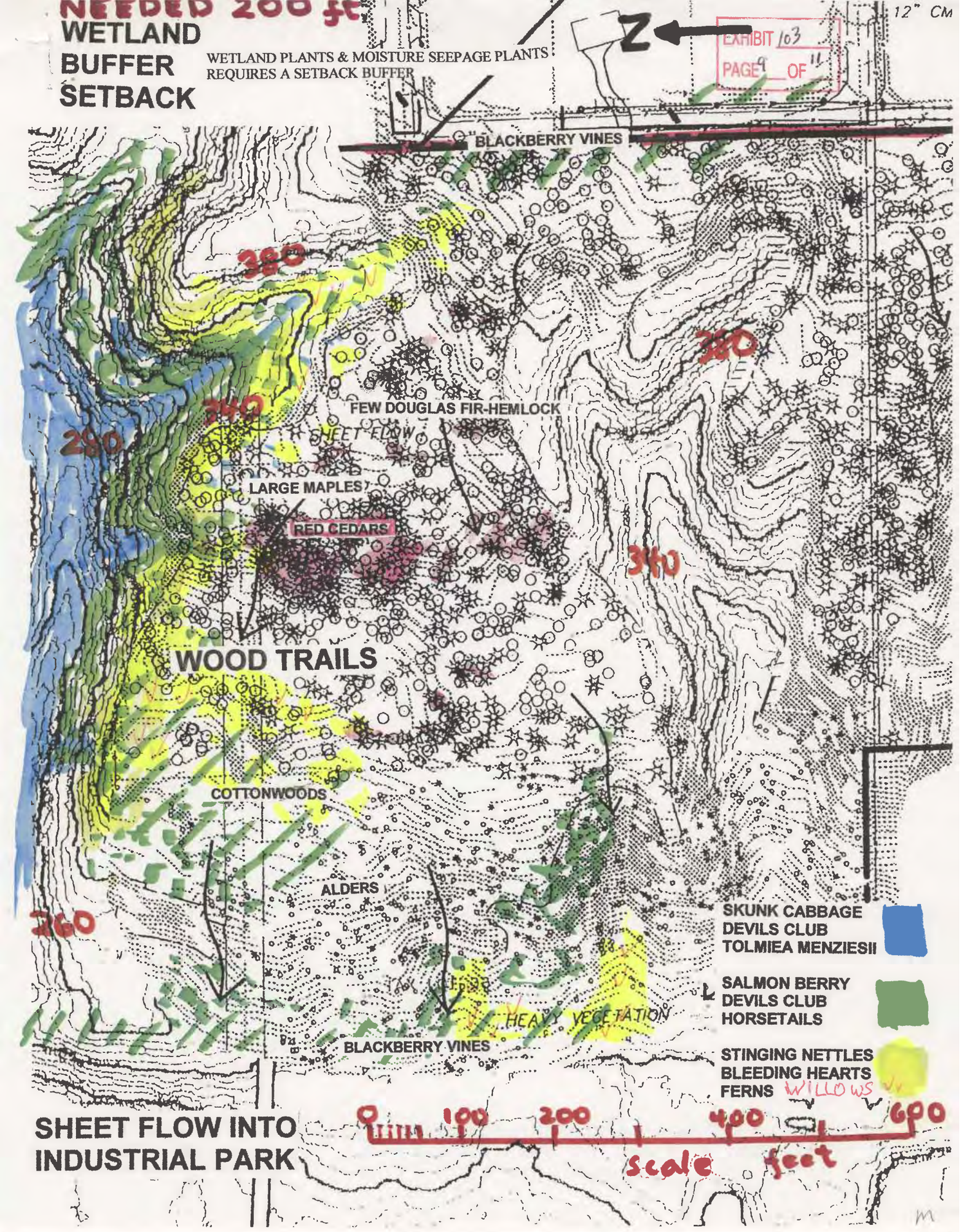
3) Filters will fail to remove oil and pollutants during these high rainfall. THE ONLY YEAR LONG DRINKING WATER SITE OF THE CANYON WETLANDS WILL BE POLLUTED

4) THE IMMEDIATE SURFACE WATER DISCHARGE WILL PREVENT THE YEARLONG RECHARGE OF THE DEEP STRATA GROUND WATER SYSTEM THAT THEN MAINTAINS THE CANYON WETLAND CREEK.

5) APPROVAL OF MONTEVALLO WILL LEAD TO ANOTHER ACROSS THE STREET DEVELOPMENT.

6) The TRAFFIC CONGESTION PROBLEMS OF 156TH ST & THE WOODINVILLE-DUVALL WILL BE INCREASED TO A DANGEROUS-UNSAFE LEVEL. Resident trips times to work may be delayed and certainly will be increased. THE CITY MUST FIRST SOLVE THIS TRAFFIC PROBLEM BEFORE RECOMMENDING OR ALLOWING R-4 DEVLOPMENTS. **R-1 SHOULD REMAIN AT BOTH DEVELOPMENT SITES.**

m


NEEDED 200 ft
WETLAND
BUFFER
SETBACK
WETLAND PLANTS & MOISTURE SEEPAGE PLANTS
REQUIRES A SETBACK BUFFER
EXHIBIT 103
PAGE 9 OF 11
12" CM
BLACKBERRY VINES
380
280
340
290
FEW DOUGLAS FIR-HEMLOCK
SHEET FLOW
LARGE MAPLES
RED CEDARS
340
WOOD TRAILS
COTTONWOODS
ALDERS
260
SKUNK CABBAGE
DEVILS CLUB
TOLMIEA MENZIESII
SALMON BERRY
DEVILS CLUB
HORSETAILS
HEAVY VEGETATION
BLACKBERRY VINES
STINGING NETTLES
BLEEDING HEARTS
FERNS
WILLOWS
SHEET FLOW INTO
INDUSTRIAL PARK
0
100
200
400
600
scale
feet

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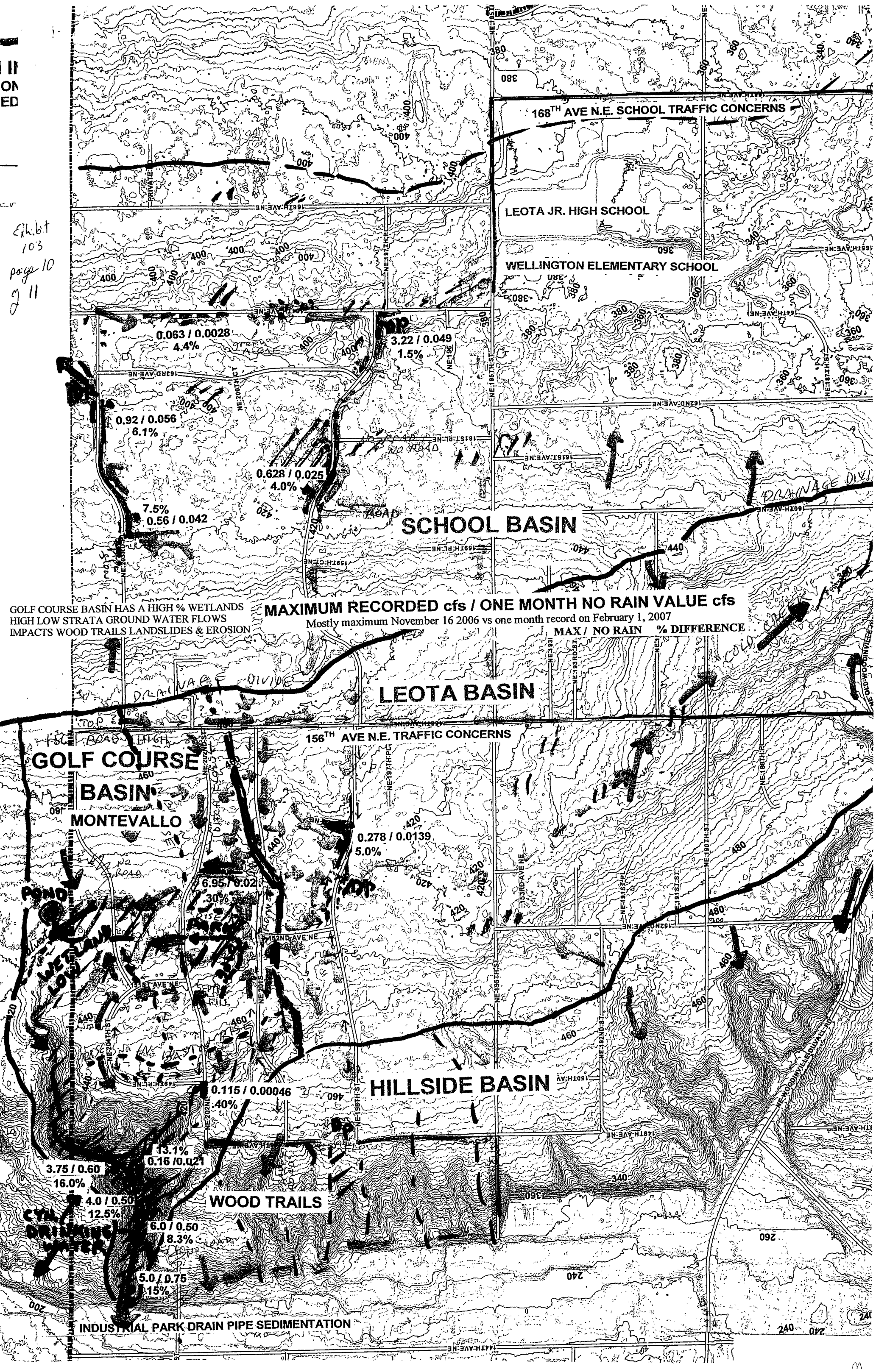

Exhibit 103

Photographs and Information submitted by Robert Harman

Pages 7, 10 (colored) and 11 (too large to scan)

Entire Exhibit 103 available for review at City of Woodinville's Development Services's counter

Original 4-1-07

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Mr. Examiner

April 3, 2007

I would like to raise the strongest possible objection to granting the up-zoning request for the Wood Trails/Montevallo (WT/M) developments.

Of the three criteria necessary for up-zoning, NONE of them have been satisfied:

1. Demonstrated need
    a. The market's need for expensive, R-4 housing is questionable;
    b. The City has excess units to meet GMA, there is no municipal need to up-zone;
    c. The applicant's need is personal financial gain, at the expense of taxpayer's dollars to fix up roads, mitigate traffic, control steep slopes and run-off, etc.

2. Consistent and compatible with existing neighborhood properties
    a. The City recommends the development of "same size lots immediately adjacent to the existing neighborhood lots". WT/M are definitely not the same size, nor are they compatible.
    b. The City states that "development should complement existing residential development patterns". WT/M will present a jarring discontinuity with the existing neighborhood. The lot surfaces will be mostly impervious concrete instead of vegetation. There will be minimal yards.

3. Practically and physically suited for the uses
    a. WT/M is <u>practically</u> unsuitable because access to WT has to be from above since access from below the steep slopes are impractical and impossible.
    b. WT/M is <u>physically</u> unsuitable because of potential landslide and erosion hazards.
    c. Another impractical aspect relates to the lack of holistic consideration for traffic impact. Wellington, even Woodinville does not exist as an island. Consider Costco , Brightwater, the new church and school by Cottage Lake, all already developed or soon to be developed within close proximity of Woodinville Duvall Rd. Further unsuitability includes wetland intrusion, dangerous road conditions, the list goes on and on.

If WT/M goes in, there will be detrimental secondary impact:

The removal of the large number of trees on the hillside will cause a blight on the neighborhood, eliminate wildlife habitat, decrease air quality, increase noise and pollution level, and destroy the woodland character that is so precious to all of us Woodinville residents. Please don't destroy our neighborhood!

Helen Gottschalk
20 year resident at:
14918 NE 198 St, Woodinville.

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BEFORE THE HEARING EXAMINER
CITY OF WOODINVILLE

In the Matter of Rezone and Preliminary Plat Application for WOOD TRAILS and MONTEVALLO	NOS. WOODINVILLE CITY COUNCIL HEARING OF MARCH 12, 2007 VERBATIM TRANSCRIPT

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WOODINVILLE CITY COUNCIL HEARING

March 12, 2007

VERBATIM TRANSCRIPT

Portions of the hearing transcribed below (roll call and Ordinance 431 issues) were transcribed from a video recording provided by the Woodinville City Clerk.

MAYOR VONWALD: I'd like to call to order the meeting of the Woodinville City Council for Monday, March 12th, 2007. Mr. Clerk, please call the roll.

CLERK: Councilmember Price.

COUNCILMEMBER PRICE: Here.

CLERK: Councilmember Hageman.

COUNCILMEMBER HAGEMAN: Present.

CLERK: Deputy Mayor Stecker.

COUNCILMEMBER STECKER: Present.

CLERK: Mayor VonWald.

MAYOR VONWALD: Present.

CLERK: Councilmember Roskind.

COUNCILMEMBER ROSKIND: Present.

CLERK: Councilmember Leonard.

COUNCILMEMBER LEONARD: Present.

CLERK: Councilmember Brocha.

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COUNCILMEMBER BROCHA: Here.

VONWALD: Thank you very much.

* * *

VONWALD: The next item on our agenda is item 8a. This was a revision from our original agenda item and you'll find this on page one of your special packet for this evening, council. I believe we have a staff report.

BROCHA: I'd like to put this in play before we get the staff report.

VONWALD: Okay.

BROCHA: I move the City Council have first, second reading and adoption of ordinance number 431, an interim ordinance of the City of Woodinville amending Woodinville municipal code section 21.21.04.080, subparagraph one, subparagraph a, to remove a restriction on development with densities less than four dwelling units per acre and to direct staff to conduct additional work prior to the city's adoption of permanent regulations.

COUNCILMEMBER: Second.

VONWALD: There is a motion and a second. Any discussion, Councilmember Brocha?

BROCHA: I would like to hear the staff report now and then I do have some discussion on it afterwards.

VONWALD: Mr. Leahy?

LEAHY: Madame Mayor, interim director of development services, Cindy Baker, will present this item.

BAKER: Good evening. In your packet you have several items. You have the staff report and you have Attachment A, which is an ordinance that would be for a permanent zoning code change and you also have the interim ordinance, and as I heard Councilmember Brocha, you've already made a motion on the table. I'd like

to ask for the preference of the councilmembers; if you have questions you might want to ask or would you like me to walk through this packet? I know you've already heard a lot about this and I guess I'd like to understand whether or not – what your preference is.

VONWALD: Council, are there questions for Ms. Baker at this time? Councilmember Price?

PRICE: I'd like you to walk through the packet, for our benefit and the benefit of the public here. And also, I feel uneasy to make a motion when there's considerations. Before the deliberation and the presentation, I'd just like to say that to the council that you know, before we get the information that's fed to us, you make a motion – I don't find that appropriate, I'm not comfortable with going ahead and doing that.

UNIDENTIFIED: (Inaudible). Ms. Baker.

BAKER: As you can see in your packet, there are two parts to this. There's the first part, which would be to recommend a permanent zoning code change. The main part of that comes from the Planning Commission's recommendation after completing at least up to this time the sustainable development study. Tonight we have the technical experts here if you'd like to ask some questions of them and they can come to the front, if they'd like, to sit there in case there's some questions. Please come up and go ahead and sit.

The changes that are being recommended, there's only one change, and that change happens to be to remove the statement – and if you would like to go to the back of your packets to the – let's go to Attachment A and go to page 18, please. It says, "the purpose of the urban residential zones is to implement comprehensive plan goals and policies for housing quality, diversity and affordability and to efficiently use residential land, public services and energy. These purposes are

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accomplished by," and it gives you four of them. The first one is, "providing in the low density zones, R-1 through R-4, for predominantly single family detached dwelling units. Other development types, such as duplexes and accessory units, are allowed under special circumstances." And here's the one change that's being recommended, to delete the sentence "developments with densities less than R-4 are allowed only if adequate services cannot be provided." That change is being made both in the permanent code recommendation and also in the interim, so I wanted to establish that first before we go back and talk about what we found.

We made a presentation to you last week about sustainable development, and that was in support of the recommendations being made here on your agenda item. Do you have a question? Okay. If you can see, the first paragraph on your staff report talks about restrictions on developments with densities less – to remove the restriction on developments with less than, with densities less than four dwelling units per acre. That's the first part of that, and the second one is the alternative of interim.

The issues stem from – and – as you all know, a moratorium was established a year ago, or a little bit more than that, actually, and it is coming up for its either continuation or for you to end the moratorium and a decision needs to be made of some kind about the sustainable development study. There are many options that you have, including, if you turn to the second page of your staff report, you'll see that there are the two options. Ordinance 431, Attachment A, Alternative One, would be to implement the actions that we talked about to retain the current R-1 zoning in the city, amend the zoning code to remove the restriction we just talked about, to develop in the next six months additional land use regulatory tools to guide and accommodate future growth, and basically to ask staff and the CAP, as was mentioned previously, to go back and work on a program to come up with a scope

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of work to finish items that you may deem necessary.

The second part of that staff recommendation is to do, on an interim basis, those same things. Putting a limit of time on this and – not only on the zoning code, which is what the interim would be, but potentially on the additional work telling us to finish it within a certain amount of time.

I know you all heard much of the background and I know that many of the people in this audience have heard it a number of times, so if you will I can go back through it all. I would prefer to say that it lists in our staff report a number of the times that we have done public involvement, worked with the CAP. We've listed the dates of different meetings, different council hearings, different study sessions, and probably one of the most important things is to look at the policies that you'll find on – and I don't have a page number on this one, but it looks like it is page four – and it talks about the policies that are set forth.

The Planning Commission's recommendation, which you have before you, does meet GMA goals. There are difficulties in it, there are things that we have to prove and we've been through this previously. We, the staff and the consultants and some of the CAP members believe that you have a strong position in the Leota Basin with regards to the Litowitz. We also believe that there are other items, potentially neighborhood character, that could stand up. There are many issues in the R-1 zone, including a comparison of how we're developing in the downtown area and the tourist business district. We presented to you last time our numbers, what we came up with, without including the downtown plan, and we intentionally did that, actually, to show that there are many – we have excess capacity right now without including anything. We did do a rough calculation at the request of one of the council members and you could have anywhere, we did the really low end and maximum high end and it was anywhere from 1,200 to 4,000, so there's a real

range depending on whether or not people in the downtown area, developers, choose to do a mixed use. They don't have to. So that's why there's a large range.

If you go to the facts and the findings, among the considerations in the sustainable development is how you grow in the future, and looking at protecting the critical areas that are in the basins and in the total of the R-1 zone. As I've stated before, the critical areas ordinance is protective of critical areas and their systems. It has been shown in best available science, and we have taken that from King County's, that it is protective. However, in the Leota basin it has a special circumstance, and we as consultants and staff believe that it contributes to not only the Bear Creek system but to Lake Leota and it requires a change in the development densities and should be left at R-1.

With that, I'm going to turn to the – I'm going to go straight to the alternatives because I'd like to have you all, if you would like to ask questions of the consultants, which you may and you haven't had much of a chance to ask them questions. But the alternatives that you have tonight are to conduct the first and second reading and adoption of Ordinance Number 431, Alternative One, as a permanent amendment to the city's zoning code. And that's, again, Attachment A, Alternative One. Or conduct first and second reading here and adoption and, for Ordinance 431, Alternative Two, as an interim zoning ordinance, or receive and discuss this report at another time. And I really believe that the consultants are here for you to ask those questions you've been wanting to ask.

VONWALD: Thank you, Ms. Baker. Deputy Mayor Stecker?

STECKER: Yes, I'd like to first make an amendment to the existing motion on the floor, and that would be item number one, revise the second sentence of section three to provide as follows: The city clerk is authorized and directed to schedule said public hearing for a city council meeting held within the next sixty days. And

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number two, replace the effective date listed at the bottom left of the last page on the main body of the ordinance with the following: Effective date March 12th, 2007.

COUNCILMEMBER: Second.

VONWALD: There is an amendment to the main motion and a second to revise the second sentence of section three to provide as follows: The city clerk is authorized and directed to schedule said public hearing for a city council meeting held within the next sixty days, and replace the effective date listed at the bottom left of the last page of the main body of the ordinance with the following: Effective date March 12th, 2007. Is there any further discussion on the amendment to the main motion? Councilmember Price?

PRICE: I just want to say for the public benefit that these are just to correct some typo issues really, on dates and things that were put into this ordinance and we're just trying to get some paperwork typo corrections done.

VONWALD: Thank you. Councilmember Roskind?

ROSKIND: I just want to comment on the sustainable development study that I have deep concerns about the impact of development without controls up in the R-1 area of Woodinville. Its impact on the salmon habitat, the critical areas, the headwaters of Lake Leota flowing into Cold Water Creek, and this significant impact on the overall survivability of salmon in the area with salmon bearing streams that we see here in the fall, with salmon actually swimming up and laying their eggs. The destruction of that habitat would be a critical loss, not only to our community but to the entire state and the entire region. These are primary issues associated with Litowitz and the larger ecosystem and additional, the development that's here, the consultants and the study clearly demonstrate are having, with the current development is having a negative impact on the sustainability of that entire ecosystem. Additional growth and additional pressures put on by higher densities,

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even though we've somehow carved this into a city, it really is a critical area to Washington State, to the City of Woodinville, to King County, and to the community. I think we owe it to ourselves not to force that development where we're finding heavy metals actually going into Lake Leota, flowing downstream into Cold Creek and making their way into the salmon, both destroying potentially the salmon and the entire salmon run surrounding the greater area of Woodinville, into the Sammamish River and down into Lake Sammamish. These are really what's at stake here and this is part of the character of the community that we have a large ecosystem that we live in the middle of. We've been able to accommodate high impact growth in the downtown, such as Sirkin with as many as 500 units. I also believe that we have some incomplete staff reports on the, on other impacts to the community which further damage the ecosystem such as through traffic, runoff from the primary roads, damage to the ecosystem, hydrocarbon and heavy metal contaminations to the primary ecosystem and long term sustainable and irrevocable damage if we allow that to continue. So I think these are very important decisions and very defendable within the spirit of the Growth Management Act, the needs of the community and the betterment of the overall environment.

VONWALD: Thank you. Council, we have an amendment to the main motion to, as Councilmember Price stated, do a little housekeeping. We do need to dispense with that motion at this time. Is there any other comment on the amendment to the motion?

PRICE: No, in light of the public hearing in one minute I call for a vote.

VONWALD: All in favor of the amendment to the main motion please signify by saying yes.

VARIOUS: Yes.

VONWALD: Opposed say no. The amendment passes. Council, the main motion

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before you is to move that the City Council have first and second reading and adoption of Ordinance Number 431, an interim ordinance of the City of Woodinville amending Woodinville municipal code section 21.21.04.080, subsection (1)(a) to remove a restriction on development with densities less than four dwelling units per acre and direct staff to conduct additional work prior to the city's adoption of permanent regulations. Is there any discussion on that item? Councilmember Price, Councilmember Brocha?

PRICE: I just want to say that we've got a report that was done by you consultants. I don't want to hear the report a fourth time or how many times we've done. There's a lot of good work that's been done to date. I'm pleased at the amount of technical and environmental work that's been included in here. I think when we first started this process we had suspicions and concerns and you have gone to a lot of good work to balance and come up with some confirmation on those concerns. I think that we've had a lot of public comment here, too, and concerns by the public. I think that you've done a lot of good work on the Cold Water for salmon, the Litowitz testing, and the public has expressed some, we've had, got some regards, some concerns with respect to local covenants. I think that there's additional data that could be added to this that could expand on the Litowitz a little bit. There's some concerns there as to whether we've really got it down right and I think maybe we need to take another look at some of these issues, the environmental issues, especially when it comes to the Cold Water and the Litowitz and the covenances. And I think this ordinance which is on the – up for vote here is a perfect, what'd I say? I don't want to say a compromise but I think it's moving forward, a perfect move forward and that it will allow R-1 development to occur. We're not interfering with the development activities of R-1 and at the same time it gives us this interim level to pursue the further data needed and to address public

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concern, and there is, as we all have seen, a lot of public comments. Thank you.

VONWALD: Councilmember Brocha.

BROCHA: Well, I have somewhat extensive comments. In light of that, since we are now at 8:30 for our public hearing, I'd actually like to move to close the public hearing for Ordinance Number 441.

VONWALD: There is a motion, is there a second?

LEONARD: Second.

VONWALD: There is a motion and a second to close the public hearing on Ordinance Number 431. Is that correct?

UNIDENTIFIED: For 441 we're not having –

VONWALD: Mr. Lell?

LELL: Council –

VONWALD: Four-four-one?

LELL: I believe it's 441, if Mr. Brocha's intent is to effectively dispense with the public hearing on the moratorium renewal, I believe that's 441. Just to clarify that the council, because it did not take public testimony on the moratorium issue, would not be able to renew that moratorium prior to its current scheduled expiration date if that's the council's preference.

VONWALD: Okay.

UNIDENTIFIED: We have a motion on the floor.

VONWALD: Yeah, mister – well, the way that I understand it, Mr. Lell is, we have a motion on the floor to adopt an interim regulation which would effectively reduce the need to have the public hearing because we wouldn't, if we adopt the interim ordinance we would not, we would allow the moratorium to expire on March 20th, is that correct?

LELL: That's correct, council, the way the interim ordinance before you currently is

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drafted, it's effective date is immediate but the effective date of the substantive section of it, which changes the zoning code on an interim or temporary basis, would come into effect on March 21st, immediately after the moratorium is currently scheduled to expire on March 20th. So there would be a seamless transition between the current moratorium and the new interim ordinance.

VONWALD: So if I can ask the clerk, point of order, or? Mr. Lell, point of order. We, right now we've got a motion and a second on the floor, we've got a public hearing that was supposed to start four minutes ago, and I would like some assistance on and some advice on how to proceed at this point.

LELL: Could I have one minute, Madame Mayor, and I'd be happy to answer that.

VONWALD: Yes.

ROSKIND: I have a point of order. The public hearing was not -

VONWALD: Councilmember Roskind.

ROSKIND: Reopened.

VONWALD: It was reopened.

ROSKIND: Four-four-one was not reopened here at 8:30.

UNIDENTIFIED: No, 7:30.

VONWALD: It was opened at 7:30 and it was continued to 8:30, so it was scheduled to begin at 8:30.

ROSKIND: There should have been another motion to reopen.

VONWALD: No, I don't believe so.

LELL: If the council's preference is to simply continue the public hearing, to open it – and I believe that Mr. Brocha did that but I'll defer to his recollection – that is one option, for the council to simply open the public hearing briefly and then continue it to the conclusion of your current agenda item. The council could then revisit the issue there and if Mr. Brocha wanted to withdraw his motion that would be one way

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of handling that.

BROCHA: I'd be glad to withdraw my motion with the concurrence of the second, and I'd like to make a motion then that we continue the public hearing on Ordinance Number 441 until immediately after the conclusion of our current discussion.

COUNCILMEMBER: Second.

VONWALD: There's a motion and a second – thank you very much, Council, for your patience – motion and a second to continue the public hearing at the completion of this agenda item. All in favor signify by saying yes.

VARIOUS: Yes.

VONWALD: Opposed say no.

COUNCILMEMBER: No.

VONWALD: Motion passes. That would be a six-one, Mr. Clerk. So, we'll continue with our deliberations. We have a motion and a second on the floor, and I believe I had – Councilmember Brocha, did you have a comment on that motion?

BROCHA: I certainly do. The City of Woodinville and the Growth Management Act were born about the same time, 1991, 1992, 1993 time frame. I've been on the Council that entire time and we have always, out of necessity and out of desire done what the Growth Management has asked us to do. We're planning for growth in a way that accommodates growth while protecting the environment and making sure that we're doing that with concurrency and necessary infrastructure and that we're doing that with an eye towards efficient implementation and infrasture, and what we're doing tonight is just the same thing. We are doing what the GMA says. We are planning for growth and the motion on the table is to amend the zoning code on an interim basis and this is based on the Planning Commission recommendation which is based on the input from the sustainable development CAP and numerous, numerous public comments that we've gotten over, what, six months, something like

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that. I was somewhat chided for opening this topic with the motion but we have heard a lot of it. We do have that thick binder that you know, we have heard about four times now and I think with all of that that we have the information we need to make the decision we're trying to make tonight.

And when I look at the Planning Commission's recommendation and I look at, on our packet on page 22, our extended packet, it talks about the reasons that we might make that motion and that decision tonight. And again, it goes back to the things that the City of Woodinville has been doing all along. We have been planning for growth. For example, we contain excess capacity in our residentially zoned areas to accommodate the GMA housing allocation out to the year 2022, our 20 year planning horizon. Exactly what the Growth Management Act asks us to do. We're adding significantly to the city's housing capacity in the recent mixed use and multi-family projects in the downtown area and the tourism district. And I won't go into what those are but they're adding almost 700 new housing units. Again, we're accommodating growth and we're accommodating them in the tourism district and the downtown district to efficiently use the infrastructure we have.

Also, changing the R-1 to R-4 is counter to the city's economic and residential growth plans to encourage housing in the downtown. So I want to say that once again. From the very beginning, we said downtown is downtown and the neighborhoods are the neighborhoods and we know that the infrastructure was already in existence downtown and so we're accommodating growth downtown where we can put that money to good use to make sure that the infrastructure handles that growth, the concurrency that the Growth Management Act requests. Again, we're doing what the Growth Management Act says.

Also, an R-4 rezone in the subject area would likely have a negative effect on contigious (sic) resources in the context of capital improvement plans. Again, our

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CIP focuses on the areas that we need to improve right now to accommodate the growth we have right now and the growth that's coming to the downtown area. So again, we are doing what the Growth Management Act has said all along and we will continue to do so. And we have had a lot of input from the public and the CAP and everything else, however, there's still questions. You know that we have a large Litowitz area. We know that we need cold water for salmon and that maybe that the Litowitz area that we identified is not big enough to handle that cold water main. There's a lot of other concerns. One of the other council members has addressed many of them. I just want to say that the public comment suggests that the facts that we've gathered so far and the recommendations that we've heard require more careful study. And I think this interim development regulation will allow us to do that study to make sure that we continue to do what the Growth Management Act says and that is planning for growth in a smart, environmentally friendly way. So I will be voting for this motion when we get to it.

VONWALD: Councilmember Hageman.

HAGEMAN: Thank you, Mayor. Certainly I agree with a lot of the things that have been said by the Council, all the citizen comment that we've had, concerns about Litowitz data. I think the work that we have is great. It is a great body of knowledge with which we can operate. I still personally feel and I've heard comments from other citizens that we need to study the data a little bit more to fully understand that the, the relationships of all the data and the critical areas and how that interfaces with the neighborhoods and so on in the R-1. There's been comment made about the covenants that exist that are out there. I've certainly lived in covenant areas and I don't believe a lot of people – I don't believe the City truly understands how many there are out there and what they really say. So I, we're really asking the citizens to help us with that one with respect to, you know, what are your neighborhood

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covenants? Let us know because that can figure into our planning. We can work with that but we need to know what they are. So, if people could dust those off and bring those in we'd be more than happy to put that in as part of our data gathering that we're currently, have been doing and I think we need to continue doing. So I'm in favor of the motion as well in respect that the environment, certainly that we have here in Woodinville, is critical I think to all of us. I think it's critical to endangered species and it's something that we must preserve and I believe we're taking the proper steps to do that.

VONWALD: Deputy Mayor Stecker?

STECKER: I just wanted to comment briefly. A number of citizens have gotten up during this process and said, where are we going as a city, what's our direction? We've been a city now for over 13 years and that question has somewhat haunted everyone here and everyone in the city and you don't always know where you're going until you know who you are. And I look at this book and it helps us find out who we are, at least in one portion of the city, and I want to continue that throughout the entire city. And it hasn't been until the last year that we've put all this information together and really started that process, and I want to thank everyone that's been involved. It's been a great job. Staff, the consultants, the Council, the Planning Commission, the CAP, so many citizens that have come forward. Is it everything we want? Not quite yet. Do we still need some detail on it? I'd like to see some additional detail but what it shows us is that we do have a critical portion of the city that needs to be protected.

Some people are going to find humor with my next comment in the room but it honors something that the County did a while back, which is hard for me to say, yes, it is. And the County and the WRIA organization set aside Bear Creek and the Cedar River as critical areas. And to execute on that and protect Bear Creek the

County has set aside everything north of Redmond and everything east of the Sammamish Valley in the unincorporated area as outside the urban growth boundary. A very serious critical areas ordinance. They not only kept the zoning that was one dwelling unit per acre, but has downzoned, or some people feel done a taking to one dwelling unit per five acres. And what we found with this study is not only the Wellington Leota area concurrent, if we want to use that term, with the area that the County has set aside for that level of protection, but as several other council members have mentioned, and the other folks, it's the headwaters for Little Bear Creek and Bear Creek, so it's even more critical. So when we talk about protection, who we are, where we need to go, this sets a really good standard, so I'm going to vote for this interim regulation and hope that in the next six months the Council can come together, set some additional monies aside for the consultants – I expected to see more happy faces when I said that – and we can continue to get the input that we are from the Planning Commission and from the CAP to just clean up any detail we need to and just move forward with the study and hopefully wrap our arms around it in the next six months.

VONWALD: I have not heard from Councilmember Leonard, and then Councilmember Roskind.

LEONARD: Well, I definitely believe the interim development regulations is the way to go. We have definitely identified the need to understand and protect our natural environment, especially our critical areas, and the sustainable development study, once it's complete, I believe will have the information necessary for us to develop the planning tools for this area. The study to date does give us some valuable information. The public's come forward and indicated some areas where further study needs to be done. We had a gentleman tonight who brought up some very interesting information I'd like to pursue. So there's been public comments.

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There's one area of, one aspect that I believe is related to the sustainable development. It's certainly not irrelevant to the discussions of it, and that is our ability to plan and fund for our capital improvements, and I'm concerned that our long range planning for capital improvements is going to be impacted by some of the results that we get from this study when it's completed and so I would like to see if there's a way we can work that into either the CAP's next six months or whatever amount of time they need, or it would be a staff item. Most likely some of these things will surface as priorities that we've never considered before. They'll certainly be, like, stormwater runoff types of treatments that we'll need to do and so I think it's very important that we know what those items will be. It'll probably be an estimate but if we don't know the dollar amount we have to at least know what we need to do. And very site specific. If we don't incorporate this into our long range planning in general, I'm very concerned that we're going to end up developing by chance and I'd prefer by chance and I'd prefer that we kind of develop by choice so I think we're going to have to make sure that that's included.

As I said, I definitely think the interim development regulations is the way to go. It'll give us breathing room to nail down those additional items that we need to do and then I would hope that we can keep the CAP empanelled because there are other areas of the city that also have critical areas and we need to look at those too.

VONWALD: Thank you. Councilmember Roskind?

ROSKIND: Couple of comments. First, the reason we're here is not because of the growth management board at all. The growth management board does not require the level of development the city's been pushing to. If it wasn't for the fact that we have attentive and involved citizens we wouldn't be here. The City, in fact, and the City Council in the past was happy to let us destroy the environment. It's happy to let us overdevelop. It's happy to let us collapse our transportation

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infrastructure. The only reason we're sitting here is because of many of you in the audience. It's only because you've been watching, you've been paying attention and you've been coming to these events and letting the City Council know exactly how you feel and that in fact the things that are going on in the city, it is actually little more than a smokescreen to believe that growth management has been pushing these issues. Growth management does not require that you destroy critical infrastucture or critical habitat. It doesn't require that you build and pave over every square inch of the state. It doesn't require that you collapse your transportation infrastructure. In fact, some of the council members here, at hearings with Sound Transit, specifically Councilmember Brocha, one of his comments was he believes we should not build any roads; after people sit in traffic long enough they'll figure it out and get the message.

CIP focuses on growth. This is another misnomer. We're spending an enormous amount of money right now right here, again building up city property. We're going to spend millions and millions and millions of dollars. We found out today there's another six hundred thousand dollar overrun on some fields in a project here at the city. This is money diverted from roads. This is about trying to take control of the city and have the City listen to what we need. We need balance in everything. We need balance in habitat, we need balance in growth, we need thoughtful growth. We need the city to be defined by the citizens who live and work here.

VONWALD: Councilmember Price?

PRICE: I think, as a blessing in disguise, this R-1 zoning issue that we've been looking at in our R-1area over the past year has been a blessing because we've been looking over the past several years at the downtown, focusing on the downtown master plan and beating that to death and we really haven't gotten

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anywhere because of the collection of data and there's been so many concerns and questions that have been unanswered, but what I see coming out of this information we gathered is very useful and it's setting a process and giving us other information that is very pertinent to our downtown master plan and will be very useful to the other areas in the city. So I think that this has been a blessing in disguise in a way that it's going to really help us define who we are as a, if I may quote Deputy Mayor.

STECKER: Yes, you may.

PRICE: So in looking at this I'm, I've been seeing this over the last several months that boy, it's a good thing we're doing this now because we didn't have this information when we were doing the downtown master plan and all those questions that we couldn't get answered, you know, it's going to help us move on to other areas. So thank you.

VONWALD: Thank you, Council. I think we've all had a chance to weigh in. I'd like to again concur with the comments that have been made and thank the consultants, the CAP, the Planning Commission and all the staff who've been working so hard on this project the last year. I really appreciate it and we'll look forward to the staff coming back with a work plan and so we can consider the costs of the extra information that we need to get. So thank you, Ms. Baker.

With that, we've got a motion and a second on the floor to move City Council have first, second and adoption readings of Ordinance Number 431, an interim ordinance of the City of Woodinville amending Woodinville municipal code section 21.21.04.080, subsection (1)(a) to remove a restriction on development with densities less than four dwelling units per acre and direct staff to conduct additional work prior to the city's adoption of permanent regulations. All those in favor say yes.

VARIOUS: Yes.

VONWALD: Opposed say no. Motion passes unanimously. Thank you, Council.

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So, just for the audience, there will not be a public hearing on the moratorium this evening. The moratorium will expire. Mr. Lell, would you like to add anything about that?

[END OF TRANSCRIPT]

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CERTIFICATION

I am over the age of 18 years and competent to testify.

The preceding transcript was prepared by me from a CD provided by the Woodinville City Clerk containing the record for the City Council hearing of March 12, 2007 and is to the best of my ability a true and accurate transcription of specific portions of those proceedings.

Signed in Seattle, Washington this 29th day of March, 2007.

Carol Cohoe

Carol Cohoe

My name is Lisa Rhodes and I live at 15725 NE 198th St, in Wellington.

I'm also a Realtor with Windermere and I want to address the need for more R-1 homes vs R-4 homes, in this area, near the 405 corridor. In my experience, buyers who are looking in the Woodinville area, and specifically Wellington, are second or third time home buyers, with toddler age and above children, who are looking for a home where they have with an ample sized yard.

In the last three years, from 2003 through 2006, in Wellington, approximately 111 homes were sold.

84 of these 111 homes were built on, or before, 1990
96 of these 111 had over a .5 acre lot size, and 75 with a minimum .75 acre lot.
67 sold for under $500K and 41 sold between $500K and $1.7 mil.

These buyers are not buying in Wellington for the appeal of the new Craftsman with postage stamp yard. They are buying resale homes with lots of .5 or bigger. These types of homes don't appeal to everyone. There are buyers who love R-4 type housing. These are folks who don't want a yard, maybe because they both have careers, maybe because they have one child in a crib and limited time, maybe because they like the "newness" of the homes and that's a priority over a yard. R-4 developments are perfect for the needs of those types of buyers. But that's not who is coming to Wellington.

As a Realtor, I have a shortage of R-1 homes to show potential buyers. There are numerous R-4 developments sprawling all over areas of Bothell and Mill Creek and if a buyer is looking for that type of home on the eastside, there is no shortage. The shortage is the R-1 homes. The need is for more R-1 homes. The supply is diminishing compared to R-4's. As a realtor, I wish I had more R-1 options to show my clients, close to the 405 corridor.

In fact, right now I'm working with a family who live in Bothell and whose kids attend Bothell H.S. They are very involved in the sports there and want to remain at that school. However, they received a variance from Bothell HS, to move out of the Bothell school limits as long as they stay in Northshore School District. They are excited about this because they told me now they can look outside of Bothell, specifically Woodinville, because they can't find what they want anymore in Bothell, because what they want is a rural setting and larger lot size.

Woodinville, and specifically Wellington, is one of the last places, close to the 405 corridor, that has a rural setting and country appeal. ~~Recently a little over an acre lot in Wellington sold for $469K. After a 6000 SF custom home is built, it will be priced at 1.695K. Will it sell? You bet it will sell. But why can't a builder, like Phoenix, build a modestly sized, 3000 SF home and sell it, at around the $950K and still make the same profit?~~

Is R-4 in demand? In some areas, definitely. Are there areas more appropriate for R-4 housing? Definitely. Areas already zoned R-4, but haven't been developed, with fewer neighbors or dilapidated homes, but not here in Wellington. Here they would be intrusive and they would ruin this beautiful area forever.

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April 5, 2007

Woodinville Weekly Editorials

Dear Mr. Hearing Examiner,

Appended to this brief cover sheet, you will find the full collection of "Letters to Editor" as published by the Woodinville Weekly since January 1st, 2005 that relate specifically to Wood Trails / Montevallo or the broader topic of zoning within Woodinville. These editorials are openly available to all online at: http://www.nwnews.com.

My only criterion for selecting the editorials was that they must clearly relate to topics that are germane to the EIS hearing or they must relate to Woodinville zoning policy. I think that you'll find that the diversity of individual writers is quite large, though their collective opinion on Woodinville zoning issues is not – all but one directly or indirectly support the preservation and the value of a distinct R-1 neighborhood.

Sincerely,

Matthew Jenson
19122 148th AVE NE
Woodinville, WA 98072

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Let's keep country character

Charlie and Mary Cox
Woodinville
Edition Date: April 2, 2007

To the Woodinville City Council & Planning Commission:

As we understand it, the city of Woodinville has a commitment to provide a certain amount of growth according to the GMA. We also believe that it has reached its commitment. Then why would the City government be entertaining the notion of changing the existing zoning from R-1 to R-4 when its tax-paying residents vehemently oppose it?

We as homeowners pay a high price to live here — high taxes! We obviously felt it was worth it. Many of us have lived here for over 20 years. But that quality of life has been changing dramatically with the traffic and congestion and now the city plans to increase this. Why not just change our name, too — how about Woodinkent or possibly Woodrenton?

I also pose the following questions:

- With the approval and construction of the Wine Village and the Fairfield Properties' apartment site downtown, we wonder if these were included in the GMA totals?
- Auburn and Redmond have increased their builder impact fees considerably. Is this something that has been discussed by the city?
- To date, the emphasis has been on water run off, drainage, etc. Has there been serious discussion with regards to the impact on the wildlife in this area? I haven't seen anything presented regarding the wildlife.
- The road improvements seem to be long term suggestions. Why are there not short term solutions?
- Does Woodinville have a tree retention code and is it being enforced?

From what we have seen in the press and at public meetings, it seems that the people who want to change the zoning are either out-of- state developers or folks planning to retire and reap financial gain after living here for many wonderful years in a country environment with the protection of R-1 zoning. They do not seem to care what they leave behind in regards to the community and environment that they enjoyed.

I recently read a Woodinville brochure dated from 1995 that states that the Planning Board's purpose is to make sure "...Woodinville's unique Northwest woodland character be preserved." Why has the city government lost sight of this and why are they not listening to their residents?

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We, along with our neighbors, have substantial property holdings and stand to incur a tremendous financial gain by embracing R-4. However, we choose not to jump on the R-4 bandwagon because we would like to see Woodinville maintain its country character which is the sole reason we moved here 21 years ago.

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No reason to protest Street of Dreams

Helen Fry
Woodinville
Edition Date: April 2, 2007

I'm confused by the letter written by Rachel Best-Campbell. She asks where the citizens were when the Street of Dreams was built. Presumably, she thinks we needed to protest. Protest what? The builders had no need to apply for a rezone. They were not building on 40 percent slippery slopes where erosion and drainage problems existed. No environmental impact statement was required. And, they had no need to transfer land credits from unstable, unbuildable land within the tract so that they could jam the houses together as Phoenix Development is planning to do with Wood Trails and Montevallo. Heck, one of the houses on the Street of Dreams even sits on 1.82 acres.

In reality, the R-4 zoning Phoenix Development seeks, will actually be R-4 to R-8 because they would be allowed to make up for the areas that are totally unbuildable by building extra houses in the areas that have been deemed buildable.

Phoenix Development has been tossing around the word "affordable" a lot and Ms. Best-Campbell uses that word in her letter. Don't be fooled. There will be nothing affordable about this housing.

Early in our meetings with them, when queried about the expected selling price of these houses, Concerned Neighbors of Wellington were given figures comparable to the value of our homes.

So, let's see, a tall house crammed onto a teeny lot with no room to park in the street or a larger house on a larger lot with street parking available whenever I have guests; priced about the same; what to do? Decisions, decisions! Drop in on our neighborhood Ms. Best-Campbell. You will find many of us walking with our spouses or our children and dogs or our friends. Some ride bikes and scooters. And, we use the same blue recycling bins that everybody else has. You'll even notice that our neighborhood is mostly litter free.

I am impressed with and proud of my neighbors in Wellington who have worked so diligently to educate the City of Woodinville on the perils inherit in this rezoning from R-1 to so-called R-4. Their credentials and expertise are professional. It is unfortunate that you did not attend the meetings to see and hear what was presented. You missed a wonderful opportunity to become enlightened.

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Wood Trails / Montevallo - What's really at stake?

Matt Jenson
Woodinville
Edition Date: April 2, 2007

Phoenix Development's proposal to shoehorn 132 new homes onto the land slide prone cliffs and under-researched wetlands of West Wellington is a travesty in the making. The immediate impacts would include many that you have likely already heard about: numerous, adverse, and well documented environmental impacts, increased traffic delays along the already overburdened Woodinville-Duvall & 156th AVE corridors, et cetera. But, what has not been conveyed as clearly to the public of Greater Woodinville is the looming threat of uncontrollable infill. If these two developments are allowed to proceed as submitted, then the precedent will be set and "Katy, bar the door!"

Think you're not impacted? Think again.

Wood Trails and Montevallo would become the foothold for high density housing in Woodinville's only remaining low-density neighborhood, after which there would be tremendous pressure, legal and otherwise, to overturn the results of the Sustainable Development study. How many among us could really withstand the temptation to sell out to a developer offering 150-200% of our home's value (with the added bonus of saving the extra $15K-$25K that it will cost to be forcibly hooked into sewer)? Maybe you can, but how about your next door neighbor who is nearing retirement? It only takes a single property to sell out and start the infill domino effect.

Woodinville prides itself on its branding of "Country Living, City Style" and it should. It is an exceptionally beautiful place to live, work, and do business. However, as an economic matter, it also relies heavily on agritourism to collect revenue and deliver services. Should we unwittingly re-brand ourselves as "Mill Creek 2", you can kiss that revenue and those services good-bye.

There is still time to act. Start by attending the public hearing on April 5th at 7pm in the City Council Chambers.

Sincerely,

Matt Jenson
19122 148th AVE NE

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Phoenix Developers'

Patrick Moriarty
Woodinville
Edition Date: March 26, 2007

I attended the hearing on the Phoenix Developers' application for rezoning part of the Wellington Neighborhood from R1 to R4 to accommodate the planned Montevallo and Wood Trails developments and listened intently to the testimony from all interested persons. I would like to thank all my neighbors who took part to express their views on the issue. I regret that I wasn't able to be present for the duration of the hearing.

I listened with fascination as the developers suggested that citizens opposed to these developments were elitists living on "estates" and unwilling to do their part to accommodate urban growth. Phoenix, on the other hand, portrayed themselves as noble individuals, looking out for the common man by trying to provide affordable housing to those who cannot conquer Woodinville's swollen property values.

Thank you Phoenix, for your altruistic actions on the part of the little guy. I'm sure you'll barely make enough money to break even given the fact that you will be selling these new houses at rock bottom prices to make them affordable. What? You're a business that plans and builds housing developments to maximize profits for your corporate shareholders? But I thought…?

Please tell me nobody (especially the hearing examiner) was taken in by that pure nonsense? The developers care about one thing, making money! They don't care if they drop the problems (environmental degradation, increased traffic, crowded schools, and inadequate infrastructure) that accompany growth on the citizens of Woodinville. Once those houses are built, they will be gone and it will be our duty to live with and pick up the mess.

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Rezoning

Rachel Best-Campbell
Woodinville
Edition Date: March 26, 2007

So, it's acceptable to build homes on 1 acre lots but 4 per acre will be an environmental disaster? Where were these citizen groups when the Street of Dreams was being built behind Wellington Elementary School? Is development acceptable and low-impact only if the lots are large and expensive? Or is it that smaller lots mean lower-income families?

Are we so afraid of diversity in our community that we're willing to prevent it by using any means necessary? In order to maintain our farmlands to the east we need to control the sprawl, hence the gradual rezoning. The issue is larger than our R-1/R-4 rezoning; its about preserving empty space while controlling the density of existing space. As the population increases, so does the need for affordable housing. Bringing environmental concerns into the discussion is redundant - the rezoning is already about preserving the environment. Concerned Neighbors of Wellington, if you care so much about the local environment why not take the $250 an hour you're spending on your attorney and put it to better use? Surely the Burke Gilman Trail could use your support, or perhaps Farrel-McWhirter Park.

Want to preserve the character of our community? Plant a tree. Heaven forbid, walk or ride a bike. Recycle. Drive a more fuel-efficient car. Pick up litter. But please, don't wrap yourselves in environmentalism to justify your classist views.

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Neighborhood's character will be damaged

Michael and Charlotte Ochoa
Wellington Hills
Edition Date: March 19, 2007

We just walked out of a classic whitewash. We attended the city re-zoning meeting, considering an application for re-zoning approximately 12 acres of R1 along the edge of the Wellington Hills western boundary to R4 - R8. This fight has been engaged for three years, and we the people, are about to be flushed. It seems a forgone conclusion. We could hardly believe it - two hours, and just one person was allowed to speak for the citizens opposed to this rezone. However, the City paraded staff "expert" after expert, and then the developer was next, with his paid batch of more "experts." The pro-developer bias of the City Spokesperson was palpable and obvious. Who is paying their wages? We are! Why are we paying our City staff to do the job of the developers?

We believe fervently in private property rights, and we also know that when we bought our home in 1997, we purchased the obligation to maintain the character of our neighborhood. That character of our neighborhood was protected by the greenbelt between Wellington and the industrial area. This was codified by Woodinville Resolution 93, voted on and signed by the mayor in 1995. I guess the passed laws of Woodinville only apply to the City when it is convenient for the City to obey them. Resolution 93 should take its place alongside our U.S. Constitution's perversion in the "Kelo Decision" of eminent domain.

Apparently anything can be justified if it benefits almighty government, especially the revenue-extracting power of the government.

If this rezoning is allowed, and our neighborhood's character is damaged as it inevitably will be, Woodinville will be poorer for it. We seem to have politicians and bureaucrats who do not understand their first and primary duty is to the existing citizens and property owners of Woodinville, not their tax collections. Perhaps we can make some changes at the next election, just like we did at the last one.

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Honor the idea of Woodinville

Judy Coppa
Woodinville
Edition Date: March 19, 2007

To the elected officials who we, the people, have chosen to represent us: There is no other reason for all of you to be (in your positions) than this: You speak for us. A previous city notification stated that the council has final determination regarding rezone and development. We, the people voted to incorporate as a city based on promises that this was the only way to have self-determination and to maintain the character we wanted to keep. This was a campaign promise. The city council exists to serve us and not itself. This trust has been broken in an attempt to slip through high-density housing in our midst and change the character (of our neighborhoods) forever. As we are already in line with the Growth Management Act, there is a hidden agenda here.

The statements about traffic and environmental impact are insulting to our intelligence.

Has anyone - without a financial motive - come to you and said, "I'd really like to have more crowded neighborhoods and traffic on our already poorly maintained roads?"

We have strayed far from the reasons you were elected. I don't know who you are working for, but it's not for us. You know the right thing to do. Are you ready to stand up and do it?

I'm going to combine and use two quotes from the movie "Gladiator": There once was an idea that was Woodinville - Honor it!

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Swift action is needed

Sharon Peterson
Woodinville
Edition Date: February 19, 2007

Over the weekend, I received two letters from the City of Woodinville. Each letter indicated to me that a date had been set for the Wood Trails FEIS Hearing and for the Montevallo FEIS Hearing, but they are two different dates.

Here's why I believe this is illegal: It is against the 2.5 year precedent of communication that the City of Woodinville has set and is also grounds for an immediate appeal of any decision that the Hearing Examiner might make. The City of Woodinville accepted the original application for the development as a single document that covered the proposed development of two areas. Only one application was filed. The initial Determination of Significance was made for both developments simultaneously. Only one DOS was issued.

The Draft Environmental Impact Statement was published in March 2006, for both developments. Only one DEIS was published.

For almost a year, citizens have been prohibited from mentioning either development or both developments, in the same sentence at the same time.

The Final Environmental Impact Statement addresses both developments simultaneously. Only one FEIS was published. I am appalled that the City Staff would resort to this tactic as a way to divide two properties which have been legally linked by the City for over 2.5 years. I'm deeply disappointed at the thought that our City Council would permit staff to send communications out that openly violate the precedent that's been established for these two properties.

The only explanation that comes to mind is that the City Council is simply not aware of this action and that now by being made aware of this act, you'll quickly direct staff to rectify this error in judgment, issue a formal retraction of the letters, mail new letters, and allow public comment on either development on both nights of the upcoming hearing.

Please take SWIFT and IMMEDIATE action ... to address this grievous and offensive error and send the message to the citizens of Woodinville that "game playing" is not the agenda of the Woodinville City Council.

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Who's paying attention to Woodinville-Duvall Road?

Jim Majeskey
Woodinville
Edition Date: January 22, 2007

According to your 1/15/07 edition, "City of Woodinville Public Works staff worked around the clock to plow and sand essential icy roadways" Apparently, Woodinville-Duvall Road wasn't one of those "essential" roadways.

In snowy or icy conditions, this road is terrible at best and ridulous at worst. Neither the Woodinville Public Works nor King County seem to pay any attention to it. Yet it remains a main thoroughfare in and/or out of Woodinville. Not "essential"????

I think it's time the citizens of Woodinville start getting the services for which we pay taxes. If Woodinville or King County can't sand or plow "essential" roads, like Woodinville-Duvall Road, then let's withhold the taxes that are supposed to support those efforts!!!

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R-1 Moratorium open house and hearing

Susan Boundy-Sanders
Edition Date: January 15, 2007

Last Wednesday, the City of Woodinville held an Open House on the Sustainable Development Project, the R-1 moratorium, and the studies and recommendations that are arising from them. Many interested citizens were prevented from attending because of icy streets, but a second Open House has been scheduled. It's Thursday, January 18, from 4:00 to 6:30 at City Hall.

Citizens should also pencil in their calendars for January 31. The formal hearing for the moratorium has tentatively been scheduled for that evening.

I'm a member of the Citizens Advisory Panel (CAP) for the project, but writing strictly as an individual, I urge citizens to attend the Open House and hearing, or submit written comments. The outcome of this project will have a tremendous impact on Woodinville's character and livability, and in more practical matters like traffic congestion and demand for services.

For readers not familiar with the issue, the Sustainable Development Project was initiated, in the words of Woodinville Ordinance 419, to "yield significant policy recommendations regarding the protection of critical areas while simultaneously accommodating appropriate future growth within the City's R-1 Zoning District." As part of the project, the City has imposed a moratorium on accepting development applications in the portion of Woodinville currently zoned for 1 house per acre. The moratorium is currently set to expire on March 20, 2007.

Again speaking strictly as an individual, I want to alert citizens that I believe the goals of the moratorium have not been met. Some critical areas studies have been completed and preliminary reports drafted; those preliminary draft reports were then retracted by City staff. Some appeared to be of good quality; others were clearly woefully incomplete. Other important studies have not yet been conducted. Others have been conducted but not written up. The CAP and Planning Commisson have not had a chance to review the studies and consult with the land use attorney hired for the project about specific recommendations. Yet, because of developer pressure, the Council does not want to extend the moratorium beyond March 20, and in order to meet that deadline city staff are drafting policy recommendations that – again in draft form – include upzoning large portions of the current R-1 zone.

I'm frankly alarmed that changes to the Comp Plan and zoning maps are being drafted without having the critical areas data in hand. The geologically hazardous areas I'm personally most concerned about – the steep-sloped areas in Reinwood, Woodinville Heights, and Wellington – are being considered for more dense zoning . . . and the landslide hazard study has not been conducted. The extensive wetlands in the Wellington, Leota, and Laurel Hills areas have been ignored – even wetlands that have been documented in reports previously commissioned by the City, and the acknowledged

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wetlands in the proposed Montevallo development – are not included in the preliminary draft report . . . and large portions of these neighborhoods are being considered for more dense zoning.

So what's a citizen to do?

Please, contact the Council.

I believe the right solution is to extend the moratorium until its objectives have been achieved in an orderly fashion: collect the data first; then finalize the scientific reports; then distribute them to the CAP, Planning Commission, City Council, and anybody in the public who wants them; then craft policy recommendations collaboratively with full involvement of the CAP and citizens, and with the advice of the project's attorney. Only after these have happened should we launch into the Open House and hearing cycle that is currently scheduled for the rest of this month.

Barring that, I believe that if the Council is committed to allowing the moratorium to expire, the next best approach is to apply the Precautionary Principle. In this case, leave the entire R-1 zone as R-1 until we have the environmental data in hand. Keep the CAP impaneled; let us continue our intensive study and discussion of the issues and come up with recommendations that are well-considered.

I see a lot of well-intentioned people scrambling to meet an unrealistic deadline. For the sake of Woodinville, I beg for citizen's help in stopping this speeding train. E-mail Council: council@ci.woodinville.wa.us.

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Area should remain Rural Residential

Todd Bailey
Firefighter, Woodinville
Edition Date: April 3, 2006

(Copy of a letter sent to Snohomish County Council)
Dear Snohomish County Council:

I am writing in regards to the proposed land use change for UGA Boundary, Ordinance MALT 1a was (NO. 05-07600). The Hillside and Wellington Golf Course above the new Costco in Woodinville is surrounded on three sides by residential housing and the current land use is for rural residential.

The council agreed last year to leave this land as Rural Residential. Now the same issue has come forward again. With the events that are taking place, this seems to me to be a bait and switch — agree to leave it the same, then once again propose to change it to Urban Industrial.

The University of Washington currently owns this land and promised a campus in Snohomish County but backed out on the deal and built the campus in Bothell within King County.

The University of Washington is pushing to have this land rezoned so that a business park can be built. But the University's main interest is to get this land rezoned so that they can sell it for a higher price. They have no interest in what is good for Snohomish County or the residential neighbors that surround this property.

The University simply wants to make the most money and leave families in the area to deal with the problem that will result from the Urban Industry.

These problems include: the overload of traffic, noise all hours of the day and night, the destruction of the landscape and trees, destruction of Wellington Public Golf Course, increased pollution, and the decrease in values of family homes and property surrounding the area.

The University of Washington has no vested interest in this property. They argue that a business park is needed in the area and will bring jobs to Snohomish County.

The facts are that many buildings sit empty and can not be rented out in the business parks that are within a couple of miles of this site. Both North Creek and Canyon Park Business Park in King and Snohomish counties have several vacancies that have sat empty for years. Businesses that do rent space in business parks are established companies that bring with them their current employees. They don't have a need to create jobs for the residents in the area.

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The University of Washington has no good argument why it should destroy the current beauty of Wellington Golf Course and destroy the peace of the residents and families that live around the proposed property change. The University of Washington just wants to make a quick change of the usage of the land, sell the property for a higher price and wash their hands clean of the problem. The long term effects of the damage this change would create would be left with Snohomish County taxpayers.

As I have proposed in the past, the Council and Snohomish County have the opportunity and duty to take advantage of these 121 acres. Snohomish County could buy the land, saving the trees and wildlife and turn this rare area into a natural park for walking and the enjoyment of the community.

Part of the $70 million paid to Snohomish County by King County for BrightWater could easily buy this land, leaving it as a public golf course or a park. This would at least give the residents in the area who will be affected by BrightWater a positive effect and use the money for the residents of Snohomish County in a positive way.

We currently have no parks in the area that residents, and most importantly, the children can walk to.

Will the County Council take on the liability for destroying the trees, wildlife, decreasing the value of residents' homes, increasing the stress of the residents with noise and pollution, impacting the health of the residents and placing them at higher risk with the increased traffic on 240 St. SE and Highway 9? If this area is to be developed, then it should be left with its current classification as Rural Residential. If any of the council members would like to come to this area and see its current beauty, you are all welcome to join me at my home and I will personally show you the area and the residents that you are impacting.

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Brightwater will increase new development

Jim Willett
Woodinville
Edition Date: April 3, 2006

The Woodinville City Council recently imposed a temporary building moratorium in the R-1 zoning district by a unanimous vote. This is good news; Woodinville needs a moment to catch its breath after the unchecked construction of the last two years. Even better news is the fact that our City Councilmembers have apparently found something they all agree on.
I'm no traffic engineer, but even a casual look at the local map leaves me fearful for the future of Woodinville.

The city sits at a crossroads of three major arterials and one freeway that are all likely to be increasingly congested in the years ahead. The Woodinville-Duvall Road going east and Rt. 9 going north are both scheduled for major expansion projects in the near future. The Woodinville-Redmond Road is at capacity much of the day and Hwy 522 is very heavy during rush hour.

Neighbor, there is a lot of traffic headed our way.

It follows that if you work or live somewhere else but access the freeway in Woodinville, why not just live in Woodinville and cut your commute?

That's what the developer of Montevallo has concluded people want. The developer of Montevallo, the first of five similar projects in the planning stages, could build up to eight homes per acre in an area that is currently zoned R-1 — one home per acre, hence the attempt to re-zone. For perspective, that is a 5,500-square-foot lot, smaller than some homes out here.

One of the principle reasons for the R-1 zoning is septage. Everyone in the area is on a septic tank with an associated drainfield which requires a lot of land. Because of land requirements, a septage system does not allow much higher housing densities than R-1. So how does the developer handle the sewer problem? In this case he plans to hook up to Metro by running a sewer line up the hill from Woodinville.

Woodinville looks ripe for development to me. Almost all of us live near or know of those large tracts of woods or pasture in our neighborhoods.

In fact, the future site of Montevallo is a large pasture now. If the price were right would your neighbor sell that empty acreage to a real estate developer? I know mine would. Again, I'm no expert, but it seems that one of the things preventing major real estate developments from gaining traction here is the lack of sewer capacity which would allow higher density.

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After all, there's no shortage of land, the highways are already scheduled for expansion, and freeway access is good by almost any measure.

Isn't King County trying to build Brightwater at the very intersection that we spoke of earlier? Lest you think that row houses will never come to your neighborhood, friends, believe me when I tell you this because it's my business to know about sewage treatment systems; there's nothing that encourages rapid real estate development like a new sewage treatment plant. Instantly housing density can be increased by an order of magnitude.

By converting our old septic systems to Brightwater provides the capacity for new development on a scale we can scarcely imagine now, housing density and rezoning to R-8 or higher, possibly much higher.

The pressure on our elected officials from the gathering pro-development forces would be immense and it would take an uncommon effort by any neighborhood coalition to control it.

Our challenge is clear: We now have ample undeveloped land and expanding highway capacity, but if we stop Brightwater we have permanently eliminated the one public service that is necessary for major real estate development.

After all, it's not called an "essential public facility" for nothing.

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New church, school will cause more congestion on Woodinville-Duvall Road

Jonathan Morrison - President, Friends of Cottage Lake
Mary McCain - Vice President, Friends of Cottage Lake
Matt McCain, John and Lisa Litchfield, Gary and Karen Mattson, Deb Wissmiller
Edition Date: February 27, 2006

As some of you in the Cottage Lake area may already know, we have some new neighbors moving in next door. And their house is massive.
Replacing what is now the Woodinville Riding Club at 17856 NE Woodinville-Duvall Road, the Blessed Mother Teresa of Calcutta Parish and private K-8 school is slated to break ground as early as 2008. If all goes as proposed, the church and school will serve 1,000 worshippers and 400 students respectively, and will include a 16,000-square-foot church and a three-story, 59,000-square-foot school building, complete with a paved 229-stall parking lot.

On January 17, the King County Department of Development and Environmental Services (DDES) awarded the church/school their Conditional Use Permit, essentially green-lighting the project as is.

The most overt and immediate impact we can all expect if this project moves forward as planned, is increased traffic congestion on Woodinville-Duvall Road.

Picture the current nightmare-caliber traffic problems facing Woodinville-bound drivers during a typical morning commute. Now add 400 students being dropped off by car each morning.

To remedy this problem, DDES and the church/school have settled on adding two short turn lanes to the road. This is an inadequate solution.

Less obvious to some, but of no less concern, are the environmental impacts this project will bring.

The site is located along Daniels Creek, the main source of water for Cottage Lake. Cottage Lake is already listed on Washington state's 303(d) list for not meeting state water quality standards. After 10-plus years, efforts to improve this situation are at last gaining serious momentum. Friends of Cottage Lake recently applied for, and received, a $218k grant to begin vital lake improvements and restoration.

Meanwhile, the church/school's site plan calls for the parking lot, driveway and retention ponds to cut the stream buffers along Daniels Creek to a minimum of 80 feet from the required 150 feet. More than 1,000 square feet of wetland and 14,000 square feet of wetland buffer will also be impacted by the proposed road widening.

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In addition, the site plan claims that the school (with its 400 students) will not feature even a small kitchen, thus relieving them of their obligation to install a more robust septic system.

On top of this, the site's proposed sprinkler system is oversized to allow for "future expansion." Those are their words.

In spite of these issues, DDES has decided not to require a full SEPA environmental impact review of the project, which seems to stand in stark contrast to King County's CAO environmental guidelines for rural property owners.

How is it that a site with more than 75,000 sq. feet of building and a 229-stall parking lot, with plans for further expansion, is allowed to sidestep the rules placed upon Joe Homeowner?

We do not want the parishioners and students of Blessed Mother Teresa of Calcutta to feel unwelcome in their new home. But there is simply too much at stake for this area not to make these concerns public. This project must be scaled back considerably.

Please visit http://cottagelake.wordpress.com for details and discussion about this project, or contact Jonathan Morrison at jonathanmorrison@hotmail.com.

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What was King County thinking?

Melissa Waldie
Woodinville
Edition Date: February 27, 2006

As the time draws nearer for the three-story, 59,000-square-foot Catholic school to be built on the site of the Woodinville Riding Club (17856 N.E. Woodinville-Duvall Road), I become more and more incredulous.
Perhaps it's because I drive this very road every morning that I can't believe the school really got approved.

As a mom, I have experienced the traffic tie-ups of dropping kids off to school in the morning. It can be a real mess in the best of circumstances, but this school does not seem to have any plans for a bus service.

That means all 400 kids will be dropped off by their parents at the same time each morning!

Woodinville–Duvall Road is already terribly congested. Now, we're going to add to the current congestion, 400 cars with children all trying to get to school at the same time? Hopefully, the children won't have to run across the street because their parents can't make a left turn.

I realize the road will be widened and new turn lanes put in, but this is a weak solution. A couple of turn lanes will not solve this problem.

What was King County thinking when they approved this plan?

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Property owner not notified

Jeff Glickman
Woodinville
Edition Date: February 27, 2006

(A copy of a letter sent to City of Woodinville Mayor, City Manager, City Council and Director of Community Development)
I am a property owner in the Wellington neighborhood. I live within, or about, the 500-foot radius of the proposed Wood Trails plat.

I have never received a single notice from the City of Woodinville regarding this proposed plat. The City is obligated to notify me and arguments incorporating errors and omissions as to why I have not been notified are not a valid defense.

I accidentally discovered the existence of this proposed development from a neighbor approximately one week ago.

The proposed Wood Trails plat is in the DEIS phase. I visited the City of Woodinville Planning office this past week to obtain a full and complete set of documentation, without limitation, regarding the proposed Wood Trails development, and all city codes and ordinances. At this time I was informed of the existence of the DEIS and was directed that the sole means to obtain a copy was from Kinko's.

Upon this direct instruction from City of Woodinville Planning Office employees, I attempted to obtain a copy of the Draft EIS Statement from Kinko's, Woodinville.

Initially, Kinko's was not aware that they had a city document. It took hours to find someone who was even aware that there was a city document available for reprint.

Ultimately, Kinko's was not able to produce a complete copy for me. As with most citizens, it is an undue economic burden to read a multi-hundred page document at city offices or the library.

As I know you are already aware from internal city communications, the DEIS is materially deficient. Most notably, figures and pages are missing. Arguments incorporating errors and omissions as a defense are invalid. Furthermore, of the pages which are present, the area delineated as the study area of the DEIS is in error, which invalidates the DEIS in its entirety.

The city is obligated by SEPA to present a complete and accurate DEIS to the citizens of Woodinville. This DEIS violates both SEPA and NEPA requirements, and is a material misrepresentation of the facts to the citizens of Woodinville.

State SEPA law specifically states that a minimum 15-day review period for the DEIS must be granted to the citizens. The City of Woodinville has violated this statute.

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This is a formal demand to invalidate the DEIS process because of flagrant process errors and City violation of SEPA statutes.

The DEIS process cannot be construed as even having been started because an incomplete and invalid document was provided to the citizens and because the citizens have not had 15 days to review a complete document. The only remedy for the city is to write a new DEIS that is accurate and complete, provide notice to all property owners within 500 feet as required by law, and provide the citizens of Woodinville the minimum 15-day review period as required by SEPA.

Do not deny the citizens of Woodinville the due process that is guaranteed to them by State and Federal law.

You, the city work for us, the citizens. You are here at our bidding to protect our rights, not violate them.

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Public comments needed

Otto Paris
Woodinville
Edition Date: February 13, 2006

I would like to increase community awareness and involvement in significant changes that are slated to occur in the Wellington / Leota neighborhood areas. Citizens now have an opportunity to express their concerns about these changes. The City of Woodinville is currently accepting public comments on the Draft Environmental Impact Statement (DEIS) for the proposed Wood Trails and Montevallo residential developments. For the first time, the City has required a developer to prepare an EIS for a residential development. It is important that everyone in our community take advantage of this opportunity to comment on the impacts associated with the construction of these two subdivisions as currently planned. Comments on the DEIS must be submitted to the City of Woodinville by Friday, March 3. A public hearing has been scheduled for Thursday, Feb. 16, from 7-9 p.m. at City Hall for the community to submit oral comments. One-hundred-thirty-two new homes will be built in the two proposed subdivisions at densities much greater than currently exists in the Wellington area. The proposed subdivisions will also result in a sewer line extending east from the industrial area up to lots bordering 156th Ave NE. These two residential developments will significantly change the character of the Wellington neighborhood and has implications for any parcels in the Wellington / Leota area currently zoned as R-1 (1 house per acre).

The proposal includes the developer's request to the City to change the existing zoning designation from R-1 to R-4 (up to five houses per acre) by providing sewer service to the two developments. The proposal then uses available residential density credits, transferring some of those density credits between the two subdivisions, and clustering of lots to maximize the number of homes that could be constructed at each site. The developer's proposed plan actually results in typical lots ranging from about 5,500 to 6,800 square feet, with an average "built" density of 6 to 8 houses per acre.

Visualize 132 new 3,000-sq.-ft. homes on 6,000-sq.-ft. lots, with substandard road widths and minimal street parking, and you get the picture of what is being proposed. This will look like some of the recently built higher density developments located a few miles north of Woodinville in south Snohomish County. This by no means matches the current characteristics of the Wellington / Leota neighborhoods. It is also easy to visualize the increase in traffic on existing neighborhood streets and 156th Ave. NE that will result from the proposed developments with no corresponding improvements to roadways to reduce these types of long-term impacts.

Approval of the Wood Trails and Montevallo developments, as currently proposed, will irreversibly change the Wellington / Leota neighborhoods and surrounding areas and will set a precedent for other proposed developments in the area. If approved, the combination of available sewer and corresponding increases in residential densities for these two developments will be used by other developers in the future to argue for maximizing the number of houses on other parcels in the area. Other developers are already working on

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plans for building residential housing at similar densities for several parcels located (1) west of the Arco AM/PM Station, (2) north of Laurel Hills near Lake Leota, and (3) south of the recently constructed Tanglin Ridge housing development.

Changes to our neighborhoods are about to happen at an alarming rate, and now is the time to express your personal opinions about these changes. It is the stated goal of the Wood Trails / Montevallo developer to begin construction in 2006 at the 6-to-8-house/acre density as described in his development applications and the DEIS. Without some significant opposition from our community, the City's approval process for these two subdivisions could easily move forward at a pace that allows the developer to meet his stated objectives.

The Draft Environmental Impact Statement (DEIS) provides a rare and possibly final opportunity for all of us to provide public comments on the two proposed residential developments that will undoubtedly change the characteristics of the existing neighborhood. The applicant and the City are required to respond to all comments submitted on the DEIS. Now is the chance to get direct responses to your comments, something not likely to occur at any other future point in the approval process. Do not assume that your concerns and opinions will be expressed by others. I strongly encourage anyone who is concerned about this change to our neighborhoods to understand exactly what is being proposed for the two residential developments, along with the likely long-term cumulative impacts and submit specific thoughtful comments to the City prior to March 3.

Now is the time to have an active voice in shaping the future of our neighborhoods. Additional information concerning these two proposed developments and the DEIS comment period is available on www.wellington-neighborhood.org and on the City's website. Copies of the DEIS are available for review at City Hall and the Woodinville Library, and can be purchased from Kinko's.

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Developers leave us to fix problems

Sindi Giancoli
Woodinville Little Bit
Edition Date: December 12, 2005

My heart goes out to the parents of the highschool girl that was hit by a car in front of the high school December 8.
I have written this scenario to the paper several times, as well as spoken at our city council meetings regarding the traffic on 136th Ave. This is the fourth pedestrian-car accident on this road. Nothing has changed except for the traffic has increased tremendously.

Every time a new development starts on this small street, I have voiced my opinion.

The answer I get from our city council is that there is no traffic impact on this road, Now how can that be when you are building 30 houseaminums on four acres?

They claim they have done all the studies, I would like to see the results.of these studies published in our paper so we citizens can be "informed." And now the same developer is developing the last of five acres on this road.

I don't see how this road is going to be able to support the kind of traffic it is bound to create.

I have gone door to door urging my new neighbors to go to the council meetings and fight to keep our street safe. Maybe now that they have experienced a child being hit by a car they will stand up and speak before it happens to one of their children.

I have had the sad misfortune to have lived on this street for all but one of these tragedies. Several have been fatal.

Let's hope something gets done now. This is where most of my frustration comes from: The developers come in and cut down the trees, change the course of our streams, increase the traffic make lots of money then leave us to fix the problems created by these houseaminiums.

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Speed kills

Sindi Giancoli
Woodinville
Edition Date: November 14, 2005

I am writing this in response to Mr. and Mrs. Madden's letter in the Nov. 7 Woodinville Weekly. I sympathize with your plight. I live on 136th Ave. N.E. This is the road that runs directly in front of the high school.
I have written letters, sat in council meetings, and had many discussions with our chief of police and city officials to no avail.

To date, there have been three teenage deaths on this road. The speed the vehicles travel on this road enrages me. Yet developers continue to develop the land on both sides of this road with no regard to the impact of the neighbors homes or safety.

I got the same nonsense when I went to fight my last battle regarding the increased traffic on this road, due to the over development, "our study's indicate no increased traffic"

How can you build 100 new houses and not impact this little two lane road, which also carries many commuters who use it for a short cut to bypass the Highway nine mess?

So we have more houses, more "No Parking Signs" along it, yet the students continue to park the length of 136th Ave. It is only a matter of when not if that yet another student is killed on this road. I too have invited the police to sit in my driveway and clock the speeders. One day I sat and watched the police ticket one car after another for parking violations.

Yes. They did put the speed meter on my road. They did it on the hill, so the cars had plenty of time to get back up to speed before reaching my house which sits at a stop sign, squeal the brakes. I have suggested a speed bump. The City had the developers install one at the bottom of the hill, but it is not much of a bump. It doesn't deter anyone from speeding. I have suggested a few more along this road. I bet it would slow a lot of cars down in school zones if they had to maneuver over more than one speed bump. I would be willing to pay for and install one in front of my house.

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Don't change land-use zoning

Todd Bailey
Woodinville
Edition Date: November 7, 2005

(A copy of the letter and e-mail sent to Snohomish County Council on the proposed land use change to the Wellington Golf course)
Dear Snohomish County Council,

I am writing in regards to the proposed land use change for UGA Boundary, Ordinance NO. 05-076. The Hillside and Wellington Golf course above the new Costco in Woodinville. This area is surrounded on three sides by residential housing and the current land use is for rural residential. The council wants to change this to make it urban industrial. We moved to this area because it was rural residential. Leaving the city and enjoying the drive through the open area of the golf course and treed lots to our home which overlooks the Olympic Mountains. This area is rich in wildlife and on the proposed 121 acres and surrounding area live an abundance of wildlife, such as deer, rabbits, coyote, bald eagles, hawks, cranes, which we enjoy seeing, living in this area. We moved to this area because of these features and our neighbors moved here for the same reasons. Allowing us to escape the urban area and live close to the city, but in a rural environment. We also moved here because it is close to our place of work, The Seattle Times and Bothell. We care how we impact our society seriously and have adjusted our life style to lower our use of natural resources. We picked this area so we could use alternative forms of commuting such as running to and from work. Because of the growth that you have allowed we can now hear several forms of noise pollution, such as the back up alarms from trucks and machinery from the gravel/concrete pit on highway nine (who is currently wanting a grading permit, which is opposed by residents in the area) and the industrial businesses across the valley. The noise can be heard at all hours of the night when residents in the area are trying to sleep. It is time to stop this uncontrolled growth and leave the area as it was found by the residents who live here, in their homes that range from the high five hundred thousand to well over a million dollars. Not only would this proposed change lower our home values, it would greatly impact traffic in the area. Currently highway nine and 240 St. SE can not handle the traffic demand placed on it. Your plan would only increase the problem and leave residents in the area to suffer. We have very few parks, none that the children can go to, the 121 acres is the wooded area that the children currently play in. Would you want this taken away from your children to have them be left with an industrial park to play in, taking away a healthy environment and replacing it with a polluted one? You have the opportunity and duty to take advantage of these 121 acres. The County could buy the land, saving the trees and wildlife and turn this rare area into a natural park for walking and enjoyment of the community. Part of the 70 million dollars paid to Snohomish County by King County for Brightwater could easily buy this land, leaving it as a public golf course or a park.

This would at least help the residents in the area who will be affected by Brightwater with a positive effect and using the money for the residents of Snohomish County in a positive way. We currently have no parks in the area that residents and most importantly the

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children can walk to. Will the County Council take on the liability for destroying the trees, wildlife, decreasing the value of residents' homes, increasing the stress of the residents with noise and pollution, impacting the health of the residents and placing them at higher risk with the increased traffic on 240 St. SE and highway nine. If this area is to be developed, then it should be left with its current classification as Rural Residential. If any of the council members would like to come to this area and see its current beauty, you are all welcome to join me at my home and I will personally show you the area and the residents who you are impacting.

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Bad judgment causes accidents

Pamela Vo
Woodinville
Edition Date: November 7, 2005

I would like to comment on the fatal accident on October 18. I have lived in Woodinville all of my life, born and raised! I remember when the local IGA was the only grocery store and "brother Berle" was the guy to see to get your car repaired.

Over the years, Woodinville has grown considerably. I still want to raise my children here, and perhaps grow old (heaven forbid). Because of the growth, not much thought was put into how the city was going to support this growth, take for example, the movie theater. The theater can seat many; that is a contradiction to the parking. Those of us in the mood to see a movie will most likely have to park at Top Foods or other local merchants to park, so what about those who choose not to see a movie? They can't park by the store because it is full up with theater patrons (are we starting to see a pattern here?).

Getting in and out of Woodinville is a nightmare if you should need to visit any of the merchants in downtown. When the "new" Woodinville/Duvall road was re-routed, it was designed for minimal traffic on rural roads, not a SUPER HIGHWAY for those coming and leaving Duvall or other outlying areas. Now we have added Costco to the congestion. The stupidity of the engineers who designed the W/D did not leave room for expansion, furthermore, the nasty headache for those of us who do drive within the speed limit all have to converge from 2 lanes down to 1. The speed demons in a hurry who think they will make better time with one more car out of their way, all speed up to cut off people at this convergence.

For some reason this is most accented when the high school lets out and begins again during rush hour. For those of you not aware, there is a crosswalk at the intersection of 160th. If you take the bus and should have to use this crosswalk you are taking your life into your hands. To be honest, eliminating the lane merges and putting a stop light at this corner would alleviate quite a bit of this drag racing and road rage over who cut off whom. Furthermore, adding a cement barrier (closing off access from the far right lane for those not turning onto 522) at the freeway entrance, preventing others from "sneaking" down and cutting in are just a few things desperately needed to relieve added stress on the roadways. In addition, when a driver is established in the lane and there is a lane merging, it is the responsibility of the merging traffic to merge safely. The established lane does not have to let you in, that is your responsibility to blend in.

If it seems we have a lot of hostile drivers, you're right! Downtown traffic, road traffic, lack of parking, all add to the frustration and hostility we who live in Woodinville have to deal with everyday. I remember a more simpler time and am not pleased with the way our city is moving toward.

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For those of you who were inconvenienced by the detour of the W/D, how do you think the deceased's family felt when they heard their loved one would not be coming home? How do you think the people who live on 195th felt when you used their road as a drag strip to get to your destination? The speed limit on that street is 25 mph that is clearly posted, having the Street of Dreams wasn't bad enough, our own community had to add to it. Shame on all of you using bad judgment and not giving a damn about other people! If we are to make a difference in our community, it has to start with us first! You can change your life by changing your attitude; let us start with behind the wheel of our cars.

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California landslides hit home

Susan Boundy-Sanders
Woodinville
Edition Date: January 24, 2005

If you've watched the landslide search-and-rescue effort in California and thanked your lucky stars it couldn't happen here, you might want to check your star chart again. The signs are that landslides originating on the Draughn property, just east of downtown Woodinville, can be up to 30 or 40 times the size of the La Conchita slide.

If you go by the best available science, the risk management for landslide terrain is pretty straightforward: preserve the vegetation, especially trees; don't disturb the earth; don't overload the groundwater system.

But there's a fatal flaw in the information that Woodinville relies on. The City's best-available-science decisions rely heavily on the information provided by the same developers who stand to lose money if risks are identified. It's a proverbial fox-guarding-the-hen-house arrangement.

Our experience from last September is illustrative. In a quasi-judicial city hearing, our neighborhood offered expert testimony from a Cal Tech seismologist with a Ph.D, a Cal Tech geologist and a WSU civil engineer, both with master's degrees.

That testimony was contradicted by the spoken testimony of the developer's Civil Engineer.

City officials have remarked on the disagreements in the testimony. The implication is that they don't know who to believe.

If a city decision maker doesn't receive accurate information, decisions come down to a judgment call. Developers, acting in their own self-interests, undermine the review process and in so doing undermine the safety of citizens.

I think this is a problem we can solve, but it's not particularly easy.

• First, we need to make maximum use of the studies commissioned by the City. For example, last year the City commissioned Adolfson Associates to do a survey of the Woodin Creek Basin as part of its state-mandated critical areas evaluation.

The Adolfson study mapped out wetlands that had not been previously recognized in Woodinville, simply because no one had looked. Critical areas identified in this manner should always be added to Woodinville's critical areas inventory.

• Second, we need to re-evaluate the threshold for requiring environmental impact studies.

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Currently, if a development application is consistent with the environmental checklist filled out by the developer, the City rarely requires an EIS (Environmental Impact Statement). That process would be adequate if every developer filled out their environmental checklists competently and accurately. Unfortunately, that sort of integrity cannot blindly be attributed to every developer. We need to require an EIS more often, and we need them to be overseen by the City rather than the developer.

• Third, we need accountability. We need an inter-agency database that tracks inaccuracies in development applications all across the region.

If a developer is shown to submit inaccurate information in one jurisdiction, all jurisdictions and citizens in the region need access to the specific nature of the problems. Sanctions would be worth considering, but the ideal outcome would be that accuracy-challenged developers would simply be put out of business.

Let me make it clear that the goal of these measures is not to shut down development. The goal is to protect the safety of citizens and to provide city officials with accurate information so they can make sound decisions.

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April 5, 2007

MLS Analysis of "Need"

Dear Mr. Hearing Examiner,

"Need" is central to many of the arguments that have been made before you throughout the EIS hearing process for Wood Trails / Montevallo. Need is a difficult thing to quantify because it is often rather subjective. Many have testified from the perspective that need is quantifiable based on whether or not Woodinville is meeting its Growth Management Act (GMA) quotas. I do not wish to take away from that argument because that is also my interpretation of how need should be defined in this context. However, I would like to offer up an additional perspective on how one might determine need, or at least *relative* need, in a quantitative manner.

In a market based system the Law of Supply and Demand reigns; specifically, real estate with characteristics that are in short supply (i.e. high demand) command higher prices than less desirable properties. Unfortunately, a direct analysis of sale prices for the purpose of determining need is difficult to perform due to the many complex factors that combine to yield a single sale price.

However, an obvious corollary of the Law of Supply and Demand is that higher demand properties will spend less time on the market than other less "needed" real estate. Thus, if you assume that market forces ultimately do determine a fair sales price, another way that one might measure the relative need of different property types would be to compare the number of days on market prior to a sale for each property type. The time on market for one set of properties over another set of properties relates inversely to the relative "need" of the former over the latter (i.e. fewer days on market means the need is greater).

The table below summarizes Multiple Listing Service (MLS) data for recent property sales (1/1/2004-12/31/2006) for two Woodinville neighborhoods: Wellington (zoned R-1) and The Wedge (zoned R-6).

Wellington		Avg	Median			
YEAR	SALES	DoM	DoM	Lot Size	SqFt	Price
2004	24	87.4	76.5	43517.5	2410	$ 452,475
2005	28	53.8	24.5	35569.0	2785	$ 529,950
2006	22	66.0	35.0	36590.0	2815	$ 610,625

Wedge		Avg	Median			
YEAR	SALES	DoM	DoM	Lot Size	SqFt	Price
2004	66	62.8	38.5	7466.5	2700	$ 409,943
2005	79	77.3	52.0	7841.0	2270	$ 400,000
2006	52	73.8	49.0	6930.0	3010	$ 567,400

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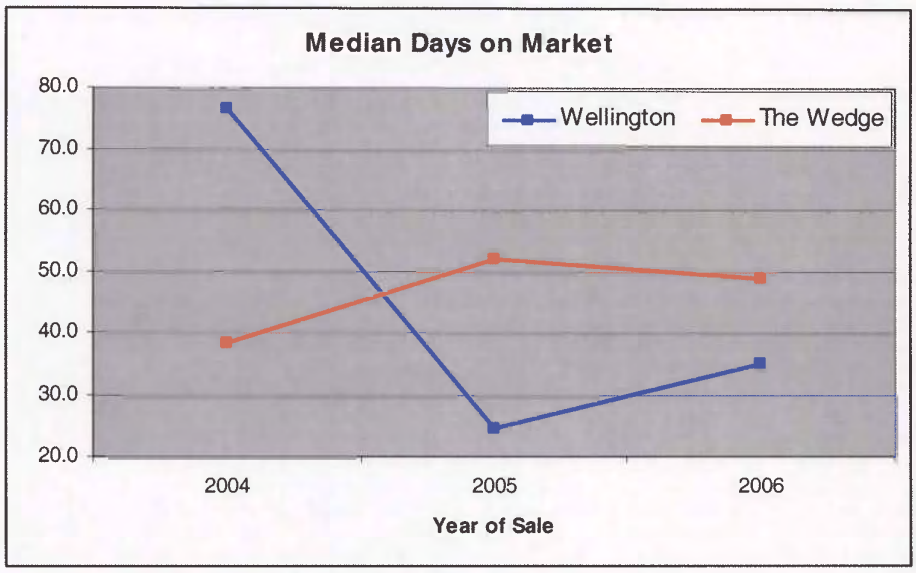
You will note that key attributes of The Wedge property sales, particularly lot size and square footage, are very similar to those proposed by Phoenix for Wood Trails / Montevallo. Thus, a comparison between Wellington sales and Wedge sales is almost ideal for comparing Wellington against a hypothetical Wood Trails / Montevallo.



A graphical representation of the data clearly illustrates the recent trend. In 2005 and 2006 Wellington (R-1) properties sold much quicker than the properties of The Wedge (R-6). It, thus, stands to reason that Wellington properties are in higher demand than the Wood Trails / Montevallo–esque homes of The Wedge. Stated another way, this analysis provides a basis for showing that **an R-1 development in Wellington is more needed than an R-4 development**.

Thus, based on WMC 21.44.070(I) and the data presented here, **I strongly urge you to reject the proposed up-zone of Wood Trails and Montevallo from R-1 to R-4 as the need for such an up-zone has not been demonstrated.**

I have two more related points to make. First, as developers continue their march of high density housing out to the urban growth line, the amount of R-1 housing is being depleted rapidly. Exacerbating the situation is that the zoning in unincorporated King County generally starts at RA2.5 (i.e. 1 house per 2.5 acres), which increasingly leaves a full order of magnitude gap in the zoning from R-4 to RA2.5 as R-1 areas are consumed.

Further, Woodinville land use policies (reference: LU-3.7 & H-1.1) clearly encourage diversification of housing. **Diversified housing includes R-1 housing**, particularly now that is has been shown quantitatively to be more needed than other density housing. If the proposed sites for Wood Trails and Montevallo are up-zoned R-4, it will set a legally

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defensible precedent that will ensure further R-4 infill the supply of the more needed R-1 properties are exhausted. Where is the diversity in that course of action?

Sincerely,

Matthew Jenson
19122 148th AVE NE
Woodinville, WA 98072

The MLS data used for the above analysis is listed below.

Disclaimer: The data contains all housing sales with a Woodinville mailing address sold 1/1/2004 – 13/31/2006 with a sale price of $300K - $2M. Sales are considered to be in the Wellington neighborhood if MAP=477 and GRID IN ('A4','B4','C4','A5','B5','C5'), corresponding to the Thomas Guide. Houses were considered to be in The Wedge neighborhood if MAP=476 and GRID IN ('H4','H5','H6').

Wellington Sales

Date	ADDRESS	Map:Grid	CDOM	LOTSZ	SQFT	SALE_PRICE
01/23/2004	15305 NE 198th St	477:B4	48	43170	1860	344950
04/19/2004	20121 164th Ave NE	477:C4	31	28001	2560	475000
04/27/2004	19218 152nd Ave NE	477:A5	5	53579	2310	415000
05/28/2004	16005 NE 203rd Pl	477:B4	11	90169	0	605000
06/15/2004	15208 NE 201st St	477:A4	11	27880	2330	397000
06/29/2004	15100 NE 204th St	477:A4	38	35750	2100	365000
07/01/2004	19122 148th Ave NE	477:A5	92	79279	2410	500000
07/07/2004	19203 156 Ave NE	477:B5	16	44823	2130	349950
07/14/2004	15711 NE 198 St	477:B4	11	43865	2260	455000
07/20/2004	20004 166th Ave NE	477:C5	182	51836	2730	525000
07/28/2004	19914 163rd Ave NE	477:C4	107	28190	2850	565000
08/02/2004	19738 166 Ave NE	477:C4	83	51370	3100	770000
08/20/2004	19717 159 Ct NE	477:B4	9	42253	1648	364950
08/25/2004	15014 NE 195th St	477:A5	42	78408	4070	699950
08/27/2004	17118 NE 202nd Pl	477:C4	75	71874	2360	340000
09/15/2004	15921 NE 198th St	477:B4	58	55757	2550	480000
09/20/2004	15206 NE 202 St	477:A4	98	34848	3160	449950
10/07/2004	19119 156th Ave NE	477:B5	78	54014	2410	385950
11/10/2004	19060 160th Ave NE	477:B5	97	34848	5087	949950
11/12/2004	19319 160th Ave NE	477:C5	141	39778	5045	1280000
11/17/2004	19818 156th Ave NE	477:B4	118	24583	2100	367500
11/19/2004	14950 NE 204 St	477:A4	379	28750	3300	400000
11/19/2004	15721 NE 193rd St	477:B5	223	103673	1830	449950
12/09/2004	18902 160th Ave NE	477:A4	145	37200	3760	485000
01/25/2005	19141 148th Ave NE	477:A5	16	35936	4100	645000
02/14/2005	19175 162 Ave NE	477:C5	22	43560	3420	792500
04/08/2005	15333 NE 201 St	477:B4	3	18295	3340	430000
05/04/2005	19009 156th Ave NE	477:B5	39	98446	2230	545000
05/13/2005	19801 166th Ave NE	477:C4	2	50965	2231	425000
05/20/2005	19337 160th Ave NE	477:C5	242	35288	5250	1500000
05/26/2005	19002 156th Ave NE	477:B5	28	41535	2580	375000
06/10/2005	15526 NE 195th St	477:C5	19	37462	2590	392500
06/13/2005	15225 NE 201 St	477:B4	18	22425	2370	419950
06/24/2005	14835 NE 202nd St	477:A4	169	20038	2350	366950
06/27/2005	19337 156th Ave NE	477:B5	7	34848	2140	360000
08/04/2005	19807 156th Ave NE	477:B4	78	34848	1990	372500
08/05/2005	15207 NE 201st St	477:B4	11	21840	1400	411000
08/10/2005	15021 NE 198th St	477:A4	20	34848	2640	539950
08/11/2005	15321 NE 198 St	477:B4	5	40946	2850	555600
08/15/2005	15020 NE 198th St	477:A4	83	34848	2279	529950
08/15/2005	19133 148th Ave NE	477:A5	18	43996	3940	687500
08/22/2005	19417 148th Ave NE	477:A5	18	30056	3100	599950
08/24/2005	14816 NE 192 St	477:A5	31	46609	6012	1825000
09/16/2005	15816 NE 193rd Pl	477:B5	17	50530	2430	455000
09/19/2005	18550 152 Ave NE	477:A5	16	94525	2080	430000
09/22/2005	14849 NE 195 St	477:A5	241	46609	3000	685000
10/03/2005	19237 160th Ave NE	477:C5	83	33379	4493	1375000
10/10/2005	24324 83rd Ave SE #A	477:C4	71	21780	3242	490000
10/24/2005	19405 148th Ave NE	477:A5	99	28967	4000	649950
11/02/2005	19225 162nd Ave NE	477:C5	27	35850	3620	928000
11/14/2005	15305 NE 201st St	477:B4	30	20500	3210	485000
12/14/2005	14818 NE 198th St	477:A4	92	38811	2720	529950
01/13/2006	15127 NE 198th St	477:A4	55	41628	1880	480000

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02/21/2006	16325 NE 203rd Pl	477:C4	139	34848	2450	592250
03/30/2006	18906 160th Ave NE	477:B5	21	36124	3689	840000
03/31/2006	20107 164th Ave NE	477:C4	254	29621	3350	550000
04/26/2006	20020 166 Ave NE	477:C4	9	43560	2160	470000
05/18/2006	24218 75th Ave SE	477:B4	21	35719	3410	570000
05/22/2006	14825 NE 192nd St	477:A5	186	28012	5250	1000000
06/16/2006	15840 197th Pl NE	477:B4	39	7405	1160	331950
06/19/2006	19619 166th Ave NE	477:C4	25	87556	4690	910000
06/22/2006	14925 NE 202nd St	477:A4	31	19723	2860	525000
06/23/2006	19545 158th Pl NE	477:B5	8		0	629000
07/13/2006	16326 NE 196th St	477:C5	12	36590	2870	702000
07/31/2006	15218 NE 198th St	477:C4	39	43560	2270	589000
09/08/2006	16005 NE 203rd Pl	477:B4	5	93218	2680	775000
09/11/2006	24324 83rd Ave SE #B	477:C4	121	21780	3005	499000
10/02/2006	20101 163 Ave NE	477:C4	3	116741	2770	775000
10/12/2006	14909 NE Woodinville Duva	477:A5	130	37452	2996	777500
10/24/2006	19107 152nd Ave NE	477:A5	70	55757	0	950000
11/17/2006	16651 NE 190th St	477:C5	7	22554	1280	345000
12/01/2006	19139 160th Ave NE	477:C5	102	33420	4700	1700000
12/05/2006	19734 166th Ave NE	477:C4	16	52708	3760	1011000
12/15/2006	15002 NE 201 St	477:A4	159	37026	2276	470000

74 rows selected.

Wedge Sales

Date	ADDRESS	Map:Grid	CDOM	LOTSZ	SQFT	SALE_PRICE
01/30/2004	12916 NE 203rd Ct	476:H4	140	6534	2370	318000
02/24/2004	13001 NE 198 Pl	476:H4	223	7841	2670	314950
03/01/2004	13230 NE 202nd(lot7) Ct	476:H4	77	6400	2652	411150
03/03/2004	12946 NE 201st Way	476:H5	84		1919	331953
05/04/2004	13023 NE 196 Pl	476:H4	13	7700	1990	352000
05/05/2004	20128 137th (lot16) Ave N	476:H4	39		2931	399950
05/10/2004	20327 NE 128th Pl	476:H5	33		2140	347580
05/14/2004	18926 203 rd NE	476:H5	39	52272	3760	550000
05/14/2004	12918 NE 203rd St	476:H5	72		2440	409935
05/24/2004	20152 137th (lot21) Ave N	476:H4	81		2931	384950
05/28/2004	20144 137th (lot19) Ave N	476:H4	12		2931	365000
06/02/2004	20136 137th (lot18) Ave N	476:H4	32		2931	389950
06/02/2004	20108 137th(lot11) Ave NE	476:H4	97		2931	405620
06/04/2004	13216 NE 190th Pl	476:H5	36	13504	2470	310000
06/08/2004	20002 130th Ave NE	476:H4	92	18300	3280	356000
06/25/2004	12914 NE 203rd St	476:H5	72		2700	436867
06/25/2004	13506 NE 190 Pl	476:H5	9	10840	2700	404950
07/13/2004	18915 131 Pl NE	476:H5	61	8161	2612	479950
07/14/2004	12927 NE 203rd St	476:H5	506		2440	399409
07/23/2004	13039 NE 197th Pl	476:H4	37	7401	2540	410000
07/27/2004	18501 134 Pl NE	476:H6	47		1510	315000
07/29/2004	20112 137th(lot12) Ave NE	476:H4	9		2931	419950
08/05/2004	20132 137th(lot17) Ave NE	476:H4	118		2758	399950
08/05/2004	13115 NE 186th Pl	476:H6	55	7997	2700	439000
08/17/2004	18955 131 Pl NE	476:H5	94	8971	2655	495000
08/26/2004	13518 NE 190 Pl	476:H5	21	9829	1652	315000
08/26/2004	13082 NE 186th (Lot22) S	476:H5	25	5638	3000	439306
09/03/2004	20123 137th (lot9) Ave NE	476:H4	118		2780	379950
09/08/2004	13025 NE 198th Ct	476:H4	13	8276	2130	318000
09/13/2004	13195 NE 186th Pl	476:H5	32	6766	2490	425000
09/22/2004	18541 134th Pl NE	476:H6	49	3369	1670	309000
09/24/2004	12924 NE 203rd St	476:H5	19		2700	449257
09/27/2004	20120 137th(lot14) Ave NE	476:H4	3		2763	404500
09/27/2004	20127 137th(lot8) Ave NE	476:H4	86		2655	389950
09/30/2004	20148 137th(lot20) Ave NE	476:H4	112		2758	389950
09/30/2004	13105 NE 185th (Lot 5) St	476:H5	10	6500	3000	469334
09/30/2004	18551 134th Pl NE	476:H6	8	3367	1670	309500
10/12/2004	12903 NE 201st Way	476:H4	21	4161	2350	410000
10/15/2004	18980 131 Pl NE	476:H5	157	5178	2715	462450
10/20/2004	18615 130th (Lot 18) Pl N	476:H5	20	8171	2996	512958
10/27/2004	13318 NE 190th Pl	476:H5	72	13312	2470	324000
10/28/2004	19500 130 Ave NE	476:H5	12	6612	2150	348000
10/29/2004	18975 131 Pl NE	476:H5	45	9136	3093	519950

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10/29/2004	18501	131st (Lot 26) Pl	476:H5	22	7095	2842	437111
10/29/2004	13095	NE 185th (Lot 6) St	476:H5	28	6500	2842	449315
11/03/2004	20139	137th(lot5) Ave NE	476:H4	1		3060	428930
11/08/2004	19603	130th Pl NE	476:H4	1	10852	2470	419900
11/16/2004	20124	137th(lot15) Ave NE	476:H4	3		2919	402000
11/18/2004	18605	130th (Lot 17) Pl N	476:H5	0	6256	3271	466287
11/18/2004	20135	137th(lot6) Ave NE	476:H4	6		3060	414950
11/19/2004	13253	NE 184 Pl	476:H6	236	8822	2100	324900
11/24/2004	20131	137th(lot7) Ave NE	476:H4	51		2810	409950
11/30/2004	13052	NE 186th (Lot 19) S	476:H5	3	6142	2996	480866
12/03/2004	13610	NE 203rd St	476:H4	175		2225	397925
12/03/2004	13008	NE 197th Pl	476:H4	50	7405	2480	415500
12/06/2004	20223	131st Pl NE	476:H4	117	7528	2650	426000
12/08/2004	13610	NE 203rd St	476:H4	175		0	387925
12/09/2004	18525	130th (Lot 15) Pl N	476:H5	4	7726	2996	484418
12/10/2004	13085	NE 185th (Lot 7) St	476:H5	4	6500	2996	469978
12/10/2004	12936	NE 203rd St	476:H5	2		2700	462435
12/15/2004	20424	128th Pl NE	476:H5	0		3036	455912
12/17/2004	13635	NE 203rd St	476:H4	101		2200	373000
12/17/2004	13685	NE 203rd St	476:H4	147		26	429925
12/21/2004	18550	130th (Lot 30) Pl N	476:H5	1		3000	459767
12/23/2004	20321	128th Pl NE	476:H5	38		2700	398565
12/30/2004	19722	131st Pl NE	476:H4	76	6000	3410	440000
01/07/2005	18508	131st (Lot 3) Pl N	476:H5	185	6589	3364	466115
01/10/2005	20119	137th(lot10) Ave NE	476:H4	15		2216	389950
01/14/2005	12947	NE 204th Pl	476:H5	56		2440	375532
01/21/2005	20419	128th Pl NE	476:H5	31		2140	353390
01/25/2005	20306	129th Pl NE	476:H5	0		2140	373000
01/27/2005	18485	130th (Lot 11) Pl N	476:H5	133	8460	2842	439990
01/28/2005	12934	NE 204th PL	476:H5	29		3036	454458
02/01/2005	13402	NE 190 Pl	476:H5	218	10496	1890	319950
02/03/2005	13630	NE 203rd St	476:H4	147		2222	390925
02/11/2005	18505	130th (Lot 13) Pl N	476:H5	46	7783	3271	501507
02/11/2005	12950	NE 204th Pl	476:H5	1		2140	372538
02/16/2005	13249	NE 184th Pl	476:H6	63	10019	2240	320000
02/17/2005	13615	NE 203rd St	476:H4	230		2270	386925
02/22/2005	13608	NE 202nd St	476:H4	79		2025	374925
02/24/2005	13216	NE 201st Ct	476:H4	11	4176	1650	319900
02/25/2005	13655	NE 203rd St	476:H4	196		2260	394000
02/28/2005	18530	130th (Lot 29) Pl N	476:H5	124		2741	439720
03/01/2005	13612	NE 202nd St	476:H4	97		2050	359925
03/03/2005	13036	NE 198th Ct	476:H4	90	6863	2170	370000
03/04/2005	12944	NE 204th Pl	476:H5	1		0	376694
03/07/2005	18510	130th (Lot 27) Pl	476:H5	129		2741	434763
03/10/2005	18535	130th (Lot 16) Pl N	476:H5	136	7206	2842	451452
03/10/2005	18960	131 Pl NE	476:H5	285	5569	2908	496000
03/11/2005	12956	NE 204th Pl	476:H5	1		2440	402970
03/11/2005	20143	130th Ave NE	476:H4	46	19166	2070	365000
03/16/2005	13207	NE 201 St Ct	476:H4	17		1650	345000
03/25/2005	12932	NE 204th PL	476:H5	13		2140	392987
03/30/2005	18920	131 Pl NE	476:H5	232	7376	2878	485000
03/30/2005	18940	131 Pl NE	476:H5	239	5569	2792	482000
03/31/2005	13070	NE 185th St	476:H5	26		2996	508433
03/31/2005	12958	NE 201st St	476:H5	144	6000	2630	499000
03/31/2005	13072	NE 186th St	476:H5	24		2996	522261
04/07/2005	12962	NE 204th Pl	476:H5	1		2140	446959
04/15/2005	12964	NE 201st St	476:H5	138		2630	495000
04/15/2005	13111	NE 193rd Pl	476:H5	21	10400	1870	329500
04/25/2005	20231	130th Court NE	476:H4	57	13225	2670	455000
04/26/2005	19111	136th Ave NE	476:H5	18	9800	1890	330500
05/02/2005	13620	NE 202nd St	476:H4	127		2050	369925
05/04/2005	13624	NE 202nd St	476:H4	164		2050	400000
05/11/2005	18528	131st (Lot 1) Pl NE	476:H5	55	7550	3364	472741
05/24/2005	13062	NE 186th (lot 20) S	476:H5	13	6060	2842	472506
05/27/2005	13055	NE 185th (Lot 10)	476:H5	63	6533	2842	461925
05/27/2005	18518	131st (Lot 2) Pl N	476:H5	127		3364	476000
05/27/2005	13115	NE 185th (Lot 4) St	476:H5	87	9068	2996	581650
06/10/2005	20105	130 Ave NE	476:H4	55	11047	0	447000
06/13/2005	19232	133rd Pl NE	476:H5	8	10198	1280	329950
06/15/2005	13616	NE 202nd St	476:H4	203		2050	389925
06/22/2005	13103	NE 203rd Pl	476:H4	25	11095	2410	479750

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06/23/2005	13208	NE 201st Ct	476:H4	33		1480	349950
06/23/2005	13607	NE 202nd St	476:H4	140		2050	397000
06/27/2005	20009	131 Pl NE	476:H4	51	3487	1480	355000
06/30/2005	13611	202nd St NE	476:H4	151		2075	392925
06/30/2005	13245	NE 184th Pl	476:H6	12	10000	2460	377000
06/30/2005	18511	131st (Lot 25) Pl N	476:H5	57		3271	522718
07/08/2005	20409	130th Ave NE	476:H4	208	35719	0	610000
07/27/2005	13007	NE 202nd Pl	476:H4	12	6839	2400	478000
07/29/2005	12908	NE 203rd Ct	476:H4	33	6357	1550	342000
08/02/2005	20103	136th Ave NE	476:H4	52	15281	2580	383000
08/11/2005	18613	132nd Ave NE	476:H5	138	6000	2611	509950
08/12/2005	18591	134 Pl NE	476:H6	25	2930	1600	365000
08/15/2005	12977	NE 201st Way	476:H4	52	4367	2360	452950
08/16/2005	19409	131st Ave NE	476:H5	87	9600	1520	327000
08/25/2005	13510	NE 190th Pl	476:H5	43	12184	2530	390000
08/25/2005	20132	137th Ave	476:H4	16	3049	2870	500000
09/03/2005	19416	133rd Ct NE	476:H5	51	9674	1840	359950
09/09/2005	18611	132nd Ave NE	476:H5	175	7000	3156	559950
09/21/2005	20147	137th(lot3) Ave NE	476:H4	29		2484	459950
10/18/2005	13540	NE 200th(lot3) St	476:H4	12	5126	3632	579950
10/28/2005	13408	NE 184TH Pl	476:H6	85	8091	0	344000
11/04/2005	13203	NE 201 Ct	476:H4	12	7841	1650	352000
11/04/2005	13543	NE 200th St(lot12)	476:H4	7	5757	3839	619950
11/22/2005	13531	NE 200th St (lot10)	476:H4	1	6694	3920	659950
12/02/2005	19812	131st Pl NE	476:H4	11	8199	3133	540000
12/06/2005	19419	132nd Pl NE	476:H5	207	8482	3050	562752
12/15/2005	13202	NE 186th St	476:H5	83	10229	2090	360000
12/15/2005	19609	130th Pl NE	476:H4	43	6663	1990	429850
12/28/2005	13534	NE 190th Pl	476:H5	17	9801	1890	400000
12/28/2005	18430	134th Pl NE	476:H6	10	8625	1410	322500
12/30/2005	13150	NE 203rd Pl	476:H4	47	8276	2670	435000
01/03/2006	13552	NE 200th St.(lot1)	476:H4	6	12986	3632	589950
01/11/2006	18485	130th Pl NE	476:H5	57	8276	2830	570000
02/01/2006	13516	NE 188th Pl	476:H5	65	50965	2570	525000
02/07/2006	20019	135th(lot 7) Ave NE	476:H4	4	5391	3197	607520
02/10/2006	19409	132nd Pl NE	476:H5	400	6751	3059	589800
02/14/2006	19415	132nd Pl NE	476:H5	377	8470	3670	672800
02/16/2006	12936	NE 203rd St	476:H5	88		2890	559000
02/28/2006	19345	132nd Pl NE	476:H5	146	6844	3050	564800
03/03/2006	13525	NE 200th(lot 9) St	476:H4	73	7877	3064	609950
03/14/2006	13536	NE 200th(lot4) St	476:H4	89	6068	2929	579950
03/14/2006	19355	132nd Pl NE	476:H5	157	7475	3670	676034
03/17/2006	20316	132 Ave NE	476:H4	147	10000	3300	564000
03/28/2006	13546	NE 200th(lot2) St	476:H4	4	5100	3795	609950
03/31/2006	13690	NE 203rd St	476:H4	14	7405	2250	509000
03/31/2006	20020	135th(lot5) Ave NE	476:H4	2		2961	589950
04/05/2006	19806	131 Pl NE	476:H4	271		3390	531500
04/14/2006	19370	132nd Pl NE	476:H5	55	6930	3095	564800
04/28/2006	19335	132nd Pl NE	476:H5	321	7620	3112	589800
05/04/2006	13031	NE 198th Ct	476:H4	22	7349	2100	495000
05/12/2006	13038	NE 197th Pl	476:H4	11	7794	2210	499950
05/16/2006	13021	NE 197th Pl	476:H4	19	6621	2570	522473
05/22/2006	13549	NE 200th(lot13) St	476:H4	174	5089	3088	589950
06/12/2006	20144	137th Ave NE	476:H4	8	4359	2970	559000
06/16/2006	19615	130th Pl NE	476:H4	18	7011	2660	534000
06/20/2006	20015	135th (lot8) Ave NE	476:H4	14	5103	2889	600000
06/21/2006	19410	132nd Pl NE	476:H5	31	6901	3050	579800
06/30/2006	20024	135th (lot6) Ave NE	476:H4	69	6438	3187	617000
07/13/2006	12921	NE 201st Way	476:H4	17	5529	2550	552500
07/25/2006	19380	132nd Pl NE	476:H5	79		3112	624800
07/27/2006	13039	NE 197th Pl	476:H4	13	7401	2540	535000
08/04/2006	13214	NE 201st Ct	476:H4	18	4716	1650	423000
08/09/2006	20232	134th (lot 50) Ave	476:H4	8	3600	2725	578360
08/15/2006	19440	136th Ave NE	476:H5	98	50965	1800	310000
08/18/2006	18541	134th Pl NE	476:H5	17	3369	1670	439700
08/24/2006	19624	131st Pl NE	476:H4	41	7000	2970	544585
08/25/2006	13002	NE 197 Pl	476:H4	36	8249	0	509000
09/01/2006	20117	136th Ave NE	476:H4	59	64904	4320	875000
09/06/2006	12939	NE 204th Pl	476:H4	52	3635	2440	514000
09/25/2006	20452	134th (lot55) Ave N	476:H4	44	3600	3201	549950
09/26/2006	18626	132nd Ave NE	476:H5	58	21357	2000	405000

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10/20/2006	19420 132nd Pl NE	476:H5	71	7941	3059	636839
10/20/2006	18558 132nd Pl NE	476:H5	44	9786	1250	338000
11/07/2006	20353 134th (lot23) Ave N	476:H4	3		3197	592950
11/09/2006	19409 132 Pl NE	476:H5	60	6664	3059	637000
11/17/2006	19416 132nd Pl NE	476:H5	151	8046	3150	728865
11/21/2006	13530 NE 200th (lot 14) St	476:H4	3	5013	3632	669950
12/12/2006	20237 134th (lot28) Ave N	476:H4	0		3632	639950
12/15/2006	20128 137th Ave NE	476:H4	46		2970	545900
12/20/2006	20340 134th (lot 52) Ave	476:H4	5		3943	651000
12/20/2006	20236 134th (lot51) Ave N	476:H4	76		2725	579950
12/20/2006	20344 134th (lot53) Ave N	476:H4	119	3600	3221	559950
12/29/2006	13210 NE 201st Ct	476:H4	77	6237	1650	426000

197 rows selected.\

EXHIBIT 109
PAGE 1 OF 2

2500-3500

Matthew Jenson, Woodinville resident

19122 148th AVE NE

MSEE & BSEE, University of Illinois at Urbana

Database Developer

- This July, I will begin my 9th year as a resident of Woodinville
- My wife & bought our first house in Woodinville Heights.
- When my wife was 5 months pregnant with our second we were in "need" of a backyard, so we purchased out 2nd house in Western Wellington.

I have two items that I would like entered into the record as separate exhibits:

1) A compilation of all editorials found in the Woodinville Weekly going back to Jan 1 2005 that are materially relevant to Wood Trails / Montevallo specifically or to Woodinville zoning in general.
2) An analysis of MLS data for Woodinville that quantitatively refutes Phoenix's claim of need per WMC 21.44.070 (I).

Background

LU-3.7 Permit a range of densities to encourage a variety of housing types to serve a range of incomes.

H-1.1 Allow a variety of housing types/lot sizes.

Main Argument

Woodinville's land use policies clearly support and encourage a diversity of housing choices for those who live in the Woodinville.

I am here to argue that Woodinville is already doing that. In fact, there is a great deal of housing diversity.

- There is already a proverbial truckload of high density available in the town center with another truck on the way soon.
- **R-6**: 939 properties available across the **Reinwood**, **Upper West Ridge**, **Wedge**, & **Woodinville Heights** neighborhoods (& the subdividing hasn't stopped yet).
- **R-4**: 133 lots in the **Lower West Ridge** with room for plenty more.

Only the Wellington and Leota neighborhoods are R-1.

Ask yourself a question? What is the last large scale (of say 132 houses or more) R-1 development you've heard about?

My answer is that I honestly can't remember hearing of any. Yet every day I seem to happen upon some new R-4/R-6/R-8 or greater development literally shoe-horned into a footprint where only one or two houses used to be. These little "popcorn" developments are slowly consuming the non-replenish-able supply of low density housing.

It doesn't take an MSEE to understand that R-1 housing is going the way of the Do-do bird.

I am here to argue strongly in support of housing diversity. The last of the R-1 housing is in Phoenix's cross hairs. If you allow them to up-zone, the precedent will be set and higher density in-fill will be the rule of the land. Where is the diversity in that course of action?

Final points

Phoenix hired a great economist from Seattle to testify on their behalf. I am here to tell you while he may a expert of the greater Seattle area, the people you see around you, including myself, are much better experts when it comes to the roughly 1 square mile that we call Western Wellington.

Many will cite declining school enrollment in Northshore. Let me tell you that when I was at Wellington Elementary March 23rd to enroll my son in Kindergarten, the staff was clearly surprised and taken off guard by the surprisingly high number of enrollments they were processing that day.

Strongly encourage you to walk the land

April 3, 2007

EXHIBIT 110
PAGE 1 OF 2

City Hall c/o Hearing Examiner
17301 133rd Ave NE
Woodinville, WA 98072

This letter is composed by Doyle & Janet Watson, we live at 15101 NE 195th ST Woodinville, WA 98072. We are opposed to R-4 rezoning in the Wellington Neighborhood. We have lived in our modest home situated on 1.07 acres since 1978. This home was a big investment for us, and it took us years to build equity in order to afford country style living in what was then the small town of Woodinville. We moved from our first home in West Seattle due to increasing crime and poor school options for our kids, then we moved out of our second home in Bothell to have more of a spacious, woodland life for our children's upbringing in Woodinville. We believed then that Woodinville was the very best place for our four children to be educated and to enjoy nature and we still believe that it is this unique combination that draws so many other families to Woodinville. If R-4 development is allowed in our area, it will set a precedent that could snowball into many R-4 developments which would take away the uniquely spacious, woodland character of our city. Our children are now grown and living in surrounding areas where R-4 development is prevalent and can attest to the special character and draw that Woodinville has established.

Here are the reasons why of R-4 development is not appropriate for our area:

195th Street is too narrow, steep and dangerous to pedestrians and drivers at current traffic volumes.
Our street has very difficult visibility especially at sunrise and sunset.
Lack of sidewalks and side of the road clearance is non-existent in many parts of the road.
There are twelve blind driveways that increase the risk of accidents.
Most vehicles travel at least 10-15 miles above the posted 15 MPH speed limit.
In winter, this road is one of the last to thaw and is poorly maintained and prepped for ice and snow.
This road is used equally by pedestrian traffic including school children, bicyclists, seniors and dog walkers.
In one part of the road above the largest crest, the road dangerously narrows so that two vehicles can barely pass.

The natural aesthetic of our neighborhood will be degraded.
Loss of the old-growth cedar and pine along the west ridge will allow freeway noise and pollution to carry from SR-522.
If 195th is widened, our personal property bank will be significantly cut away which will mean cutting down two of our largest old-growth cedar and pine trees where squirrels and woodpeckers make their homes. Also, the value of our property will be reduced because our home will be so close in proximity to the street with little foliage to protect our privacy.
Area wildlife and their habitat will be threatened. Here is a list of the animals and birds we have seen in our area. Deer, raccoon, coyote, mountain beaver, rabbit, squirrel, chipmunk, chickadee, blue jay, crow, robin, woodpecker, Barred owl, Great Horned Owl, Red-tailed hawk, wood duck, great blue heron, varied thrush, Siskin, house finch, spotted Towhee, quail, gardener snake, salamander and hummingbird. Here is the list of flora which feed and harbors these animals: Trillium, Wildflowers,

Oregon Grape, Huckleberry, Alder, Cherry, Hemlock, Maple, Bracken/Sword ferns, Wild Bleeding Heart, Wild Honeysuckle, Salal, blackberries, and Wild Roses.

156th Street is already congested and its steep grade poses an unusual danger to all travelers.
This road is the main access to downtown Woodinville, SR-522, Snohomish County, Costco and therefore is a heavily traveled road for all residents on a daily basis.
Most drivers travel above the speed limit, which causes many near accidents when people are turning off of this road.
Nearly every weekend, year-round vehicles must avoid large packs of bicyclists who use the road as part of a very well-known bicycle route.

On a more personal note, we are now retired and in our sunset years. The most pleasant part of our day is drinking our coffee while walking around our yard and looking at the sunrise through the heavy canopy of trees. We enjoy the nature noises: squirrels quarreling and chasing each other and birds chirping. We love the feel of the dew soaking through our shoes and the smell of the native flowers, trees and plants. We enjoy the change of the seasons and hope that our piece of heaven does not disappear for our grandchildren and future generations, who also deserve the opportunity to enjoy this area for many years to come.

Sincerely,

Doyle and Janet Watson

Doyle & Janet Watson

EXHIBIT 110
PAGE 2 OF 2

April 3rd, 2007

Hearing Examiner

City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072

EXHIBIT 111
PAGE 1 OF 2

RE: Comments on Wood Trails and Montevallo

Dear Hearing Examiner,

Our family and neighbors are very concerned about the proposed "Wood Trails" and "Montevallo" project just northwest of our home on 195th street. We oppose this project due to the many environmental and safety impacts (flora, fauna, traffic and public safety)

First I will speak to the environmental impacts, one of the most critical considerations. With the recent development of other new R1 (1 Acre) zoned homes in our area, which resulted in massive amounts of deforestation and disruption, we have noticed a great amount of wildlife have been flushed out of their native habitat and into our yards. Some of the animals we're now seeing in our yards were less likely to be seen before the development occurred. The fact is, habitat and wildlife has already been lost, even with the less invasive R1 zoning. We can attest to this fact because we have lived in our house since 1977 and have watched the negative evolution. It is inevitable, if the "Wood Trails" & "Montevallo" (R4 Zoned) project is undertaken, more habitats for hundreds of wildlife species will be displaced or destroyed.

Beyond just the animals, the flora which feeds and harbors these animals is vital to these creatures. Just some of the plants that will be affected are: Trillium Ovatum, wildflowers, Oregon grape, Huckleberry, Pine, Cedar, Alder, Cherry, Hemlock, Maples, Bracken/Sword Ferns, Wild Bleeding Heart, Wild Honeysuckle, Salal, blackberries, huckleberries, Wild Roses and decaying wood/stumps (habitat). We have seen many species of wildlife living and thriving in the proposed area on many walks that we take. Just some of the animals that have been, and could be impacted, are: Deer, Quail, Coyotes, Hawks, Owls, Rabbits, Robins, Blue Jays, Finches, Woodpeckers (Many Types such as Pileated), Brown Squirrels, Grey Squirrels, Chipmunks, Mountain Beaver, Hummingbirds, Gardner snakes, and salamanders. We also have great concern about the water quality and runoff that is discharged in to Little Bear Creek, just below the proposed projects. We fear that the wild salmon's habitat will be altered or destroyed when development occurs.

Traffic and Safety are another great concern, most of the roads that are existing are not meant for high traffic, high capacity access. These are low-speed residential roads with many children that walk these routes to nearby schools. Having the proposed development connected to these roads will certainly increase traffic and decrease safety for our children. Traffic is already a huge problem in most areas of Woodinville and increasing high density housing will just amplify the problem. The newly built Costco has added much traffic to 156th road; it is inadequate and needs major improvement to support any further development. We must keep perspective when we plan new infrastructure and ask critical questions about whether or not we have the access (roads) capable of meeting the current demand. We certainly do NOT have capacity to handle anymore traffic.

The fact is, Woodinville is losing its natural beauty, one destructive high-density development at a time. As I drive on 522 from Monroe to Woodinville I look to where all the green beauty stands today on the proposed site. I very much enjoy this beauty, it makes Woodinville look unique and semi-preserved, it has a in-the-country feeling - I call it charm. A complex of high density homes, roads, and cars will surely be a tumor on this beautiful sight. You as our planners' really do have the choice to preserve Woodinville and not let it become like every other suburban-strip mall city.

We find the name "Wood Trails" to be an oxymoron in terms. "Wood" implies there are trees, but the builder will most certainly clear cut the trees to make way for high density living/parking. The new name means nothing if it's not descriptive of the surroundings. Maybe it should be called "No-Tree-Hill Vista." This quote is very fitting: "Suburbia, where they cut down all the trees and name the streets after them." So true, yet so very sad. I would like for my children and the next generation children to come to see Woodinville with plants, animals, and in it's current beauty. We must be stewards of the land; this is why we're all standing up to save this small piece of Woodinville.

Woodinville should not be sacrificed and turned into another suburban housing development. Let's keep Woodinville unique, safe, green, and beautiful!

Please consider this plea for protecting Woodinville's beautiful future

Sincerely, concerned citizens,

The Children of Doyle and Janet Watson
15101 NE 195th ST
Woodinville, WA 98072

Janet Watson Darcy Morrissey

EXHIBIT 111
PAGE 2 OF 2

My name is Darcy Manssey I am the daughter of Doyle + Janet [illegible] 8414 NE 145th [illegible] Bothell [illegible] 1804. ~~My mom just spoke.~~ I was raised [illegible] at 1510 NE 195th street, surrounded by trees [illegible], fresh air and wild life. I [illegible] teach at Kirkland Junior Highschool, an area where R-4 is prevalent. I was shocked to hear that the city of Woodinville was even considering rezoning to R-4. I [illegible] daily see the effects of the rezoning - from speeding motorvehicles, [illegible] noise + air pollution to the confined living areas - the houses are so close together its [illegible] ~~comparable to~~ apartment living

When I visit my parents home, [illegible] I notice a huge difference - clean air, nature sounds and a peaceful way of life. I oppose this rezone [illegible] - please allow Woodinville to remain uniquely natural. [illegible] for current + future

→ [illegible] I look back at my childhood - I was a forest ranger, explorer, princess in an enchanted forest, [illegible] tree climber, [illegible] blackberry pie baker, medicine woman - all in my imaginary, of course - but it was all inspired by our beautiful woodland home, [illegible]

EXHIBIT 112
PAGE 1 OF 1

April 1, 2007

To Whom It May Concern:

My name is Todd Higgins and I was asked to testify about an accident I was involved in on 156th Ave NE in front of the White Stallion building.

I was exiting to the South in front of Stallion Hill on to 156th Ave NE around ten o'clock in the evening in November 1987. The next thing I remember was waking up in Evergreen Hospital in intensive care almost three days after the accident.

A 1978 Camaro traveling at a high rate of speed broadsided my Chevette and spun me around twice before wrapping the vehicle around the telephone pole almost 90 feet south of the driveway. King County accident response experts testified that the impact speed was 60 miles per hour and that the impact vehicle was traveling 90 plus before locking up the wheels.

My injuries included broken bones in my leg; my pelvic bone was fractured in three places, a ruptured spleen, lacerated liver, major concussion, cuts & bruises, etc. Major emergency surgery was performed to relocate my stomach and intestines that were pushed up into my chest cavity. I was placed in traction for six weeks with pins through my legs to straighten my pelvic bones. My total stay at Evergreen Hospital was almost three months. Rehabilitation extended for almost a year after leaving the hospital. I still feel the pain from that accident twenty years later.

I am very lucky to be alive today. Reflecting back upon revisiting the scene of the accident is compelling as I noticed the amount of traffic coming over the top of the blind hillside was constant and most cars were going at high rate of speed making the driveway significantly more dangerous today.

More concerning was the amount of traffic and new businesses since the accident. There has been no road improvements made to make this a safer roadway for motorists, bicyclists, and pedestrians, especially on this blind driveway I almost lost my life exiting. Your heart rate is certainly elevated upon entering or exiting this driveway regardless of whether you almost died there. I would not like to come and go on a regular basis. I am surprised that the speed is still 35 miles per hour when it is clear that most cars are exceeding that limit as they crest the hill. Most business districts have a 25-mile per hour speed limit and it would help but not solve the problem. I am concerned that hundreds of new homes will just add to the problem that clearly exists on this roadway and increase the chance of accidents.

It is not worth risking someone's life and I am living proof of the danger that still exists today on this road. Until significant improvements are made to correct this dangerous corridor the additional traffic that comes with development would just add to the problem that still lingers after visiting this site two decades later.

Warmest regards,

Todd Higgins

Todd Higgins

Exhibit 113

Todd Higgins
Informed Consent
1 DVD

Available for review at City of Woodinville's Development Services's counter

Original
4-8-07
Sandy Dunn

114

EXHIBIT 114
PAGE 1 OF 6

Susan Huso
24330 75th Ave SE

I will be placing in the public record a complaint, filed by the Kitsap Citizens for Rural Preservation, with Kitsap County as the defendant. One of the premises of this lawsuit is the Kitsap County Commissioners and other county employees kept citizens in the dark by not revealing information regarding a proposed race track in Kitsap County, a violation of RCW 36.70.630. This RCW guarantees the public the right to be heard regarding matters of rezoning.

The facts listed in this complaint are beyond belief. What isn't surprising is when this situation was taking place, the Director of Community Development for Kitsap County was our current interim planning director, Cindy Baker.

On page 5 of this complaint, there are specifics in regards to Ms. Baker's behavior that would lead one to believe everything she says must be scrutinized, considering her involvement in our situation.

And I quote from paragraph 13 "Ms. Baker asserts that her staff reviewed videotapes from the November 17th, 2003 hearing and verified that the board's intent was to approve race tracks in the business zone."

A few sentences later the true facts come to light, and I quote

"Moreover, the transcripts of the November 17th, 2003 public hearing do not evidence the intent reported by Ms. Baker. There was no indication at the November 17th 2003 hearing that the Board intended to allow automobile race tracks in the Business Center zone" What would compel Ms. Baker to make one statement that would have been so easily verified false? What is she doing to affect this public process for our own rezone in Woodinville, one that this community cares deeply about? Is she representing the community, the city or the developer?

After all, it wasn't that many years ago I believe she was voted Public Employee of the Year by the Master Builders Association. If that isn't a conflict of interest, I'm not sure what would be. She has demonstrated in the past that she will not follow the rules, is that what we are in for with the Montevallo and Wood Trails development?

In the end, the Kitsap Citizens for Rural Preservation prevailed, and the rezone was repealed.

In the past months, multiple citizens have brought to light what could be considered innocent errors that have come from the planning department.

Now the innocent errors portion of the sentence needs to be replaced with purposeful mistruth.

You have received an enormous volume of technical material. This has been provided to you by highly qualified transportation engineers, physicists, hydrologists, geologists and other professionals that compromise this wonderful Woodinville community. If you find the technical material is in conflict with what the Planning Department in Woodinville has presented, please remember the disturbing evidence the citizens of Kitsap found with Ms. Baker. Her intent was apparently doing whatever it took to get that rezone accomplished. You have to question who she was representing during that

action, was it the County? Was it the citizens? Was it the developer? This apparent conflict is something I have been witness to a great deal in our current rezone process. Ms. Baker clearly misrepresented what the officials wanted in Kitsap County, it makes one wonder what she is doing in Woodinville, where she is an interim employee making permanent decisions.

This isn't the first time mistrust and Ms. Baker have been used in the same sentence.

Please consider what you've heard from me,

and seen from this complaint, and if you have any doubts about the information from the Planning Department please ask for clarification.

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Susan Huso
24330 75th Ave SE

EXHIBIT 115
PAGE 1 OF 5

I will be placing in the public record a complaint, filed by the Kitsap Citizens for Rural Preservation, with Kitsap County as the defendant. One of the premises of this lawsuit is the Kitsap County Commissioners and other county employees kept citizens in the dark by not revealing information regarding a proposed race track in Kitsap County, a violation of RCW 36.70.630. This RCW guarantees the public the right to be heard regarding matters of rezoning.

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Her intent was apparently doing whatever it took to get that rezone accomplished. You have to question who she was representing during that action, was it the County? Was it the citizens? Was it the developer? This apparent conflict is something I have been witness to a great deal in our current rezone process. Ms. Baker clearly misrepresented what the officials wanted in Kitsap County, it makes one wonder what she is doing in Woodinville, where she is an interim employee making permanent decisions.

This isn't the first time mistrust and Ms. Baker have been used in the same sentence.

Please consider what you've heard from me,

and seen from this complaint, and if you have any doubts about the information from the Planning Department please ask for clarification.

Susan Huso 24330 75th Ave SE

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EXHIBIT 116
PAGE 1 OF 11

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY

KITSAP CITIZENS FOR RURAL PRESERVATION, a non-profit organization, Petitioner/Plaintiff, v. KITSAP COUNTY, Respondent/Defendant.	NO. COMPLAINT FOR DECLARATORY RELIEF AND PETITION FOR WRIT OF REVIEW

I. PARTIES

1. Kitsap Citizens for Rural Preservation (KCRP) (dba Kitsap Citizens for Responsible Planning) is a non-profit organization dedicated to protecting the environmental and economic welfare of Kitsap County. KCRP has a long history of involvement with Kitsap County land use planning issues. KCRP is incorporated in the State of Washington. KCRP has members who reside in Kitsap County and, in particular, in areas close to the lands that are the subject of this lawsuit. The organization and its members would be adversely affected if the zoning that is challenged in this lawsuit were to remain in effect.

Bricklin Newman Dold, LLP
Attorneys-at-Law
1001 Fourth Avenue, Suite 3303
Seattle, WA 98154
Tel. (206) 264-8600
Fax (206) 264-9300

2. Kitsap County is a local government organized pursuant to the Constitution and laws of the State of Washington. Kitsap County adopted the ordinance which is the subject of this action.

II. FACTS

3. For nearly two years, Kitsap County has secretly wooed ISC (International Speedway Corporation) to build a large automobile race track in Kitsap County. Kitsap County Commissioners and high ranking staff members have signed confidentiality agreements with ISC's local go-between, the Kitsap Regional Economic Development Council (KREDC), promising to keep their work secret despite their duty to do the work of government in the open. The County Commissioners and their high ranking staff have methodically kept their constituents in the dark.

4. Among other things, each of the County Commissioners and numerous other County officials and staff signed confidentiality agreements with the KREDC. In these agreements, the County Commissioners and other County employees promised to keep the citizens in the dark by not revealing information they obtained about the proposed race track. County employees also took the extraordinary step of sending original documents to KREDC so that those documents were not in the County's actual possession in the event someone made a request to inspect public records. The County has failed to produce all non-exempt public records related to the ISC proposal requested by KCRP on May 9, 2005.

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Seattle, WA 98154
Tel. (206) 264-8600
Fax (206) 264-9300

5. At the culmination of the County's secret dealings with ISC, on April 11, 2005, the County Commissioners unanimously adopted Ordinance 336-2005, which authorized automobile and motorcycle race tracks in Kitsap County's Business Center zone. The Commissioners took the action without allowing the public to be heard on the merits of the proposal. Two months later, on June 23, 2005, ISC announced its plans to build a major automobile race track in Kitsap County's Business Center zone near the Bremerton airport outside of Bremerton, Washington.

6. Kitsap County failed to follow proper procedures in adopting Ordinance 336-2005. Kitsap County failed to hold a hearing where the public could be heard regarding the decision to add automobile race tracks as an allowed use in the Business Center zone. The County Commissioners also failed to allow the Planning Commission to review the proposed amendment and make its own recommendations to the County Commissioners before the County Commissioners acted.

7. State law establishes procedures that must be employed when a county adopts a zoning ordinance or other "official control." In particular, before county commissioners take action on a proposed zoning code amendment, the matter must be reviewed by the county's planning agency. (In Kitsap County, the planning agency is referred to as "the Planning Commission.") The state law establishing this requirement is RCW 36.70.640. That statute provides:

> When it deems it to be for the public interest, the board [of county commissioners] may initiate consideration of an ordinance establishing an official control, or amendments to an existing official control, including those specified in RCW

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> 36.70.560. *The board shall first refer the proposed official control or amendment to the planning agency for report which shall, thereafter, be considered and processed in the same manner as that set forth in RCW 36.70.630 regarding a change in the recommendation of the planning agency.*

RCW 36.70.640 (emphasis supplied). Zoning ordinances are one type of "official control" as that term is used in this statute. RCW 36.70.020(11).

8. The Kitsap County Commissioners failed to comply with the procedures mandated by RCW 36.70.640 when they adopted Ordinance 336-2005. The proposal to amend the zoning code to allow automobile race tracks in the Business Center zone was not referred to the Planning Commission. The Planning Commission never had the opportunity to consider the proposed amendment. The Planning Commission never held a public hearing on the proposal as required by RCW 36.70.580 and RCW 36.70.640 and no notice of such a hearing was ever provided as required by RCW 36.70.590. The Planning Commission never made a recommendation on the proposal as required by RCW 36.70.600-.610 and RCW 36.70.640.

9. The County Commissioners also failed to give the public an opportunity to be heard regarding the merits of amending the zoning code to authorize automobile race tracks in the Business Center zone. The County's failure to allow the public to be heard violated constitutional and statutory provisions (e.g., RCW 36.70.630) guaranteeing citizens the right to be heard regarding such matters.

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10. The Commissioners failed to adopt findings of fact supporting the decision to allow automobile race tracks in the Business Center zone as mandated by RCW 36.70.630.

11. The County Commissioners justified the failure to hold a hearing on the merits of the proposed rezone by claiming that the rezone was simply correcting a ministerial error. According to the County's Director of Community Development, Cindy Baker, the Board had orally approved the amendment 18 months earlier during a public hearing on November 17, 2003. According to Ms. Baker, her staff failed to incorporate that oral decision into the zoning code that was formally approved by the County Commissioners at a meeting on December 8, 2003.

12. After the County adopted the zoning ordinance on December 8, 2003, it published official notice of that action in the *Bremerton Sun*. That notice referenced the written version of the new zoning ordinance which did not include any allowance for automobile race tracks in the Business Center zone. Members of the public examining the published ordinance had no way to know that the Commissioners supposedly had intended to amend the zoning code to allow automobile race tracks in the Business Center zone. Members of the public examining the published ordinance had no way to know that they should, at that time, bring forward any appeals of the County's supposed decision to allow automobile race tracks in the Business Center zone.

13. Ms. Baker asserts that her staff reviewed videotapes from the November 17, 2003 hearing and verified that the Board's intent was to approve race tracks in the Business

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Attorneys-at-Law
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Seattle, WA 98154
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Center zone. That intent is irrelevant to whether the public was aware upon publication of the ordinance that automobile race tracks were authorized in the Business Center zone. Moreover, the transcripts of the November 17, 2003 public hearing do not evidence the intent reported by Ms. Baker. There was no indication at the November 17, 2003 hearing that the Board intended to allow automobile race tracks in the Business Center zone. Even if that had been the Board's intent, the final written ordinance failed to include that authorization and no one could have appealed that decision based on the written ordinance as adopted by the County Commissioners on December 8, 2003.

14. Even if the Commissioners had intended to allow automobile race tracks in the Business Center zone when they took action in 2003, said action would have been in violation of proper procedures because the public never had an opportunity to be heard regarding the proposed amendment at that time either. The zoning code adopted in 2003 was the result of a long process. At no time during that process did the County staff or Planning Commission ever suggest that automobile race tracks should be authorized in the Business Center zone. The proposed ordinance that was before the Planning Commission when the Planning Commission held its hearings in 2003 did not include an authorization for automobile race tracks in the Business Center zone. Following those hearings, the Planning Commission recommended a new zoning ordinance for the County Commissioners to adopt. The zoning ordinance recommended by the Planning Commission did not include an authorization for automobile race tracks in the Business Center zone. The County Commissioners held hearings on the ordinance recommended by the Planning Commission.

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At no time during this process was the public alerted that the County was giving any consideration to authorizing automobile race tracks in the Business Center zone. The public was not given adequate notice nor an opportunity to be heard regarding the County's consideration of a proposal to allow automobile race tracks in the Business Center zone.

15. If the County Commissioners in 2003 truly intended to authorize automobile race tracks in the Business Center zone, that intent "came out of the blue," without any meaningful opportunity for the public to be heard regarding that proposal.

III. PETITION FOR STATUTORY WRIT OF REVIEW

16. Pursuant to ch. 7.16 RCW, petitioner/plaintiff requests issuance of a statutory writ of review and alleges as follows in support of such request:

16.1 Petitioner/plaintiff incorporates by reference all of the allegations and claims stated above.

16.2 Petitioner/plaintiff has no appeal nor any plain, speedy, and adequate remedy at law.

16.3 The County Commissioners exceeded their jurisdiction or acted illegally and the previous allegations show a basis under RCW 7.16.120 to set aside the action at issue herein.

IV. PETITION FOR CONSTITUTIONAL WRIT OF REVIEW

17. In the alternative, petitioner/plaintiff seeks this Court's review of the County Commissioners' actions described herein pursuant to a constitutional writ of review and alleges as follows in support of its request:

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17.1 Petitioner/plaintiff incorporates by reference all of the allegations and claims stated above.

17.2 Petitioner/plaintiff has a fundamental right to be free of arbitrary and capricious and illegal actions and this warrants the exercise of this Court's inherent authority to review the decision described above. The action taken by the County Commissioners was arbitrary and capricious and illegal and should be vacated by this Court.

V. COMPLAINT FOR DECLARATORY JUDGMENT

18. Declaratory relief is available pursuant to the Declaratory Judgment Act, ch. 7.24 RCW.

18.1 Petitioner/plaintiff incorporates by reference all of the allegations and claims cited above.

18.2 Ordinance 336-2005 was adopted in violation of petitioners/plaintiffs' constitutional rights to have adequate notice and an opportunity to be heard and in violation of the requirements of the Planning Enabling Act, Chapter 36.70 RCW. The Court should so declare.

18.3 The County's action in storing public documents with the KREDC and thereby attempting to avoid disclosing them in response to requests for public documents is a blatant violation of the Public Disclosure Act, ch. 42.17 RCW, including its requirements to maintain an index of public records and to make public records available for inspection and copying. The County's efforts to shield documents from disclosure by signing "non-

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disclosure" agreements with the KREDC also violates the Public Disclosure Act. The Court should so declare.

18.4 These matters present justiciable controversies. There exists an actual, present, and existing dispute, or the mature seeds of one between parties having genuine and opposing interests that are direct and substantial and a judicial determination will be final and conclusive on this matter.

19. In the alternative, petitioner/plaintiff incorporates by reference the foregoing allegations as an independent cause of action under the Public Disclosure Act, RCW 42.17.340.

IV. REQUEST FOR RELIEF

Plaintiffs/petitioners request:

1. Issuance of a show cause order pursuant to RCW 42.17.340, directing the County to show cause, if any it may have, as to why it should not be found in violation of the Public Disclosure Act by storing public documents at the KREDC and by signing "non-disclosure" agreements applicable to public documents and failing to produce documents requested by KCRP.

2. Entry of a declaratory judgment finding that the County has violated the Public Disclosure Act by storing public documents at the KREDC and by signing "non-disclosure" agreements applicable to public documents and failing to produce documents requested by KCRP.

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Attorneys-at-Law
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Seattle, WA 98154
Tel. (206) 264-8600
Fax (206) 264-9300

3. Entry of an order directing the County to produce immediately all documents requested by KCRP that have been shielded from disclosure by the County due to their storage at the KREDC, by reference to the non-disclosure agreements, or otherwise.

4. Entry of a declaratory judgment determining that Kitsap County has not followed procedures required by the Planning Enabling Act, Chapter 36.70 RCW and has violated the plaintiff/petitioner's constitutional and statutory rights, (e.g., RCW 36.70.590) for adequate notice and an opportunity to be heard in advance of the County's decision to authorize automobile race tracks in the Business Center zone.

5. In the alternative, issuance of a constitutional or statutory writ of review and, pursuant to that writ, a determination that Kitsap County has not followed procedures required by the Planning Enabling Act, Chapter 36.70 RCW and has violated the plaintiff/petitioner's constitutional and statutory rights, (e.g., RCW 36.70.590) for adequate notice and an opportunity to be heard in advance of the County's decision to authorize automobile race tracks in the Business Center zone.

6. A determination that Ordinance No. 336-2005 is invalid and void *ab initio*.

7. A determination that development applications filed subsequent to adoption of the invalid ordinance may not be considered pursuant to the terms of the invalid ordinance.

8. For an award of plaintiff/petitioner's statutory attorneys' fees, costs and civil penalties, including those authorized by the Public Disclosure Act.

9. For such other relief as the Court finds just and equitable.

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PAGE 11 OF 11

Dated this 13th day of July, 2005.

Respectfully submitted,

BRICKLIN NEWMAN DOLD, LLP

By: *s/ David A. Bricklin*
David A. Bricklin, WSBA No. 7583
Claudia M. Newman, WSBA No. 24928
Attorneys for Plaintiffs/Petitioners

KCRP\Superior\2005\Complaint

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Fax (206) 264-9300

Susan Huso 24330 75th Ave SE

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EXHIBIT 117
PAGE 1 OF 2

ORDINANCE NO. 350 - 2005

Repealing Ordinance No. 336-2005

WHEREAS, in 2003, the Kitsap County Board of Commissioners adopted the South Kitsap Industrial Area (SKIA) subarea plan and implementing development regulations through Ordinance 311-2003; and

WHEREAS, during the public hearing on Ordinance 311-2003, the Board of Commissioners voted to make a change in the proposed Business Center, Business Park, & Industrial Use Table, which would allow racetracks as a conditional use in all three zones in the SKIA subarea; and

WHEREAS, due to a scrivener's error, the change that the Board voted on to allow racetracks as a conditional use in all three zones was not recorded in the final ordinance; and

WHEREAS, on April 11, 2005, the Board of County Commissioners adopted Ordinance 336-2005 to correct the Use Table, now codified in Kitsap County Code § 17.370.020 (*hereafter* "the Corrective Ordinance"); and

WHEREAS, Ordinance 336-2005 was appealed to the Central Puget Sound Growth Management Hearings Board on allegations that the correction did not go through a proper public process; and

WHEREAS, the Commissioners find that it is more expedient and economical to repeal the Corrective Ordinance and to make the correction through a new public process than it is to litigate the matter.

BE IT ORDAINED:

Section 1. Kitsap County Code Ordinance 336-2005 is hereby repealed. The Use Table codified at KCC § 17.370.025 shall be amended to reflect the Use Table adopted pursuant to Ordinance 311-2003.

Section 2. This ordinance is effective immediately upon adoption.

//

//

EXHIBIT 117
PAGE 2 OF 2

DATED this 28th day of November, 2005.

KITSAP COUNTY BOARD OF COMMISSIONERS

BOARD OF COMMISSIONERS STATE OF WASHINGTON KITSAP COUNTY

CHRIS ENDRESEN, Chair

voted NO

JAN ANGEL, Commissioner

ATTEST:

Opal Robertson
Clerk of the Board

PATTY LENT, Commissioner

APPROVED AS TO FORM:

Shelly E. Knip
Deputy Prosecuting Attorney

JEFF GLICKMAN

Jeff Glickman
Email: jeff@glickman.com

19405 148th Ave NE
Woodinville, WA 98072

Phone: (503) 705-6900
Facsimile: (866) 201-0239

Board Certified Forensic Examiner
Fellow, American College of Forensic Examiners
Diplomate, American College of Forensic Examiners

EXHIBIT 118
PAGE 1 OF 10

April 5, 2007

Greg Smith, Hearing Examiner
Woodinville City Hall
17301 - 133rd Ave NE
Woodinville, WA 98072

Dear Hearing Examiner Smith,

Ms. Baker provided testimony at the March 14th, 2007 Wood Trails Public Hearing that she had a "Masters of Soils and Geology". A Certified partial verbatim transcript of the hearing is provided as Attachment 1.

Contrary to Ms. Baker's claims, Ms. Baker possesses neither a Master of Soils, nor a Masters of Geology, nor a Masters of Soils and Geology, but instead possesses a Masters of Science Forest Resources. A DegreeVerify Certificate validating Ms. Baker's Masters of Forest Resource is provided as Attachment 2. Ms. Baker matriculated at the University of Washington under her maiden surname, Burdick, which is listed on the DegreeVerify Certificate. Ms. Baker's maiden surname of Burdick is observed on the third page of her resume in the Publications section, which is provided as Attachment 3.

Master of Forest Resources are awarded by the College of Forest Resources of the University of Washington (http://www.cfr.washington.edu/) whereas Master of Geology awarded by the College of Arts and Sciences, a separate and distinct College within the University (http://www.artsci.washington.edu/). Ms. Baker would have to have a degree awarded by the College of Arts and Sciences to be entitled to claim a Masters in Geology. Ms. Baker does not have a Master of Science from the College of Arts and Sciences of the University of Washington.

The curriculum at the University of Washington, College of Forest Resources, with an emphasis on Soils is Attachment 4. As the reader can directly observe, there is ***materially no training with respect to Geology***.

The University Registrar's office governs all aspects of matriculation, including all policies for the entirety of the University, substantially without exception. A telephone call to Robin Donovan of the University of Washington Registrar's office established that a student "***must state their degree exactly as awarded on their diploma***".

Given this body of evidence, Ms. Baker claiming to possess a Masters of Soils and Geology is a ***material misrepresentation of her academic credentials***. This taints all work product that Ms. Baker has supervised and produced and her testimony at these hearings.

In accordance with customary and standard practices for hearings, I hereby request you strike from the record all work product supervised or produced by Ms. Baker submitted in evidence to these hearings, including the entirety of her testimony.

Sincerely,

Jeff Glickman
Board Certified Forensic Examiner
Fellow, American College of Forensic Examiners
Diplomate, American Board of Forensic Examiners

CC: Mr. Richard Leahy, City Manager
Mr. Zach Lell, City Attorney

ATTACHMENT 1

CITY OF WOODINVILLE
HEARING EXAMINER

Public Hearing on the
Wood Trails Development Proposal

March 14, 2007

PARTIAL VERBATIM TRANSCRIPT

Transcribed from Video recording provided by Woodinville City Clerk

BAKER: And I'm Cindy Baker. I have two degrees, one from the University of Washington, one from the University of Denver, a Master's Degree in Soils and Geology, and I worked for King County in subdivisions for eight years doing preliminary plats. I ran short plat planning in King County for that same amount of time and I have been director of environmental and planning for three large engineering firms for the last, well, approximately eight years, and I've been in the business over 20 years and I'm an American Instituted Certified Planner.

[END OF TRANSCRIPT]

CERTIFICATION

I am over the age of 18 years and competent to testify.

The preceding transcript was prepared by me from a DVD provided by the Woodinville City Clerk containing the record for the Wood Trails plat hearing of March 14, 2007 before Hearing Examiner Greg Smith and is to the best of my ability a true and accurate transcription of a specific portion of those proceedings, occurring approximately 25 minutes after the beginning of the hearing.

Signed in Seattle, Washington this 3rd day of April, 2007.

Carol Cohoe

Carol Cohoe

ATTACHMENT 2

National Student Clearinghouse
13454 Sunrise Valley Drive, Suite 300
Herndon, Virginia 20171
PH (703) 742-4200 FX (703) 318-4058
www.studentclearinghouse.org

DegreeVerify Certificate

Transaction ID#: [redacted]

Date Requested: [redacted]

Requested by: [redacted]

Date Notified: [redacted]

Status: [redacted]

Fee: [redacted]

INFORMATION YOU PROVIDED

Subject Name:	CYNTHIA First Name	LARK Middle Name	BURDICK Last Name
Name Used While Attending School: (if different from above)	First Name	Middle Name	Last Name
Date of Birth:	10/24/1949 mm/dd/yyyy		
School Name:	UNIVERSITY OF WASHINGTON		
Attempt To:	Verify a degree.		

INFORMATION VERIFIED

Name On School's Records:	CYNTHIA LARK BURDICK	
Date Awarded:	08/20/1982	
Degree Title:	MASTER OF SCIENCE (FOREST RESOURCES)	
Official Name of School:	UNIVERSITY OF WASHINGTON	
School Division:	COLLEGE OF FOREST RESOURCES	
Major Course(s) of Study (and NCES CIP Code, if available):	FOREST RESOURCES	030501
Attendance Period:	10/01/1979 to 08/20/1982	

All information verified was obtained directly and exclusively from the individual's educational institution. The Clearinghouse disclaims any responsibility or liability for errors or omissions, including direct, indirect, incidental, special or consequential damages based in contract, tort or any other cause of action, resulting from the use of information supplied by the educational institution and provided by the Clearinghouse. The Clearinghouse also does not verify the accuracy or correctness of any information provided by the requestor.

ATTACHMENT 3

CYNTHIA BAKER, AICP
P.O. Box 2051 Poulsbo, WA 98370
(206) 819-2027 ♦ Cindy.Baker@comcast.net

Director, Department of Community Development ***2003-2006***
Kitsap County, Port Orchard, WA

- Managed eight divisions, 87+ professionals (union, non-union)
  - Community/Long-range Planning,
  - Natural Resources,
  - Buildings and Code Enforcement,
  - Land Use/Environmental Review, including forest practice permits
  - Fire Marshall,
  - Development Engineering,
  - Community Development Block Grants,
  - Administration.
- Reported to Board of County Commissioners and County Administrator (Held assistant and interim positions prior to director position)
- Directed operations, procedures, technical practices, resource allocation, strategic planning, systems & program analyses, code development, and $6M yearly budget + $6 million in block grants.
- Coordinated with departments, jurisdictions, agencies, tribes, organizations (regional coordinating council, planning commission, Kitsap Transit, schools, Homebuilders Association) and public.
- Key accomplishments: Growth Management Act compliance (2 sub-area plans, critical areas ordinance, new land capacity analysis, county-wide planning policies), new programs (nuisance abatement, code development "LIST," on-going problem resolution (preliminary plats, code update, management procedures). Awarded Kitsap Homebuilders Association's Public Official of the Year.

President (self-employed) ***2002-2003***
Lexington Consulting, Inc., Seattle, WA

City of Tacoma: Consultant for planning & environmental programs/projects, including HUD Hope VI Grant Redevelopment (Salishan), innovative SEPA/GMA integrated document for zoning code.

Manager, Department of Planning and Environmental Services ***2000-2002***
David Evans & Associates, Inc., Bellevue, WA

- Managed 26 planners, natural resource scientists, GIS analysts and landscape architects.
- Reported to Senior Vice President
- Directed department operations, staffing, resource projections, budget, contract negotiations, government agency coordination, systems analysis and technical quality control of planning, natural resources, regulatory compliance (SEPA, NEPA, GMA, SMA, ESA, CWA), community involvement.
- **Public Sector Management**. WSDOT EIS I-405 Corridor Program (Project won national/local awards for complexity and planning efforts). Sound Transit, Lakewood-to-Tacoma Commuter Rail, City of Tacoma planning, Tacoma Power.

Manager, Department of Planning and Environmental Services ***1997-2000***
BERGER/ABAM Engineers Inc., Federal Way, WA

- Managed planning, land use development, and natural resources services.
- Reported to President of Berger/ABAM;
- Directed department operations, marketing, $2M budget, staffing, and technical oversight of projects (watershed planning, transportation, hazardous waste, soils/geotechnical, environmental assessments, and community involvement)
- **Public Sector Management.** Sound Transit Commuter Rail (Lakewood-to-Tacoma) EIS and initial engineering, Pierce County Chambers Creek Master Plan initial implementation and Upper Puyallup Watershed & Kitsap/Gig Harbor/Island Watershed Plans, City of Tacoma Police Headquarters EIS.

Cynthia L. Baker

Manager, Department of Planning and Environmental Services *1991-1996*
URS Greiner, Seattle, Washington

- Managed 25+ planners, scientists, engineers, architects, community involvement experts
- Reported to Northwest Regional Manager
- Directed department operations, resource projections, budget, strategic planning and marketing, and government agency coordination.
- Responsible for planning, natural resources, risk assessments, regulatory compliance (SEPA, NEPA, GMA, SMA, CERCLA, RCRA, MTCA, CWA), and community involvement. Negotiated EPA Federal Facilities Agreement and 50 Navy contracts. Prepared large community involvement plans.
- **Public Sector Management:** Directed 40 staff and $25 million portion of Navy contract (land use, environmental, economic redevelopment, base closures, and remedial investigations/clean-up actions); City of Seattle Sand Point Redevelopment EIS and the Magnolia Bridge transportation EIS.

King County, Renton, WA: *1984-1991*
Manager (Supervising Engineer, Subdivisions)
Department of Development & Environmental Services *(1986-1991)*

- Managed 25+ planners, civil engineers, and scientists (union, non-union)
- Reported to Division Manager, Subdivisions
- Responsible for operations, resource allocation, procedures, practices, regulatory compliance in urban design/planning, surface water, roadway design, forest practice and critical areas protection.
- Oversight of >1000 development reviews per year (preliminary subdivisions through final engineering).
- Represented county at >400 public hearings and court cases.
- Liaison with federal, state, local agencies, tribes, county council and executive. Assisted new cities with annexations & permits.
- Accomplishments: Created innovative peer review and variance processes. Co-authored comprehensive plans, zoning code updates, development regulations, and 1990 *Surface Water Design Manual* and the 1990 *Sensitive Areas Ordinance;* Committee Chair of Stream Protection, Livestock and Hobby Farms.

Environmental Scientist, Subdivisions, Public Works Division *(1985-1986)*

- Supervised 10 engineers and technicians on erosion control and water quality.
- Responsible for site constraint analysis of preliminary development projects, including forest practice permits. Coordinated with local, state, and federal agencies and county council. Prepared policies, guidelines, and videos. Represented the county at public hearings and meetings. Coordinated capital improvements.

Engineer, Surface Water, Roadways, & Environmental, Public Work Divisions *(1984-1985)*

- Inspected development sites for correct engineering/construction practices & critical areas protection.
- Approved 100 miles of newly constructed storm drainage systems and roadways.

EDUCATION

University of Washington, 1982
Master of Science, Soil Science

University of Denver, 1979 *(Cum Laude)*
Bachelor of Arts, Biology

Cynthia L. Baker

Associations, Committees & Awards

- American Institute of Certified Planners, AICP #013796, 1998-present
- American Water Resources Association, (1995-2005), Board Member, (2002-2004)
- Special Olympics, Summer Games Management Team, 1987-2004
- Water Quality Technical Advisory Committee (Appointed by King County Council, 1997-98)

- Public Official of the Year, Kitsap County Homebuilders Assoc., (2004)
- American Public Works Association, Award of Merit (1987)
- Forestry Honorary, University of Washington (1982)
- Walter B. Nettleton Fellowship, College of Forest Resources, University of Washington (1982)
- Xi Sigma Pi, University of Washington (1982)
- University Honor Scholar, University of Denver (1979)
- Alpha Epsilon Delta, University of Denver (1979)
- Premed Honorary, University of Denver (1979)

- Nature Conservancy
- Seattle Art Museum

PUBLICATIONS:

Cynthia L. Baker and Howard Haemmerle. Native Growth Protection Easements: Survival and Effectiveness. Department of Ecology Grant #WF688046, June 1990.

King County Surface Water Design Manual, 1990 (co-author)

King County Sensitive Area Ordinance, 1990 (co-author)

C.L. Burdick (Baker), F.C. Ugolini, and R.J. Zasoski (1983). Trace Metal Dynamics in Soils from a Sub-alpine Forest Ecosystem (Cedar River Watershed). Journal of Science of the Total Environment.

C.L. Burdick (Baker) (1982). Trace Metal Dynamics in Soils from a Sub-alpine Forest Ecosystem, Cascade Range, Washington. M.S. Thesis. University of Washington, Seattle, WA. Presented at the 21st Hanford Life Sciences Symposium on the Biological Availability of Trace Metals, Richland, Washington.

E.J. McGuire and Cynthia L. Burdick (Baker) (1976). Intercellular Adhesive Selectivity. The Journal of Cell Biology, 68:80-89.

Additional Work Experience

Water Quality Planner: Conservation, Water Protection, Erosion Control
King Conservation District, Renton, Washington
Technically trained and assisted county engineers, planners, and inspectors about erosion/sediment control, water quality, soil classifications and their land use capabilities and environmentally sensitive areas. Reviewed erosion control plans. Prepared and presented technical information for pamphlets/videos and at seminars. Coordinated with King County METRO on water quality public outreach.

Soil Scientist: On-Site Wastewater Treatment
Nautilus Associates, Ltd., Sequim, Washington
Described and evaluated soils on tracts of one to 600 acres according to Soil Conservation Service criteria and health regulations for use in on-site wastewater treatment design. Collected and analyzed soil samples, and water samples for Biological Oxygen Demand (BOD), Dissolved Oxygen(DO), coliform, nitrogen, chlorine, trace metals, and other chemical constituents. Responsible for data synthesis and interpretation, technical reports, graphics, and agency submittals.

Graduate Research Assistant (Part time): Soil Science
College of Forest Resources, University of Washington, Seattle, WA
Organized and conducted field investigations and lab analyses for 3-year National Science Foundation (NSF) research project on metal and organic chemical transport in soils. Responsible for data interpretation, publication and presentation. Completed soil and water analyses. Designed, implemented, and completed research project on trace metal dynamics in the Cedar River Watershed. Taught lab classes.

ATTACHMENT 4

FOREST SOILS MS AND PHD CURRICULUM STRUCTURE

The following courses are a suggested pathway to complete the MS or PhD degree in Forest Soils. See also, common course work structure (requirements) for MS and PhD degrees.

	COURSE	TITLE	CREDITS
ORIENTATION			
	CFR 500	Graduate Orientation Seminar	1
DISCIPLINARY KNOWLEDGE			
	ESRM 410	Forest Soils and Site Productivity	5
	ESRM 416	Field Survey of Wildland Soils	3
	CFR 507	Soils and Land Use	3
	CFR 511	Advanced Forest Soil Microbiology	5
	CFR 512	Biogeochemical Cycling in Soils and Forest Ecosystems	3
	CFR 513	Advanced Soil Genesis and Classification	5
	CFR 514	Soil and Plant Analysis	4
RESEARCH DESIGN/ QUANTITATIVE METHODS			
	QSCI 482	Statistical Inference in Applied Research	5
	QSCI 483	Statistical Inference in Applied Research	5
	QERM 521	Scientific Methods in Research Management	4
SOCIAL AND NATURAL SCIENCE			
	CFR 509	Natural Resource Issues	3
	ESRM 473	Principles of Ecological Restoration	5
	CFR 501	Forest Ecosystem Ecology	5
	CEE 485	Environmental Engineering Chemistry*	3
	OCEAN 521	Aquatic Chemistry*	3
CURRENT TOPICS			
	CFR 521	Current Topics in CFR	2
	CFR 512	Biogeochemical Cycling in Soils and Forest Ecosystems	3
RESEARCH			
	CFR 700	Master's Thesis	9
	CFR 800	Doctoral Dissertation	27

*PhD level course

Source: http://www.cfr.washington.edu/Acad/grad/FS_MS_PhD.htm

----- Original Message -----
From: Jeff Glickman
To: RichardL@ci.woodinville.wa.us ; zlell@omwlaw.com ; gsmith0605@email.msn.com
Cc: cindyb@ci.woodinville.wa.us
Sent: Wednesday, April 04, 2007 10:08 PM
Subject: Public Hearing

Mr. Richard Leahy, City Manager
Mr. Zach Lell, City Attorney
Mr. Greg Smith, Hearing Examiner
Ms. Cynthia Baker, Interim Development Services Director

EXHIBIT 119
PAGE 1 OF 1

City of Woodinville
17301-133rd Ave NE
Woodinville, WA 98072

April 4, 2007

Dear Mr. Leahy,

Ms. Baker has changed the place of tomorrow night's continuance of the Wood Trails and Montevallo Hearings from Council Chambers located within City Hall to the gymnasium located within the Community Center. The legal requirements for Notice of Public Hearing are specified by the Woodinville Municipal Code (WMC) WMC 17.11.030 Notice of public hearing. WMC 17.11.030 (1)(c) requires that the notice of public hearing shall contain "The date, time and place of the hearing;" and WMC 17.11.030(6)(a) requires that "Notice shall be mailed, posted and first published not less than 15 days prior to the hearing date." Ms. Baker has determined that the City Hall and the Community Center are the same place. The term "place" is used, but not defined, within the WMC. In such situations, standard practice is to resort to the dictionary definition of "place". The Oxford Dictionary is the authoritative source of definitions for the English Language. The first definition of "place" in the Oxford Dictionary is "a particular position or location". Council Chambers within City Hall and the gymnasium within the Community Center are both different positions and different locations per the Oxford Dictionary definition. This is evidenced by both facilities having two separate and distinct names and legal street addresses which are Woodinville City Hall, 17301-133rd Ave NE, Woodinville WA 98072 and Carol Edwards Center, 17401-133rd Ave NE, Woodinville WA 98072, respectively. The City of Woodinville, Ms. Baker, Mr. Leahy, and Mr. Smith will knowingly violate WMC 17.11.030(1)(c) if the hearing is moved from the Council Chambers within City Hall to the gymnasium within the Community Center. Knowingly violating the WMC is addressed by WMC 2.36.020(10) Code of ethics and WMC 1.06.030 Violations, which is enforceable by WMC 2.36.060 Enforcement procedures and is subject to the penalties specified by WMC 2.36.040 Civil penalties and WMC 1.03.010 General penalties. Under the aforementioned conditions, the City may not provide defense legal services to the offending employee per the limitations set forth by WMC 2.18.030 Exclusions. I strongly recommend each of you review the aforementioned paragraphs of the WMC and weigh the significant risk associated with changing the place of tomorrow night's Hearing. The alternate course of action open to you is to renotice the Hearing to a date shortly in the future that meets the 15-day deposit requirement of legal notice of public hearing specified by WMC 17.11.030(1)(c).

Sincerely,

Jeff Glickman
19405 148th Ave NE
Woodinville, WA 98072
503-705-6900
jeff@glickman.com

My Name is Brad Rich and I live at 18046 160th ave ne. Unfortunately, I am traveling and unable to personally attend the hearings so I have asked that my comments be read into the record.

In general, I believe the changes that that developer has requested materially change their original application, therefore with this changes request I believe the application should be considered as a new application and their application for both of these developments should not be considered vest.

If they want vesting status than their original application should be considered as is and rejected due to all the defects. Making changes to a defective application in effect makes it a new application and should be considered as such.

I also believe that these application have to be considered together as the Montevallo site relies on density transfer credits from Wood Trails. One site can not be done without the other.

Considering the three criteria I would like to make the following comments:

(1) There is a demonstrated need for additional zoning of the type proposed;

Based upon the cities own analysis there is not a need to meeting Growth Management targets. Further, there is not a need of a develop of this type that is totally out of character with the surrounding neighborhoods and the proposed developments are designed without sufficient consideration to their environmental impacts. If they proceed the damage would be irreparable.

The claim by the developer that there is a need for low incoming houses must not be taken serious as they have not disclose what the selling price of these homes will be. Even if they were significantly lower than the surrounding homes that will not make them affordable.

(2) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties; and,

The zone reclassification is not consistent and compatible with the uses and zoning of the surrounding properties. There are no other developments that match they style that they are proposing to build. The density of the Montevallo development far exceeds even 4 house per acre and the stripping of virtually all trees from the property violates the cities codes and is the worst possible way to develop property in an environmentally sensitive area.

(3) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

There have been numerous errors and omission in the cities studies that have already been point out by expert testimony. This errors are material and at a minimum more study should be performed to analysis why there is such a gap better the work of the city and the many volunteer experts that have found the flaws. It is a shame that a

neighborhood is forced to do there own studies and hire their own attorney to protect themselves from deficient studies performed by the city. However, given the problems identified I believe they provide the grounds to reject the applications complete and if they want to re-file it should be done based upon the current requirements.

I believe the developer even knows that there is a high risk that their application will be denied as they have not even competed the purchase of the property they are proposing to develop. Apparently they have an option to buy based upon the outcome of the application. This shows the doubts in their own minds regarding the possibility of developing the property in the manner they are proposing.

Therefore, I respectfully recommend to the examiner that these applications be denied. This denial does no real economic damage to anyone. It is only speculators that will benefit if it is approved. These properties have historically been zoned R-1 so any up zoning is a windfall to an owner and not some legal right.

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Dear Mr. Smith,

I am a 20 year resident of Woodinville. I am submitting the following rebuttal to the Phoenix "need" arguments for your consideration.

As you know, "need" is very difficult to quantify. I have tried to shed some light on this by looking at some quantitative measures that may be of assistance to you. An easy objective measure is buildable lands. Since I wrote that section of the CNW analysis I will only summarize by saying that Woodinville will be exceeding its 2022 growth target by 477 houses. We are building much faster than required. I would like to point out to you that Michael McCormick, Phoenix consultant, agrees with this in his appendix to the Phoenix brief.

As you know, the Planning Commission, Sustainable Development Citizens Advisory Panel and City Council all agreed to leave the zoning in the Wood Trails/Montevallo area at R-1. Susan Boundy-Sanders has submitted the transcript of Planning Commissioner Pat Edmonds need analysis to you. In it he explains why from a planning perspective Woodinville should develop its downtown core first. It is where affordable housing can be built. This is also the unanimous opinion of the Sustainable Development Citizens Advisory Panel. Patrick is not a resident of the R-1 area. You have read Ordinance 431 that describes why the City Council thinks that R-1 is appropriate. I know that you will agree that the need of the City is what matters, not the economic need of Phoenix Development and Sundquist Homes.

Another way of quantifying need is market demand. The March 22-29, 2007 Puget Sound Business Journal front page has a headline article "Home Builders Hold Off". It clearly says that new house demand is declining. However, the demand for R-1 is high. As Matt Jensen shows in his report to you, the R-1 houses have been selling faster than R-6 houses. It's simply supply and demand. The diminishing supply of R-1 homes is not surprising when you consider that the "Bright Line" rule has enabled developers to force cities into higher densities than they want or need. Concurrency has simply been ignored everywhere. Evidence of this is that there are 6,218 houses close to Woodinville that are being sold or under development/review. It is very easy to find R-6 developments everywhere. However, Viking v. Holm has struck down the "Bright Line" rule and now Cities are saying no to forced, unnecessary developments like the ones before you.

However, R-1 properties are increasingly scarce. I hope that you have had time to see this for yourself. If you drive to Mill Creek, Bothell, Lynwood, Sammamish, Issaquah or Snoqualmie Falls you will see the huge amount of high-density development. However, where will families who want to raise their children on large rural lots go? Right now it's Woodinville, but if these developments are approved at R-6 densities then it won't be long before Woodinville will look like all the other cookie cutter cities. No character, no desirability, high traffic, high crime.

You have also heard that Wellington has "estate" mansions by Phoenix. I think that the overwhelming ridicule of the Citizens should make it abundantly clear that this is completely wrong. Picking a Street of Dreams or 2 acre estates in Unincorporated King County outside Woodinville for comparison is disingenuous. My "estate" is 2300 sq feet on 0.83 acres, with a total appraised value of $441,000. This is

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typical for the West Wellington area. However, I have included in the following pages a summary of the selling prices rather than appraised values. It shows that the two "affordable" R-4 developments that Phoenix cites are as expensive or more expensive than Wellington. For example, Norman Courts homes cost $704,000, which is 15% more than Wellington homes.

What about the need for affordable homes? Well you know from the Phoenix brief that they have stated that they are not offering affordable housing options. In fact I would estimated that the selling prices for Wood Trails and Montevallo will easily be $720,000 to $800,000 with 3000-3200 square foot homes having 5 feet to their neighbor's property line and 10 foot long driveways. The Wellington homes are more affordable than Wood Trails or Montevallo but if those two developments are built then Wellington will quickly cease to exist and be replaced by less affordable, high density homes.

Finally, I respectfully submit that other developers could offer smaller, more affordable R-1 homes on the same property and still make a profit. I submit that this is what the residents have wanted for 3 years.

Please recommend to Council that they deny the rezone request. The plats are clearly so incomplete and deficient that it should be obvious that they must also be denied.

Thank you,

Steve Gottschalk

14918 NE 198th St

Woodinville, WA 98072

This section shows the following:

1. The City of Woodinville has determined that it does not need R-4 developments to meet Growth Board allocations. This is already shown in the Staff Report and CNW's section 3, "Buildable Lands". According to the Michael J. McCormick appendix in the Phoenix report (page 3, footnote 9), ***'this Buildable Lands Requirement (RCW 36.70A.215) led to the issuance of the King Country Buildable Lands Evaluation Report 2002 (September 2002) in which Woodinville's current supply of available land was reported to meet the current requirements with a surplus capacity for 798 additional people".***

2. There is a need for R-1 housing. The supply has been depleted by overuse of the "Bright Line" rule. The demand has not dwindled. The median selling price of Wellington R-1 homes in 2006 was $610,625. This is a far cry from the $2M asserted by Phoenix. Young families are moving into the neighborhoods. They are buying resale homes with 0.5 acre or larger lots in rural settings to raise their kids. There are fewer and fewer choices left.

3. The housing market has slowed so there is a declining economic need for even more R-4 houses.

4. These two developments would only supply 0.3% of the "need" for housing in the Bear Creek and Northshore areas of King and Snohomish Counties. It would be a much, much smaller portion in the greater Seattle area.

5. Phoenix has admitted that neither Wood Trails nor Montevallo are going to be offering "affordable" housing options. In fact houses in one completed Phoenix development, Cedarhurst, sold on average for $620,000. Another development, Porters Landing is selling houses on 4000 sq ft lots for $575.000. The Wood Trails/Montevallo houses will sell for $720,000 to $800,000, which is much more than almost all Wellington R-1 houses. Affordable housing should be built in downtown Woodinville.

6. R-1 homes do not need to be estate mansions. About 25% of the homes sold in the Woodinville zip code cost $700-$1000k. In the Wellington sub-area from 2003 to 2006 the median price from 108 sales was about $470,000 and 12% of Wellington sales exceeded $700,000. Wellington is selling a smaller percentage of expensive homes than the rest of Woodinville.

R-1 Housing is Needed

A recent brochure (Business and Community Directory 2007) published by the Woodinville Chamber of Commerce lists the average household size as 2.98. People are coming to Woodinville to raise their families. It is not 'singleville" like downtown Kirkland, Bellevue or Seattle. Indeed, as the Phoenix consultant Michael McCormick points out in his brief (page 2, last paragraph), ***" the Puget Sound Regional Council stipulates in the VISION 2020 plan that Woodinville is not among the urban areas of Seattle, Tacoma, Everett, Bellevue, Bremerton. Nor is it among the other 14 cities with regional growth centers."*** Because of its suburban, woodland character, Woodinville is known as a great place to raise families. This is what makes it special.

Houses in Wood Trails and Montevallo lots will have a 10 foot long driveway, 5 feet to a neighbor, and 20 foot deep backyards. These lots are simply too small for children older than toddler age to play in. The nearest park is in downtown Woodinville. Getting to it requires mom or dad to round up a bunch of kids and drive them there. It is quite impractical to do this many times a day, especially if R-4 housing is causing more traffic congestion. Streets then become the playground with such small lots and may lead to dangerous traffic accidents.

R-1 Lots depleted by "Bright Line" rule

The "Bright Line" rule made it essentially impossible for cities to maintain an inventory of R-1 lots inside their Urban Growth Areas (UGA). Over time this led to an increase in R-4 or higher densities and a loss of R-1 lots. This was exacerbated by the adjacent, unincorporated King County designations of one house on 2.5 acres, RA-2.5, and one house on 5 acres, RA-5.0 just outside the UGA's. The RA-2.5 lots are 0.4 du/acre and then there is a sharp increase to 4 du/acre or 10X higher density at the UGA boundary. A more reasonable approach both environmentally and socially is to progress from RA-2.5 to R-1 to R-4.

The recent case of Viking v. Holm struck down the "Bright Line" rule. It is now recognized that Cities do have a right to self-determination as long as they meet Growth Board requirements, which Woodinville is doing. Unfortunately, the land available for densities below R-4 has been almost used up by rapid and uncontrolled development. An irreplaceable resource has been exhausted.

In well-planned and responsible cases, the R-4 developments were placed with close access to public transportation and in areas that did not disrupt well-established neighborhoods. Both the Wood Trails and Montevallo developments are being placed inside existing neighborhoods and neither development is close to existing or contemplated public transportation. ***The Wood Trails or Montevallo developments are not satisfying any "need" except that of Phoenix development.***

Incorrect statements made in Hearing Brief on R-1 vs. R-4 housing costs

The Wood Trails/Montevallo briefs cite Nolan Woods and The Hedges as 'typical" R-1 houses in Woodinville. Nolan Woods is a Street of Dreams development. It is in no way 'typical". The Hedges have a 98077 zip code, are in unincorporated King County with a rural designation of RA-2.5, and luxury estate lots. They are not typical either. There has been a building moratorium in the entire R-1 zone of Woodinville so there are no new R-1 developments to use for comparison right now. An earlier development, Falcon Point built in 1996-1998, has houses that sold for $341,650 to $1,000,000 between 1998 and 2006. There is no correlation between lot size, sale price or date of sale. *Honest, unbiased data analysis* does not permit us to pick a price outlier such as $341,650 to "prove" R-1 is cheaper. The data set is too small for meaningful statistical analyses. As of April 1,2007 the Bonterra development which is R-1 and is close to Wood Trails/Montevallo has not published prices. ***Therefore, the Phoenix assertion that R-1 houses will be prohibitively expensive, "estate" mansions is unfounded and not supported by their own examples. It is misleading and frivolous.***

The same briefs cite Georgian Heights (R-6 lot sizes) and Norman Court (R-6 lot sizes) as typical R-4 developments. Neither development has a density of R-4. Georgian Heights homes were built in 2005-2006, sold for an average price of $602,617 one year ago. Norman Court homes were built in 2006 and sold on average for $701,147. (Prices are King County Parcel Viewer data for all lots in each development, see attachment 8). Houses in the Norman Court development cost 15% more than R-1 houses in Wellington. The Georgian Heights homes cost essentially the same as Wellington homes. Neither of these developments shows that R-4 homes are a priori more affordable. The table below shows a comparison of the developments selected by Phoenix.

Development	Zoning	Median House Prices	Comments
Wellington	R-1	611k	
Georgian Heights	R-6	600k	
Norman Court	R-6	704k	
Hedges	RA-2.5	>2M	Unincorporated King County, not Woodinville
Nolan Woods	R-1	>2M	Street of Dreams homes

We have also used the King County tax records to check the selling prices for Georgian Heights and Norman Court, see attachment 8. ***The least expensive house in Georgian Heights sold for $579,950 and in Norman Court the least expensive house sold for $665,000.There are no houses selling for $500,000. The statement in the Phoenix brief that these two developments represent houses selling for $500k to $700k is false. In fact the R-4 "examples" cited in the Phoenix brief prove that existing Wellington R-1 homes are affordable. As infill and redevelopment occur, the existing, reasonably priced R-1 Wellington houses will be replaced by less affordable R-4 houses.***

Housing inventory and housing demand

A review by NewHomeTrends of new homes being sold in the Bear Creek and Northshore market areas in King and Snohomish Counties shows that there are 1205 homes on the market close to the Wood Trails and Montevallo sites, attachments 1-3. In addition there are 5013 homes undergoing review or approved in the same area, attachments 4-6. (Wood Trails and Montevallo have been subtracted from this total.) There are 6218 new houses being built, sold or under review.

A recent Puget Sound Business Journal article, March 23, vol 27, no 49, attachment 7, titled "Home Builders Hold Off" opens with the following:

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Home builders hold off

Slumping sales of lots could presage fewer new houses for region

By JEANNE LANG JONES
STAFF WRITER

A key future indicator of the housing market is down sharply, but that could be a good thing, local real estate executives are saying.

Puget Sound area home builders have been buying substantially fewer finished lots from residential developers as the builders try to gauge the demand for their new homes in the months ahead.

Builders buying fewer lots today could mean fewer new homes tomorrow.

"Finished lots are hanging around longer than they have in quite some time," said consultant Matt Gardner, a principal at Gardner Johnson LLC in Seattle.

Residential lot sales in King County fell 39 percent last year compared with 2005, while lot sales dropped 22 percent in Snohomish County and 15 percent in Pierce County, according to Gardner.

Several factors have made home builders more cautious about adding to their inventory of lots. The

See LOTS, Page 73

Phoenix own expert witness, Matt Gardner of Gardner Johnson LLC states:

> ***"Finished lots are hanging around longer than they have in quite some time"***

Matt Gardner is further cited as saying that

> ***"Residential lot sales in King County fell 29 percent last year compared with 2005, while lot sales dropped 22 percent in Snohomish County and 15 percent in Pierce County"***

Later in this article the following is stated:

> ***'the inventory of unsold homes is creeping up. And the housing market is decelerating.***

One large developer, Mike Mastro , the owner of Mastro Properties says

> ***"Our deliveries are being put off or slowed up. Builders per se are more cautious. They are taking down fewer lots at a time and checking their inventory"***

Furthermore, Todd Britsch of the market research firm of NewHomTrends says:

> ***'the boom is over. We saw record price increases for two years. It has to stop somewhere in order to maintain a healthy market, and it did."***

When this is combined with the 6218 single family homes either on the market or being built close to Woodinville, ***it is hard to argue that there is an overwhelming market "need" that either Wood Trails or Montevallo will meet.***

Affordability

The Phoenix brief unambiguously states that they will not be offering affordable housing options.

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We are all aware of the affordability issue in the Puget Sound region and, while we do not suggest that this development will provide "affordable" housing options, we believe that housing values associated with R-4 density development on a per unit basis will be meaningfully more affordable than housing that would be developed on 1-unit per acre lots. Examples are developments such as The Hedges and Nolan Woods[5] where units are selling for well over $2M on lots close to 1-acre in size, and others such as Norman Court[6] and Georgian Estates[7] where prices range from $500,000 to $700,000 on lots at approximately 6 units per acre.

In the above cited Puget Sound Business Journal article, Quadrant Homes states that they have had to expand their sales to Kitsap, Skagit and Thurston counties to keep costs low. The affordability gap is a nationwide phenomenon. To suggest that WT/MV can alleviate this issue is primarily in the interest of the developer. The Cedarhurst development in Lynwood is built by Sundquist Homes, the owner of Phoenix development. The average sale price in the last 6 months has been $620,000 (Snohomish County Parcel Viewer) and the average price of the remaining unsold lots is $610,000 (Sundquist Homes web site). This development is located one block from a strip mall that is on highway 99, a major road. The Wood Trails and Montevallo lots will be more expensive because of the Woodinville location and house price inflation. Gardner-Johnson reports that home prices rose 15% in 2004-2005. Assuming Cedarhurst prices, inflation alone makes the price of Wood Trails and Montevallo homes built by Phoenix $713,000. ***Phoenix has not stated their selling price because it could easily be $720,000 to $800,000. Those prices are not "affordable". We completely agree with Phoenix that they are not offering "affordable" housing options.***

In the February 14, 2007 Planning Commission meeting on Sustainable Development, Commissioner Patrick Edmonds gave a number of reasons why Woodinville should build affordable housing downtown. Susan Boundy-Sanders has transcribed his analysis and is submitting it as an exhibit in this hearing. The Sustainable Development Citizens Advisory Panel agrees with Commissioner Edmonds. ***In short, Woodinville is working towards a goal of having affordable housing downtown where it makes the most sense.***

R-1 Homes do not need to be estate mansions

There has been a steady trend to build bigger and bigger new homes. Many new high density developments have 3000-3200 square foot houses, for example Cedarhurst, built by Sundquist. According to King County Assessor data, the 157 lots in Wellington close to these developments have a median house size of 2350 sq ft, which is 650-850 sq ft smaller than Cedarhurst. (see the CNW report, section 3, zoning, "In Well-Established Neighborhoods for a map showing the location of these homes.) According to NewHomeTrends market analysis, appendix 1, the median cost per square foot in the Northshore Market Area of King County is $226. (This is the average ratio of total price/house square footage). The average cost of 650 sq ft is $146,900. It should be possible to make the same profit on a

few smaller R-1 houses as many R-4 houses. They would be more consistent with the sizes of existing homes. They will sell. This may not be the business model of Phoenix. If so then let another developer build R-1 homes on these sites.

Phoenix is comparing apples ($550K-$700K homes) to oranges ($1-$2000K homes). What about the pears, the $700K - $1,000K homes? According to the Multiple Listing Service there were approximately 540 homes sold in Woodinville in 2006, between $300K and $2,000,000. Approximately 25% of those homes (137) were sold between $700K and $1,000K. ***Homes can be developed R-1 without having to be estate mansions.***

Data details

Data used for the Wellington prices were obtained from the MLS database on houses in Woodinville. Datasets that were entered electronically into an Oracle and SQL Server database from multiple Excel spreadsheets. Duplicate or erroneous records were corrected or removed as appropriate to provide a "clean" dataset consisting of 2,337 records. Results for the Oracle and SQL Server 2003 data queries were in agreement, even though different people wrote the SQL scripts. King County and Snohomish county Parcel Viewer data was imported into Excel for Georgian Heights, Norman Court and Cedarhurst. The following disclaimer applies:

Disclaimer: The MLS data contains all housing sales with a Woodinville mailing address sold 1/1/2004 – 13/31/2006 with a sale price of $300K - $2M. Sales are considered to be in the Wellington neighborhood if MAP=477 and GRID IN ("A4","B4","C4","A5","B5","C5"), corresponding to the Thomas Guide. King County and Snohomish County parcel viewers were used to obtain data for Georgian Heights, Norman Court and Cedarhurst. All developed lots were included. Greenbelts or County owned parcels were not used. All errors or omissions are the sole responsibility of the author.

Attachment 1

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NewHomeTrends
DATA•RESEARCH•CONSULTING

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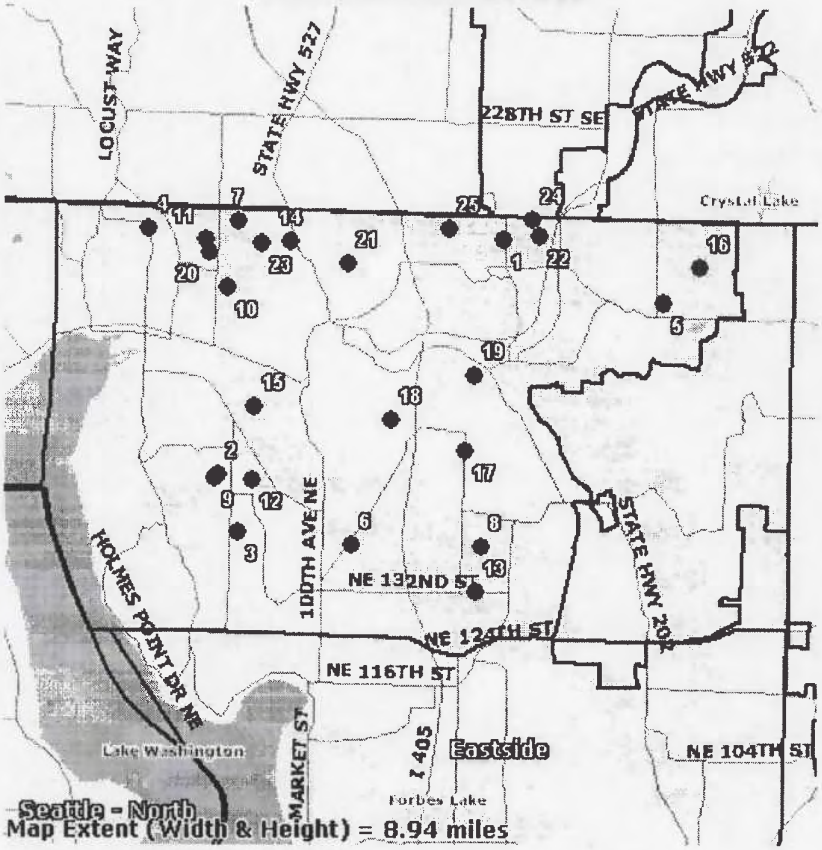
Selection Criteria	
County	King
Market Area	Northshore
Status	Not Surveyed, Not Yet Selling, Under Const. Not Selling, Taking Reservations, SellingLots, Selling Homes, Selling Lots & Homes

Market Area Summary for Northshore (using the criteria above)	
Developments	25
Total Mo Sales (Avg)	17.09
Avg Mo Sales / Devlp	1.22
Median Avail Price	$559,600
Average Avail Price	$640,488
Median Avail $/SqFt	$226
Lots/Homes Avail	286
Months of Spec Inv	5.2

Currently Selling Detached Developments in Northshore Market Area



1 Andalusia
2 Belmont Estates
3 Blue Heron Place
4 Blueberry
5 Bonterra
6 Calina at Kirkland
7 Chateau Meadows
8 Cliff Mull 6 at Kirkland
9 Fernwood
10 Frances Park
11 Herons Reach
12 Inglemoor Court
13 Linden Lane on 132nd
14 Melody Ridge
15 Noble Long Plat
16 Nolan Woods
17 Norman Court
18 Norway Knoll
19 Quail Ridge
20 Shadowcreek
21 Sonoma Park
22 Veranda Lane
23 West Hill Highlands
24 Woodbury at Georgian Heights
25 Woodridge at North Creek

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Currently Selling Detached Developments for Northshore Market Area

Map Index	Development Name and Address	Last Update	Status	Map Page Grid	Typ Lot Size	Total Price Range	Total SqFt Range	Total $/SqFt Range	Avail Price Range	Lots Recrd	Lots/ Homes Sold	Start of Sales	Avg Mnth Sales	Vacant Lots	Spec Inv	Est. Sellou
1	Andalusia 130th Ave NE & NE 200th Pl	3/1/2007	Selling Homes	476 H4	4,500	$498,000 $585,000	2,140 3,036	$190 $263	$501,910 $570,190	26	17	7/15/2006	2.26	6	1	Jul 2007
2	Belmont Estates 81st Ave NE & NE 149th St	3/1/2007	Not Yet Selling	506 A2	4,600					15	0			4	9	
3	Blue Heron Place 8421 NE 141st St	3/1/2007	Not Yet Selling	506 B3	5,200					5	0			5	0	
4	Blueberry 20005 68th Ave NE	3/1/2007	Selling Homes	475 J4	6,000	$569,900 $569,900	2,600 2,600	$219 $219	$569,900 $569,900	7	0	11/1/2006		3	4	
5	Bonterra 157th Pl NE & NE Old Woodinville-Duvall Pl	3/1/2007	Not Yet Selling	477 B6	45,850					7	0			7	0	
6	Calina at Kirkland NE 140th St & 105th Ct NE	3/1/2007	Selling Homes	506 D3	6,200					7	0	2/1/2007		7	0	
7	Chateau Meadows NE 203rd St & 83rd Pl NE	3/1/2007	Selling Homes	476 B4	5,500	$695,000 $850,000	3,130 3,840	$202 $230	$795,000 $795,000	12	11	7/24/2005	0.57	0	1	May 2007
8	Cliff Mull 6 at Kirkland NE 140th St at 127th Pl NE (SW Corner of intersection)	3/1/2007	Not Yet Selling	506 G4	5,000					6	0			1	4	
9	Fernwood 81st Ave NE & NE 147th Ln	3/1/2007	Selling Homes	506 A2	5,600	$699,000 $743,400	2,540 2,830	$260 $275	$699,500 $734,900	9	1	9/1/2006	0.17	3	4	Sep 2010
10	Frances Park NE 189th Pl & 82nd Ave NE	3/1/2007	Not Yet Selling	476 B5	5,000					5	0			1	4	
11	Herons Reach 19600 78th Ave NE	3/1/2007	Selling Homes	476 B4	4,500	$519,950 $615,000	2,218 3,083	$190 $239	$545,950 $585,950	18	16	2/1/2006	1.24	0	2	May 2007
12	Inglemoor Court 88th Ave NE & NE 147th Ct	3/1/2007	Selling Homes	506 B2	4,500	$419,950 $729,950	1,850 3,146	$197 $258	$709,950 $729,950	15	12	2/1/2005	0.48	0	3	Sep 2007
13	Linden Lane on 132nd NE 132nd St & 126th Ct NE	3/1/2007	Selling Homes	506 G5	4,600	$649,950 $689,950	2,481 2,651	$260 $264	$649,950 $684,950	11	2	2/2/2007	2.00	9	0	Jul 2007
14	Melody Ridge NE 196th St & 94th Ave NE	3/8/2007	Not Surveyed	476 C4	2,665					50	0			50	0	
15	Noble Long Plat 88th Ave NE & NE 163rd St	3/1/2007	Selling Homes	476 B7	8,000	$699,990 $749,999	3,040 3,822	$196 $230	$699,990 $749,999	6	0	1/23/2007		0	6	
16	Nolan Woods 163rd Ct NE & NE 195th St	3/1/2007	Selling Homes	477 C5	35,000	$2,195,000 $2,898,000	4,972 7,900	$367 $469	$2,395,000 $2,395,000	8	6	10/1/2004	0.21	0	1	Aug 2007
	Norman		Selling	506		$649,000	3,068	$214	$697,500							May

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17	Court 124th Ave NE & NE 155th Pl	3/1/2007	Homes	G2	6,400	$719,000	3,194	$230	$697,500	12	11	8/1/2005	0.68	0	1	2007
18	Norway Knoll 112th Ave NE & NE 162nd St	3/1/2007	Selling Homes	506 E1	3,000	$555,000 $651,107	2,100 3,115	$199 $292	$624,950 $647,500	19	14	6/1/2005	0.67	0	4	Oct 2007
19	Quail Ridge 124th Ave NE & NE 171st St	3/1/2007	Selling Homes	476 G7	3,000	$509,450 $564,950	2,322 2,572	$205 $228	$509,450 $564,950	30	4	11/1/2005	0.25	12	13	Nov 2015
20	Shadowcreek 78th Ave NE & NE 198th St	3/1/2007	Selling Homes	476 B4	4,500					16	0	11/1/2006		10	5	
21	Sonoma Park 104th Ave NE & NE 194th St	3/1/2007	Selling Homes	476 D4	8,500	$790,000 $999,000	3,405 4,633	$207 $240	$839,950 $979,950	19	6	5/1/2006	0.60	5	7	Nov 2008
22	Veranda Lane 136th Ave NE & NE 202nd St	3/1/2007	Selling Homes	476 H4	4,500	$651,500 $659,950	2,716 2,849	$232 $240	$651,500 $659,950	9	0	2/27/2007		6	3	
23	West Hill Highlands 198th St & 88th Ave NE	3/1/2007	Selling Homes	476 B4	9,604	$859,000 $974,950	3,728 5,000	$195 $237	$924,950 $924,950	11	8	4/15/2006	0.76	2	1	Jul 2007
24	Woodbury at Georgian Heights NE 205th St & 134th Ave NE	3/1/2007	Selling Homes	476 H4	3,600	$529,950 $829,950	2,725 3,943	$160 $249	$709,950 $799,950	51	26	6/15/2006	3.05	14	10	Nov 2007
25	Woodridge at North Creek 120th Ave NE at North Creek Pkwy (SE of intersecti	3/1/2007	Selling Homes	476 G4	3,600	$448,240 $577,686	2,023 2,801	$177 $264	$511,930 $561,432	103	51	3/1/2006	4.25	44	6	Mar 2008
	Totals									**477**	**185**		**17.09**	**189**	**89**	**Aug 2008**

Projected Sellout is calculated using the formula: (Lots or Homes Avail / Avg Mnth Sales) = # of months until sellout
Note: This information is accurate to the extent that records are provided by builders and their representatives.
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Attachment 2

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NewHomeTrends
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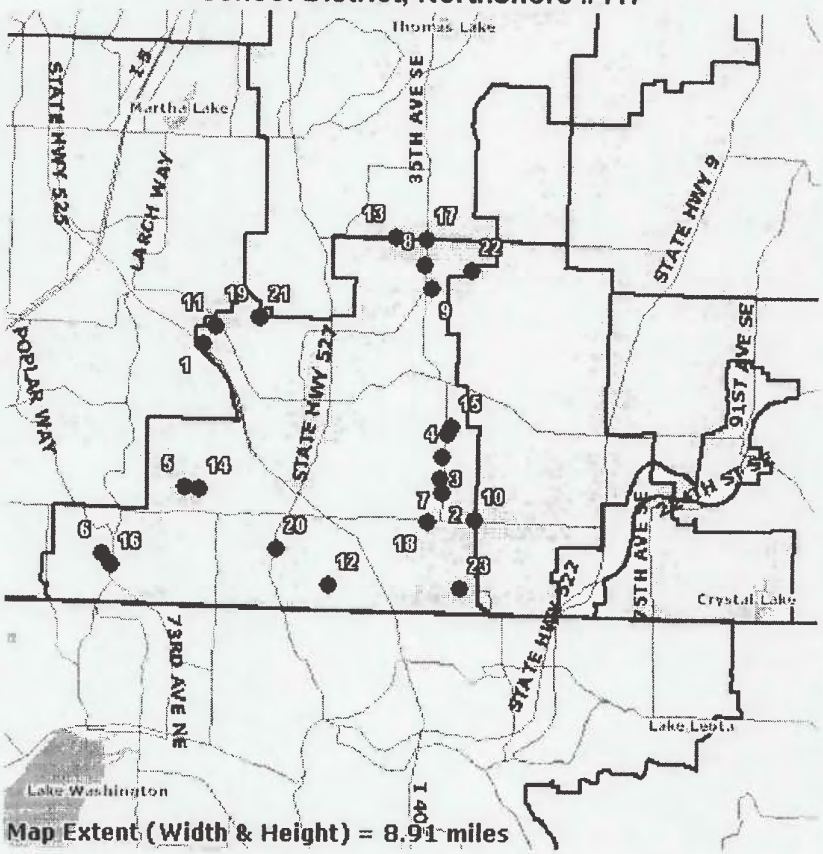
Selection Criteria	
County	Snohomish
Status	Not Surveyed, Not Yet Selling, Under Const. Not Selling, Taking Reservations, SellingLots, Selling Homes, Selling Lots & Homes

School District Summary for Northshore #417 (using the criteria above)	
Developments	23
Total Mo Sales (Avg)	68.30
Avg Mo Sales / Devlp	3.59
Median Avail Price	$659,980
Average Avail Price	$627,539
Median Avail $/SqFt	$210
Lots/Homes Avail	632
Months of Spec Inv	2.3

Currently Selling Detached Developments for School District, Northshore #417



Map Extent (Width & Height) = 8.91 miles

1 Abbi Lane 2
2 Barcelona
3 Bellemont Crossing
4 Bellemont Heights
5 Breckenridge
6 Castle Lane
7 Clairemont
8 Fernwood Grove
9 Fernwood Meadows
10 Hawthorne Crest
11 Jackson Wood
12 Larchmont Heights
13 Laurelcrest
14 Maderas at Canyon Park
15 Oakmont
16 Park at Creekside (The)
17 Park Place
18 Porters Landing
19 Summit Ridge
20 Waterbrook
21 Willow Ridge Estates
22 Woodcress
23 Woodridge North

EXHIBIT 121
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Currently Selling Detached Developments for School District, Northshore #417

Map Index	Development Name and Address	Last Update	Status	Map Page Grid	Typ Lot Size	Total Price Range	Total SqFt Range	Total $/SqFt Range	Avail Price Range	Lots Recrd	Lots/ Homes Sold	Start of Sales	Avg Mnth Sales	Vacant Lots	Spec Inv	Est. Sellout
1	Abbi Lane 2 Bartlett Rd & 198th Pl SW	2/13/2007	Selling Homes	456 B5	4,200	$446,990 $545,000	2,420 3,198	$163 $201	$520,000 $545,000	18	12	3/29/2006	1.14	0	5	Aug 2007
2	Barcelona 39th Ave SE & 223rd Pl SE	3/13/2007	Selling Homes	476 F1	6,300		2,957 3,216			20	0			12	8	
3	Bellemont Crossing 219th St SE at 39th Ave SE	3/13/2007	Selling Homes	456 F7	6,500	$449,990 $734,800	2,706 3,439	$157 $232	$629,800 $732,800	197	184	1/1/2005	6.99	1	8	Apr 2007
4	Bellemont Heights 21300 39th Ave SE	3/13/2007	Selling Homes	456 F7	5,000	$559,950 $714,950	2,369 3,439	$202 $236	$639,950 $714,950	70	17	6/2/2006	1.82	7	42	Jun 2009
5	Breckenridge 224th St SW & 5th Pl W	2/22/2007	Selling Homes	476 A1	7,500	$515,000 $760,000	2,510 3,510	$189 $227	$609,950 $669,950	32	27	4/6/2005	1.20	1	2	Jun 2007
6	Castle Lane 20th Ave W & 235th Pl SW	2/22/2007	Selling Homes	475 H2	6,100	$599,950 $699,950	2,463 3,626	$193 $244	$599,950 $699,950	26	7	3/18/2006	0.62	6	12	Sep 2009
7	Clairemont 39th Ave SE at 221st Pl SE	3/13/2007	Selling Homes	476 F1	6,300	$695,950 $900,000	2,680 3,582	$225 $278	$799,950 $859,950	36	14	8/16/2005	0.74	12	9	Sep 2009
8	Fernwood Grove 18409 35th Ave SE	3/13/2007	Selling Homes	456 F3	6,900	$794,990 $849,990	3,527 4,030	$200 $233	$794,990 $841,990	25	2	9/1/2006	0.32	18	4	Apr 2013
9	Fernwood Meadows 188th St SE & 36th Dr SE	3/13/2007	Selling Homes	456 F4	6,100	$579,950 $789,950	3,070 4,852	$159 $230	$669,950 $709,950	46	38	6/7/2005	1.79	1	6	Jul 2007
10	Hawthorne Crest 45th Ave SE & 226th Pl SE	3/13/2007	Selling Homes	476 G2	3,401	$459,450 $598,450	2,350 2,975	$169 $204	$474,450 $519,450	62	30	4/7/2006	2.68	23	9	Mar 2008
11	Jackson Wood Bartlett Rd & 196th Pl SW	3/13/2007	Not Yet Selling	456 B5	3,330					21	0			21	0	
12	Larchmont Heights 240th Pl SE & 19th Ave SE	2/22/2007	Selling Homes	476 D3	9,700	$875,000 $1,055,000	3,370 4,587	$223 $260	$875,000 $945,000	16	3	4/15/2006	0.29	7	5	Dec 2010
13	Laurelcrest 180th St SE & 30th Ave SE	3/13/2007	Selling Homes	456 E3	3,068	$402,950 $636,950	1,547 2,996	$212 $266	$430,950 $496,950	165	40	2/1/2007	30.42	121	0	Jul 2007
14	Maderas at Canyon Park 224th St SE at 1st Dr SE	2/22/2007	Selling Homes	476 B1	9,600	$594,990 $950,000	2,805 3,705	$180 $273	$814,990 $949,990	26	17	5/1/2005	0.78	4	4	Jan 2008
15	Oakmont 39th Ave SE & 212th St SE	3/13/2007	Selling Homes	456 G7	4,000	$449,950 $524,950	2,150 2,931	$174 $217	$499,950 $524,950	20	17	2/9/2006	1.30	0	3	May 2007
16	Park at Creekside (The) Locust Wy & 235th Pl SW	2/22/2007	Selling Homes	475 H2	4,000	$424,950 $545,160	1,904 2,895	$167 $223	$429,000 $525,000	81	76	8/17/2005	4.17	0	4	Apr 2007
17	Park Place 35th Ave SE & 182nd Pl SE	3/13/2007	Selling Homes	456 F3	3,400	$399,950 $549,950	1,809 2,965	$175 $238	$429,900 $474,950	36	20	6/1/2006	2.13	0	15	Oct 2007
18	Porters Landing 230th Pl SE & 57th Ave SE	3/13/2007	Selling Homes	476 F2	4,000	$459,990 $590,593	1,807 2,951	$198 $265	$564,593 $590,593	59	2	2/21/2007	2.00	54	0	Jul 2009

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19	Summit Ridge Winesap Rd & 195th St SE	3/13/2007	Not Yet Selling	456 C4	4,000					54	0			54	0	
20	Waterbrook 23418 Bothell Everett Hwy	2/22/2007	Selling Homes	476 C2	2,765	$388,920 $589,990	1,587 2,230	$231 $291	$419,975 $568,840	47	18	4/16/2006	1.75	24	4	Aug 2008
21	Willow Ridge Estates Winesap Rd & 196th St SE	3/13/2007	Not Yet Selling	456 C4	3,800					31	0			31	0	
22	Woodcress 184th St SE & 43rd Ave SE	3/13/2007	Selling Homes	456 G3	3,640	$469,950 $503,950	2,100 2,838	$174 $190	$471,350 $503,950	53	2	1/19/2007	1.15	37	13	Nov 2010
23	Woodridge North 240th St SE & 42nd Ave SE	3/13/2007	Selling Homes	476 G3	3,757	$467,990 $531,447	2,023 2,801	$210 $242	$471,085 $520,820	34	7	2/20/2007	7.00	26	1	Jul 2007
	Totals									**1175**	**533**		**68.30**	**460**	**154**	**Dec 2007**

Projected Sellout is calculated using the formula: (Lots or Homes Avail / Avg Mnth Sales) = # of months until sellout
Note: This information is accurate to the extent that records are provided by builders and their representatives.
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Attachment 3

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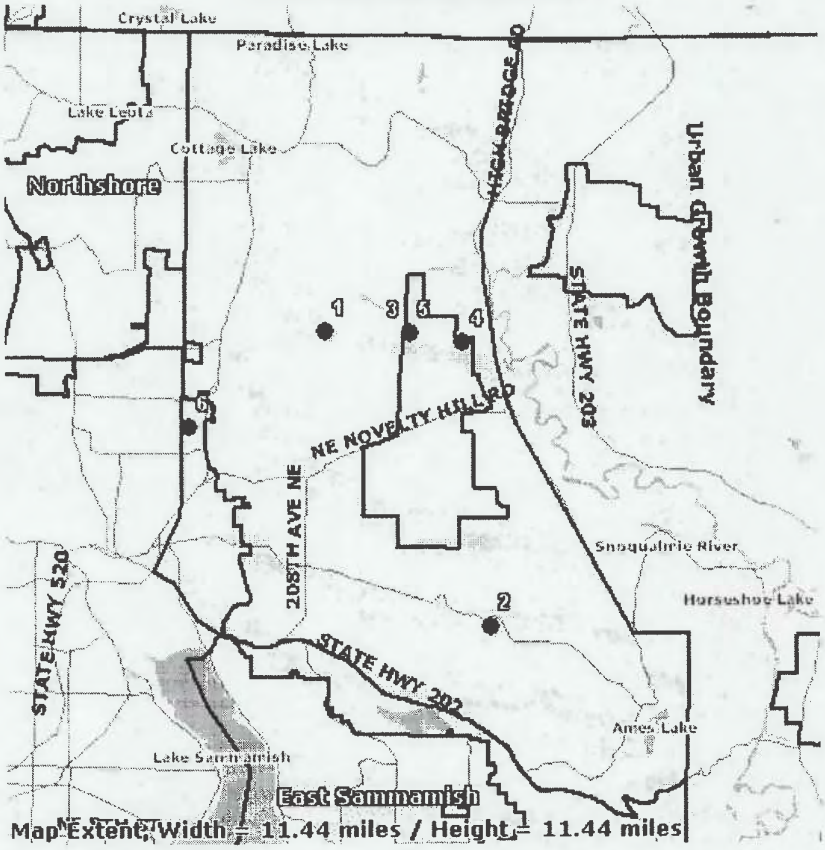
NewHomeTrends
DATA•RESEARCH•CONSULTING

Selection Criteria	
County	King
Market Area	Bear Creek
Status	Not Surveyed, Not Yet Selling, Under Const. Not Selling, Taking Reservations, SellingLots, Selling Homes, Selling Lots & Homes

Market Area Summary for Bear Creek (using the criteria above)	
Developments	6
Total Mo Sales (Avg)	31.96
Avg Mo Sales / Devlp	5.33
Median Avail Price	$721,190
Average Avail Price	$905,533
Median Avail $/SqFt	$316
Lots/Homes Avail	287
Months of Spec Inv	0.7

Currently Selling Detached Developments for Bear Creek Market Area



1 Hedges (The)
2 Patterson Creek (The Reserve at)
3 Trilogy at Redmond Ridge: Cedar Heights
4 Trilogy at Redmond Ridge: Meadow
5 Trilogy at Redmond Ridge: Skyline
6 Tyler's Creek

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Currently Selling Detached Developments for Bear Creek Market Area

Map Index	Development Name and Address	Last Update	Status	Map Page Grid	Typ Lot Size	Total Price Range	Total SqFt Range	Total $/SqFt Range	Avail Price Range	Lots Recrd	Lots/ Homes Sold	Start of Sales	Avg Mnth Sales	Vacant Lots	Spec Inv	Est. Sellout
1	Hedges (The) NE 133rd St & 211th Way NE	3/1/2007	Selling Lots & Homes	507 J5	11,000	$495,000 $2,953,439	3,246 5,336	$200 $372	$2,248,000 $2,248,000	49	36	3/1/2000	0.43	2	1	Oct 2007
2	Patterson Creek (The Reserve at) NE Union Hill Rd & NE Patterson Wy	3/8/2007	Selling Lots & Homes	538 D6	70,000	$930,000 $1,895,000	3,988 7,577	$201 $353	$1,200,000 $1,200,000	31	21	1/15/1999	0.21	7	1	Apr 2010
3	Trilogy at Redmond Ridge: Cedar Heights 232nd Ave NE & Adair Creek Way NE	3/8/2007	Selling Homes	508 C5	7,500	$397,499 $803,499	1,199 3,082	$253 $336	$397,499 $803,499	207	34	1/16/2006	2.49	171	2	Jan 2013
4	Trilogy at Redmond Ridge: Meadow Sun Break Way NE & NE 126th St	3/8/2007	Selling Homes	508 C5	7,000	$264,900 $1,017,978	1,185 3,082	$197 $414	$413,999 $473,999	274	269	11/1/2003	6.69	0	1	Apr 2007
5	Trilogy at Redmond Ridge: Skyline NE 133rd St & 232nd Ave NE	3/8/2007	Selling Homes	508 C5	7,500	$279,556 $997,737	1,199 3,082	$157 $360	$561,029 $889,009	226	202	1/16/2006	14.77	8	16	May 2007
6	Tyler's Creek 182nd Ave NE & NE 110th Wy	3/8/2007	Selling Homes	507 E7	4,300	$599,950 $689,950	2,245 3,466	$199 $272	$599,950 $689,950	90	16	1/1/2007	7.37	72	2	Jan 2008
	Totals									**877**	**578**		**31.96**	**260**	**23**	**Dec 2007**

Projected Sellout is calculated using the formula: (Lots or Homes Avail / Avg Mnth Sales) = # of months until sellout
Note: This information is accurate to the extent that records are provided by builders and their representatives.
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NewHomeTrends
DATA•RESEARCH•CONSULTING

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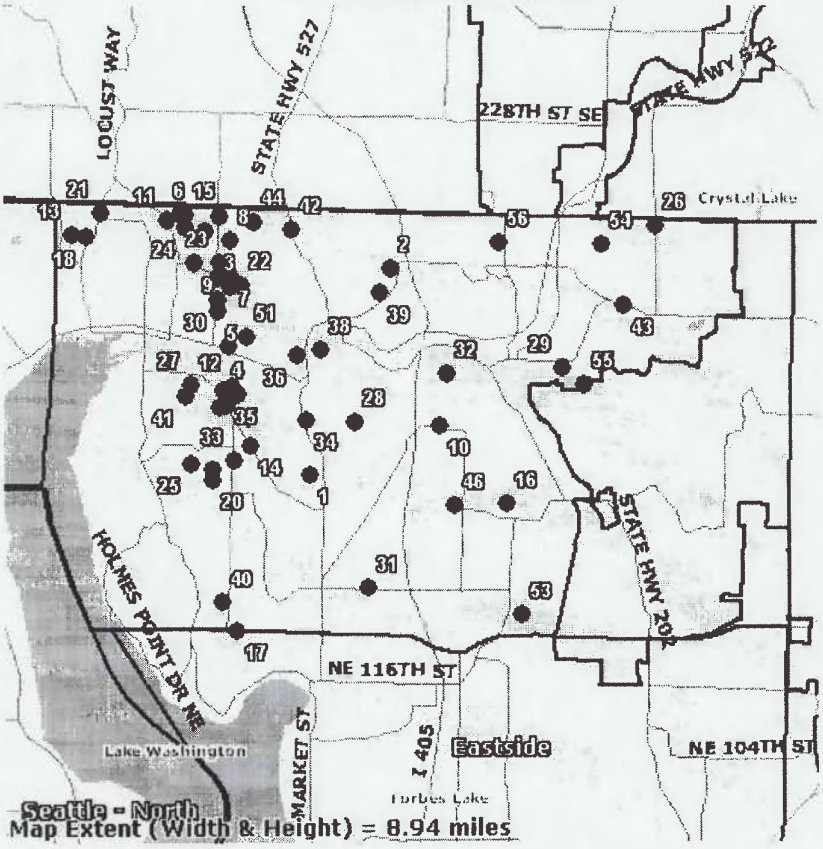
Selection Criteria	
County	King
Market Area	Northshore
Status	Review, Litigation, Prelim. Approval, Extension

Market Area Summary for Northshore (using the criteria above)	
Developments	58
Curr Lot Total	1,336

Proposed Detached Plats for Northshore Market Area



1 Bentley Plat
2 Bothell Heights
3 Brookstone
4 Canyon View
5 Clearwater
6 Cort Addn to Kenmore
7 Double Eagle
8 East Creek Village
9 Federov Plat
10 Haley's Park
11 Hanks
12 Hawthorne Glen
13 Himmelman Long Plat
14 Inglemoor Heights
15 Jackson Heights
16 Kirkland Ridge
17 Kirkwood
18 Lake Forest Park Plat
19 Lee's Meadow Land
20 Luke
21 Lyons Plat
22 Madison Hill
23 Malia Estates
24 McKenzie Place
25 Mike Jacobsen
26 Montevallo
27 Northshore Ridge
28 Norway Heights
29 One Fortieth Place
30 Osgood Property
31 Parhaniemi Estates
32 Park Place
33 Pearson Estates
34 Pipers Glen
35 Quail Ridge
36 Riddell Short Plat
37 Ridgewood
38 Riverwalk
39 Ross Road Estates
40 Royal Crest
41 Shannon Ridge
42 Spirit Ridge
43 Stout Property
44 Tassel
45 TEC Long Plat
46 Totem Green
47 Traditions
48 Turner Plat
49 Walters
50 West Creek Village
51 Westwood Heights
52 Whitmore Konkler
53 Willows Assembly
54 Wood Trails
55 Woodin Creek Estates
56 Woodmark Meadows 8
57 Wynfield Meadows
58 Wynfield Meadows South

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Proposed Detached Plats for Northshore Market Area

Map Index	Plat Name	City	Map Page Grid	Market Area	Curr Lot Total	Typ Lot Size	Status	Appl Date	Hearing Date	Prelim Appr Date
1	Bentley Plat 14500 100th Ave NE	Bothell	506 D2	Northshore	128	9,600	Prelim. Approval	7/13/2004	11/1/2005	12/1/2005
2	Bothell Heights 19229 Ross Rd	Bothell	476 E5	Northshore	59	8,600	Review	2/27/2006		
3	Brookstone 18725 82nd Ave NE	Kenmore	476 B5	Northshore	6	5,400	Prelim. Approval	3/30/2006	5/30/2006	6/13/2006
4	Canyon View 16324 84th Ave NE	Kenmore	506 B1	Northshore	16	4,500	Review	8/19/2005		
5	Clearwater 18117 80th Ave NE	Kenmore	476 B6	Northshore	7	5,200	Prelim. Approval	8/26/2004	7/14/2005	8/11/2005
6	Cort Addn to Kenmore 20219 75th Ave NE	Kenmore	476 A4	Northshore	10	4,500	Prelim. Approval	6/24/2003	2/6/2004	2/18/2004
7	Double Eagle 8206 NE 190th St	Kenmore	476 B5	Northshore	6	4,600	Review	8/25/2005		
8	East Creek Village 19600 83rd Ave NE	Kenmore	476 B4	Northshore	65	4,500	Review	9/23/2005		
9	Federov Plat 76th Ave NE at NE 192nd St (7622 NE 192nd St)	Kenmore	476 A4	Northshore	8	4,500	Prelim. Approval	3/16/2004	8/26/2004	9/10/2004
10	Haley's Park 16031 119th Pl NE	King County	506 F1	Northshore	38	3,100	Prelim. Approval	12/30/2004	6/27/2006	7/11/2006
11	Hanks 20116 73rd Ave NE	Kenmore	476 A4	Northshore	18	4,600	Review	4/20/2006		
12	Hawthorne Glen 84th Ave NE at NE 166th St. (NW of intersection)	Kenmore	476 B7	Northshore	20	9,000	Prelim. Approval	4/14/2000	8/28/2001	10/12/2001
13	Himmelman Long Plat NE 198th Pl. at 58th Ave. NE (NE of intersection)	Kenmore	475 G4	Northshore	13	4,500	Prelim. Approval	10/3/2002	3/31/2004	4/10/2004
14	Inglemoor Heights NE 155th St & Simonds Rd NE	Kenmore	506 B1	Northshore	10	4,800	Review	4/14/2005		
15	Jackson Heights 20115 75th Ave NE	Kenmore	476 A4	Northshore	9	4,500	Review	10/27/2005		
16	Kirkland Ridge 13104 NE 144th Pl	King County	506 H3	Northshore	6	8,500	Review	6/2/2005		
17	Kirkwood 8575 NE 124th St	King County	506 B5	Northshore	18	3,900	Prelim. Approval	11/24/2004	11/19/2005	12/8/2005
18	Lake Forest Park Plat 60th Ave NE at NE 198th Pl (19920 60th Ave NE)	Kenmore	475 H4	Northshore	32	4,700	Prelim. Approval	1/20/1998	4/10/2003	3/5/2003
19	Lee's Meadow Land 8034 NE 190th St	Kenmore	476 B5	Northshore	6	6,300	Prelim. Approval	4/4/2001		9/17/2005
20	Luke 14706 81st Ave NE	Kenmore	506 B2	Northshore	9	8,000	Prelim. Approval	12/21/2004	5/5/2005	5/17/2005
21	Lyons Plat 20237 62nd Ave NE	Kenmore	475 H4	Northshore	13	4,500	Prelim. Approval	12/23/2004	7/28/2005	8/12/2005
22	Madison Hill NE 190th St & 84th Pl NE	King County	476 B5	Northshore	20	8,800	Prelim. Approval	11/12/2004	1/12/2006	1/26/2006
23	Malia Estates 20015 80th Ave NE	Kenmore	476 A4	Northshore	10	6,200	Review	1/11/2006		
24	McKenzie Place 19925 75th Ave NE	Kenmore	476 A4	Northshore	8	4,500	Prelim. Approval	3/31/2005	5/30/2006	6/14/2006
25	Mike Jacobsen 15000 78th Ave NE	Kenmore	506 A2	Northshore	11	4,800	Review	1/19/2006	8/23/2006	
26	Montevallo 156th Ave NE & NE 203rd Pl	Woodinville	477 B4	Northshore	66	5,500	Review	11/8/2004	3/15/2007	
27	Northshore Ridge NE 166th St & Simonds Rd NE	Kenmore	476 B7	Northshore	12	6,100	Prelim. Approval	7/2/2003	4/8/2004	5/13/2004
28	Norway Heights 104th Ave NE & NE 161st St	King County	506 D1	Northshore	9	6,500	Prelim. Approval	1/13/1998	12/7/2001	3/19/2002
29	One Fortieth Place 14041 NE 171st St	Woodinville	476 J7	Northshore	12	4,500	Review	6/15/2006	9/28/2006	

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30	Osgood Property 18308 80th Ave NE	Kenmore	476 A5	Northshore	13	4,600	Prelim. Approval	7/28/2005	11/17/2005	12/8/2005
31	Parhaniemi Estates NE 132nd St & 108th Ave NE	King County	506 D4	Northshore	19	3,700	Review	7/12/2005		
32	Park Place Juanita-Woodinville Wy NE & Woodcrest Dr NE (12000 Brickyard Rd)	Bothell	476 G7	Northshore	20	3,800	Review	9/22/2006		
33	Pearson Estates 15108 84th Ave NE	Kenmore	506 B2	Northshore	6	4,500	Review	6/29/2006		
34	Pipers Glen 16106 Waynita Way NE	Bothell	506 C1	Northshore	83	9,600	Review	12/28/2004		
35	Quail Ridge 16406 Simonds Rd	Kenmore	476 B7	Northshore	6	5,300	Review	9/14/2004		
36	Riddell Short Plat 95th Ave NE & NE 173rd Pl	King County	476 C7	Northshore	9	6,100	Prelim. Approval	7/9/2004	3/13/2005	3/25/2005
37	Ridgewood 16337 Simonds Rd NE	Kenmore	506 B1	Northshore	10	4,500	Prelim. Approval	8/25/2005	10/5/2005	10/14/2005
38	Riverwalk 17304 West Riverside Dr	Bothell	476 D7	Northshore	43	8,200	Review	1/26/2006		
39	Ross Road Estates 18704 Ross Rd	Bothell	476 E5	Northshore	6	5,600	Review	7/18/2005	4/13/2006	
40	Royal Crest 84th Ave NE & NE 112th Ct	King County	506 B5	Northshore	6	5,000	Review	2/10/2006		
41	Shannon Ridge NE 165th St & 74nd Ave NE (SW of intersection)	Kenmore	476 A7	Northshore	10	7,000	Review	12/15/2005		
42	Spirit Ridge 20102 Bothell Wy NE	Bothell	476 C4	Northshore	0	3,000	Review	8/28/2006		
43	Stout Property 15111 NE Woodinville-Duvall Rd	Woodinville	477 A6	Northshore	12		Review	10/31/2006		
44	Tassel 88th Ave NE & NE 203rd St (SW of intersection)	King County	476 B4	Northshore	19	6,600	Prelim. Approval	3/5/2003	10/7/2003	10/20/2003
45	TEC Long Plat 16315 Simonds Rd NE	Kenmore	476 B7	Northshore	13	4,500	Review	12/18/2006		
46	Totem Green NE 144th St & 122nd Pl NE	King County	506 F3	Northshore	23	2,700	Review	11/16/2005	3/6/2007	
47	Traditions 14918 81st Ave NE	Kenmore	506 B2	Northshore	10	6,700	Prelim. Approval	11/29/2004	4/21/2005	4/28/2005
48	Turner Plat 8221 NE 166th St	Kenmore	476 B7	Northshore	6	4,500	Prelim. Approval	3/31/2004	9/16/2004	9/28/2004
49	Walters 8343 NE 175th St	Kenmore	476 B6	Northshore	5	9,500	Review	4/25/2006		
50	West Creek Village 19223 80th Ave NE	Kenmore	476 B5	Northshore	39	4,500	Review	8/19/2005		
51	Westwood Heights 17802 86th Ave NE	King County	476 B6	Northshore	9	5,500	Prelim. Approval	4/15/1999	12/11/2003	12/16/2003
52	Whitmore Konkler 15829 88th Ave NE	Kenmore	506 B1	Northshore	6	5,500	Review	8/3/2005		
53	Willows Assembly 13042 136th Ave NE	King County	506 H5	Northshore	51	3,500	Review	11/18/2005		
54	Wood Trails 148th Ave NE & NE 195th St	Woodinville	477 A5	Northshore	66	7,000	Review	6/18/2004	3/14/2007	
55	Woodin Creek Estates 14235 NE 171st St	King County	476 J7	Northshore	21	5,400	Prelim. Approval	12/22/2004	10/31/2006	11/21/2006
56	Woodmark Meadows 8 19809 130th Ave NE	King County	476 H4	Northshore	56	3,400	Prelim. Approval	12/22/2004	9/7/2005	9/26/2005
57	Wynfield Meadows 19919 80th Ave NE (also 7631 NE 200th St)	Kenmore	476 B4	Northshore	84	4,500	Prelim. Approval	6/6/2003	8/11/2004	8/25/2004
58	Wynfield Meadows South NE 195th St at 76th Ave NE	Kenmore	476 A4	Northshore	40	4,500	Prelim. Approval	4/19/2004	4/29/2005	5/21/2005
Totals: 58					**1336**					

Projected Sellout is calculated using the formula: (Lots or Homes Avail / Avg Mnth Sales) = # of months until sellout
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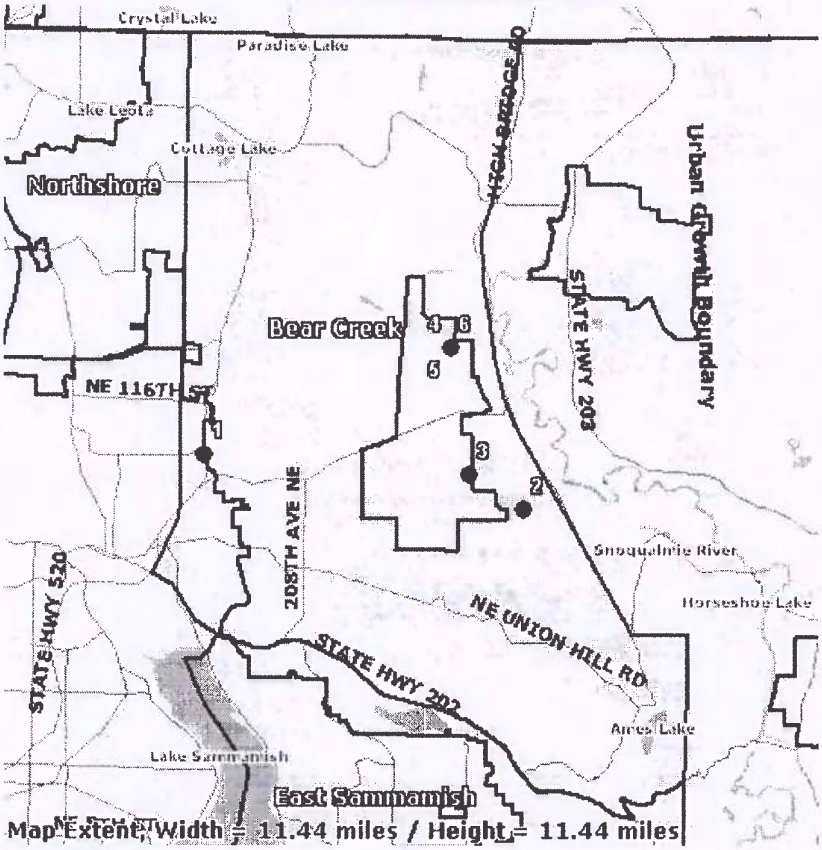
NewHomeTrends
DATA•RESEARCH•CONSULTING

Selection Criteria	
County	King
Market Area	Bear Creek
Status	Review, Litigation, Prelim. Approval, Extension

Market Area Summary for Bear Creek (using the criteria above)	
Developments	6
Curr Lot Total	1,532

Proposed Detached Plats for Bear Creek Market Area



1 Avondale Crest
2 Panhandle Preliminary Plat
3 Redmond Ridge: East
4 Trilogy at Redmond Ridge: Div 4
5 Trilogy at Redmond Ridge: Ph 3
6 Trilogy at Redmond Ridge: Ph 7

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Proposed Detached Plats for Bear Creek Market Area

Map Index	Plat Name	City	Map Page Grid	Market Area	Curr Lot Total	Typ Lot Size	Status	Appl Date	Hearing Date	Prelim Appr Date
1	Avondale Crest Avondale Rd NE & NE 104th St	Redmond	537 E1	Bear Creek	9	7,400	Review	5/9/2005	11/13/2006	
2	Panhandle Preliminary Plat NE 100th St & 248th Ave NE (SE of intersection)	King County	538 E4	Bear Creek	20	125,000	Prelim. Approval	10/29/2002	2/22/2005	6/28/2005
3	Redmond Ridge: East NE Novelty Hill Rd at 244th Ave NE	King County	508 D7	Bear Creek	800	5,000	Review	3/3/2003	2/22/2005	
4	Trilogy at Redmond Ridge: Div 4 23600 Novelty Hill Rd (Btwn. West Snoqualmie Valley Rd & 226th NE Btwn. Novelty Hill Rd & NE 140th)	King County	508 C5	Bear Creek	187	4,000	Prelim. Approval	10/5/1994	12/6/2000	12/18/2000
5	Trilogy at Redmond Ridge: Ph 3 23600 Novelty Hill Rd (Btwn. West Snoqualmie Valley Rd & 226th NE Btwn. Novelty Hill Rd & NE 140th)	King County	508 C5	Bear Creek	298	4,000	Prelim. Approval	10/5/1994	12/19/1995	12/18/2000
6	Trilogy at Redmond Ridge: Ph 7 23600 Novelty Hill Rd (West Snoqualmie Valley Rd & 226th NE Btwn. Novelty Hill Rd & NE 140th)	King County	508 C5	Bear Creek	218	4,000	Prelim. Approval	10/5/1994	12/19/1995	12/18/2000
Totals: 6					**1532**					

Projected Sellout is calculated using the formula: (Lots or Homes Avail / Avg Mnth Sales) = # of months until sellout
Note: This information is accurate to the extent that records are provided by builders and their representatives.
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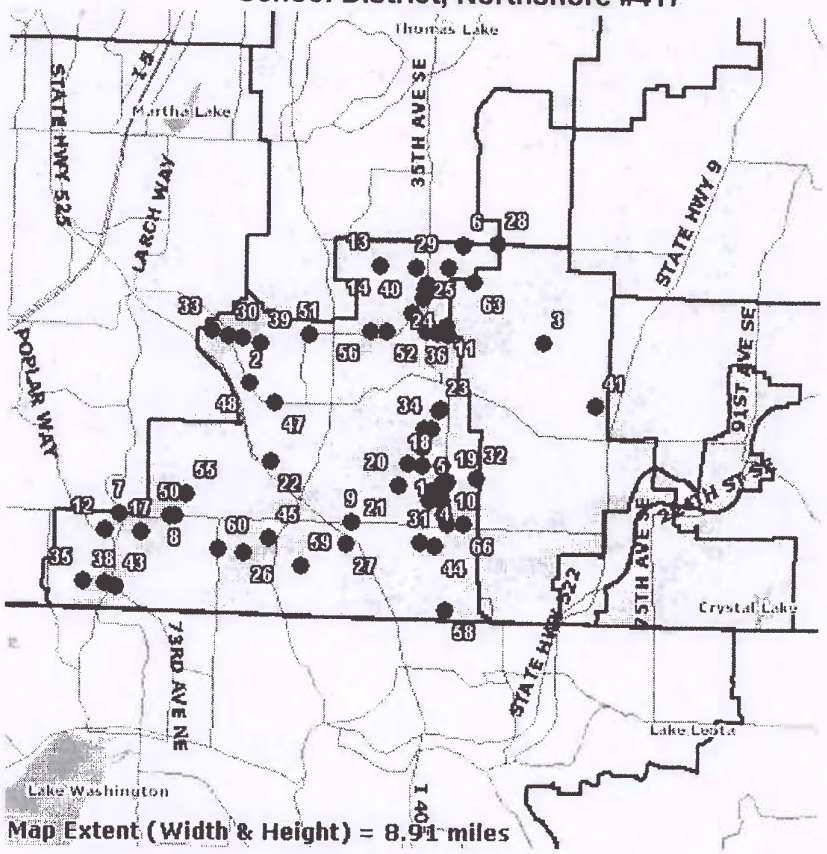
Selection Criteria	
County	Snohomish
Status	Review, Litigation, Prelim. Approval, Extension

School District Summary for Northshore #417 (using the criteria above)	
Developments	66
Curr Lot Total	2,277

Proposed Detached Plats for School District, Northshore #417



Map Extent (Width & Height) = 8.91 miles

1 Aristata
2 Autumn Crest
3 Back & Beyond
4 Beaumont
5 Beaumont 2
6 Brookfield Lane
7 Brookview 2
8 Canyon Estates
9 Canyon Village
10 Canyon's Glen
11 Carlson Addn
12 Charles Brown Plat
13 Cheng Short
14 Chong
15 Clairmont 2
16 Clairmont 3
17 Cottages at Wandering Creek
18 Cox / EMR
19 Critchlow Short Plat
20 Crown Woods
21 Crown Woods 2
22 Crystal Springs Estates
23 David Graber Short Plat
24 Dewilde
25 Dewilde
26 Erin Estates
27 Fairchild Plat
28 Fairfield
29 Ferncress
30 Filbert Road
31 Harvest Run
32 Heights at Belmont
33 Highland Court
34 Inman Estates
35 Jefferson
36 Jewell Assemblage
37 John Granier
38 Jordan Creek
39 Lang
40 Leonesse
41 Lincolnshire
42 Lind Short Plat
43 Lockwood Place
44 Mirassou
45 Mordevco
46 Morris Short Plat
47 Muriel's Landing
48 Nellis Road LDMR
49 Nelson Meadows
50 New Locus
51 North Creek Court
52 Pelan
53 Perra
54 Pioneer Heights PRD
55 Quail Ridge
56 Sarah Heights
57 SCH P-1
58 Serena Detached Condos
59 Sewell Place
60 Shelton Estates
61 Sinclair Woods
62 Sutherland Park
63 Timber Creek Ranch PRD
64 Trail Ridge Heights
65 Westcastle
66 Westlake Heights

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Proposed Detached Plats for School District, Northshore #417

Map Index	Plat Name	City	Map Page Grid	Market Area	Curr Lot Total	Typ Lot Size	Status	Appl Date	Hearing Date	Prelim Appr Date
1	Aristata 21809 35th Ave SE	Snohomish County	456 F7	North Creek	51	4,700	Review	8/31/2006		
2	Autumn Crest 12613 38th Ave SE	Snohomish County	456 B5	North Creek	36		Prelim. Approval	5/23/2006	10/24/2006	11/13/2006
3	Back & Beyond 19521 51st Ave SE	Snohomish County	456 A4	North Creek	32	23,000	Prelim. Approval	3/28/2005	6/8/2006	7/14/2006
4	Beaumont 39th Ave SE & 223rd St SE	Snohomish County	476 G1	North Creek	54	5,000	Prelim. Approval	8/8/2005	1/24/2006	2/7/2006
5	Beaumont 2 22308 39th Ave SE	Snohomish County	476 F1	North Creek	15	5,611	Prelim. Approval	7/10/2006	2/20/2007	3/7/2007
6	Brookfield Lane 4108 180th St SE	Snohomish County	456 G3	North Creek	25	5,000	Prelim. Approval	7/27/2004	7/12/2005	7/26/2005
7	Brookview 2 Locust Wy & 228th St SW (1615 228th St SW)	Snohomish County	475 J1	Alderwood	11	7,150	Prelim. Approval	8/25/1998	9/18/2002	9/27/2002
8	Canyon Estates 719 228th St SW	Bothell	476 A1	Alderwood	11	7,300	Prelim. Approval	9/27/2005	4/27/2006	5/4/2006
9	Canyon Village 2216 228th St SE	Bothell	476 D2	North Creek	14	3,500	Prelim. Approval	4/2/2004		
10	Canyon's Glen 4004 228th St SE	Snohomish County	476 G2	North Creek	19	4,400	Review	8/11/2006		
11	Carlson Addn 19218 39th Ave SE	Snohomish County	456 G4	North Creek	42	3,200	Review	11/7/2006		
12	Charles Brown Plat 1929 Atlas Rd	Snohomish County	475 H2	Alderwood	22	4,000	Prelim. Approval	9/16/2004	6/23/2006	7/7/2006
13	Cheng Short 2620 186th Pl SE	Snohomish County	456 E3	North Creek	5	9,000	Review	11/14/2005		
14	Chong 2620 186th Pl SE	Snohomish County	456 E3	North Creek	5	6,500	Review	11/14/2005		
15	Clairmont 2 22221 39th Ave SE Bothell	Snohomish County	476 G1	North Creek	30	5,500	Prelim. Approval	7/31/2006	1/17/2007	2/5/2007
16	Clairmont 3 22229 39th Ave SE	Snohomish County	476 G1	North Creek	15	6,500	Prelim. Approval	10/30/2006	1/17/2007	2/5/2007
17	Cottages at Wandering Creek 1232 231st St SW	Snohomish County	475 J2	Alderwood	12	2,500	Prelim. Approval	4/8/2003	6/22/2004	7/7/2004
18	Cox / EMR 21906 39th Ave SE	Snohomish County	456 F7	North Creek	70		Prelim. Approval	2/1/2006	10/10/2006	10/24/2006
19	Critchlow Short Plat 22021 39th Ave SE	Snohomish County	476 F1	North Creek	5	7,290	Review	12/20/2005		
20	Crown Woods 22131 31st Ave SE	Bothell	476 E1	North Creek	22	10,000	Prelim. Approval	4/21/2005	11/9/2006	11/16/2006
21	Crown Woods 2 22131 31st Ave SE	Bothell	476 E1	North Creek	34	9,600	Review	3/17/2006		
22	Crystal Springs Estates 21724 & 21810 9th Ave SE	Bothell	456 C7	North Creek	28	9,800	Prelim. Approval	6/28/2005	6/29/2006	9/6/2006
23	David Graber Short Plat 20822 39th Ave SE	Snohomish County	456 F6	North Creek	9	7,900	Review	1/19/2005		
24	Dewilde 18905 Grannis Rd	Snohomish County	456 F4	North Creek	7	3,700	Prelim. Approval	5/23/2006	11/15/2006	11/29/2006
25	Dewilde 18911 Grannis Rd	Snohomish County	456 F4	North Creek	9	4,300	Prelim. Approval	5/23/2006	11/15/2006	11/29/2006
26	Erin Estates 23408 3rd Ave SE	Bothell	476 B2	Alderwood	13	10,500	Prelim. Approval	10/5/2005	7/13/2006	7/20/2006
27	Fairchild Plat 2221 232nd St SE	Bothell	476 E2	North Creek	24	9,600	Review	7/6/2006		
28	Fairfield 4628 180th St SE	Snohomish County	456 G3	North Creek	25	4,700	Prelim. Approval	10/14/2004	9/14/2005	9/28/2005
29	Ferncress 3831 186th St SE	Snohomish County	456 F3	North Creek	25	4,972	Prelim. Approval	6/5/2006	12/6/2006	1/2/2007
30	Filbert Road 19707 Filbert Rd	Snohomish	456	North Creek	15	4,000	Review	8/14/2006		

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		County	B5							
31	Harvest Run 23033 35th Ave SE	Snohomish County	476 F2	North Creek	48	3,811	Prelim. Approval	5/20/2005	1/10/2006	1/25/2006
32	Heights at Belmont 21924 45th Ave SE	Snohomish County	476 G1	North Creek	57	6,500	Prelim. Approval	9/13/2005	3/14/2006	3/28/2006
33	Highland Court 19524 Bartlett Rd	Snohomish County	456 B5	North Creek	46		Review	3/3/2006		
34	Inman Estates 3724 212th St SE	Snohomish County	456 F7	North Creek	11	5,400	Prelim. Approval	8/23/2005	2/2/2006	2/17/2006
35	Jefferson 23925 23rd Ave W	Snohomish County	475 H3	Alderwood	8	8,000	Prelim. Approval	5/20/2004	12/2/2004	12/17/2004
36	Jewell Assemblage 3624 195th St SE	Snohomish County	456 F4	North Creek	246	3,200	Prelim. Approval	1/19/2006	12/6/2006	12/20/2006
37	John Granier 20822 39th Ave SE	Snohomish County	456 F6	North Creek	9	8,900	Prelim. Approval	6/15/2004	3/16/2005	3/30/2005
38	Jordan Creek 24100 Locust Way	Snohomish County	475 H3	Alderwood	15	4,500	Prelim. Approval	11/30/2005	8/1/2006	8/24/2006
39	Lang 19916 Filbert Dr	Snohomish County	456 C5	North Creek	9	6,700	Prelim. Approval	6/30/2005	1/4/2006	1/18/2006
40	Leonesse 19327 Grannis Rd	Snohomish County	456 F4	North Creek	12	3,100	Review	6/5/2006		
41	Lincolnshire 20700 SR9 SE	Snohomish County	457 A6	North Creek	17	43,600	Prelim. Approval	11/14/2005	6/6/2006	7/6/2006
42	Lind Short Plat 22611 39th Ave SE	Snohomish County	476 B1	North Creek	9	6,000	Review	11/13/2006		
43	Lockwood Place 24023 Lockwood Rd	Snohomish County	475 H3	Alderwood	17	3,800	Prelim. Approval	4/19/2006	2/7/2007	2/22/2007
44	Mirassou 4129 228th St SE	Snohomish County	476 G1	North Creek	30	7,426	Review	9/25/2006	3/1/2007	
45	Mordevco 23107 7th Ave SE	Bothell	476 C2	Alderwood	34	5,400	Review	2/23/2006		
46	Morris Short Plat 3509 & 3521 212th St SE	Snohomish County	456 F7	North Creek	6	6,500	Review	2/5/2007		
47	Muriel's Landing 20819 9th Ave SE	Bothell	456 C6	North Creek	22	9,800	Review	1/12/2006		
48	Nellis Road LDMR 411 Nellis Rd	Snohomish County	456 B5	North Creek	23	3,600	Review	2/13/2006		
49	Nelson Meadows 21509 35th Ave SE Bothell	Snohomish County	456 F7	North Creek	31	6,200	Review	8/7/2006		
50	New Locus 1010 228th St SW	Snohomish County	475 J1	Alderwood	127	4,000	Review	9/11/2006		
51	North Creek Court 19807 13th Dr SE	Snohomish County	456 C5	North Creek	12	2,400	Review	12/6/2006		
52	Pelan 2805 196th St SE	Snohomish County	456 E5	North Creek	5	10,000	Prelim. Approval	4/22/2004	7/27/2004	8/11/2004
53	Perra 19324 39th Ave SE	Snohomish County	456 F4	North Creek	29	4,000	Review	11/1/2006		
54	Pioneer Heights PRD 18605 35th Ave SE	Snohomish County	456 F3	North Creek	43	4,500	Review	10/16/2006	4/4/2007	
55	Quail Ridge 600 224th St SW	Bothell	476 A1	Alderwood	14	9,600	Review	7/9/2004		
56	Sarah Heights 2503 196th St SE	Snohomish County	456 E4	North Creek	22	1,197	Prelim. Approval	3/15/2006	8/30/2006	9/14/2006
57	SCH P-1 180th St SE & 35th Ave SE	Snohomish County	456 F3	North Creek	20	13,885	Review	9/7/2006	4/11/2007	
58	Serena Detached Condos 24209 39th Ave SE	Bothell	476 F3	North Creek	12	2,800	Review	8/9/2004		
59	Sewell Place 23606 15th Ave SE	Bothell	476 D3	Alderwood	5	13,000	Prelim. Approval	10/4/2005	8/4/2006	8/11/2006
60	Shelton Estates 23307 Meridian Ave S	Bothell	476 B2	Alderwood	32	8,800	Prelim. Approval	6/29/2006	8/15/2006	8/29/2006
61	Sinclair Woods 39th Ave SE & 228th St SE	Snohomish County	476 F1	North Creek	125	4,128	Prelim. Approval	3/7/2006	11/15/2006	11/29/2006
62	Sutherland Park 22526 39th Ave SE	Snohomish County	476 F1	North Creek	29	4,500	Prelim. Approval	11/14/2005	4/19/2006	5/2/2006
		Snohomish	456							

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63	Timber Creek Ranch PRD 18723 43rd Ave SE	County	G3	North Creek	301	3,100	Review	10/2/2006		
64	Trail Ridge Heights 19520 35th Ave SE	Snohomish County	456 F4	North Creek	29	3,200	Review	10/23/2006		
65	Westcastle 3100-3300 218th St SE	Bothell	456 E7	North Creek	67	9,700	Prelim. Approval	7/7/2006	8/18/2006	8/24/2006
66	Westlake Heights 4220 228th St SE	Snohomish County	476 G2	North Creek	70	4,500	Prelim. Approval	11/29/2005	9/19/2006	9/27/2006
Totals: 66					**2277**					

Projected Sellout is calculated using the formula: (Lots or Homes Avail / Avg Mnth Sales) = # of months until sellout
Note: This information is accurate to the extent that records are provided by builders and their representatives.
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PUGET SOUND
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Home builders hold off

Slumping sales of lots could presage fewer new houses for region

By JEANNE LANG JONES
STAFF WRITER

A key future indicator of the housing market is down sharply, but that could be a good thing, local real estate executives are saying.

Puget Sound area home builders have been buying substantially fewer finished lots from residential developers as the builders try to gauge the demand for their new homes in the months ahead.

Builders buying fewer lots today could mean fewer new homes tomorrow.

"Finished lots are hanging around longer than they have in quite some time," said consultant Matt Gardner, a principal at Gardner Johnson LLC in Seattle.

Residential lot sales in King County fell 39 percent last year compared with 2005, while lot sales dropped 22 percent in Snohomish County and 15 percent in Pierce County, according to Gardner.

Several factors have made home builders more cautious about adding to their inventory of lots. The

See LOTS, Page 73

Sodo gone?

Land rezone efforts spur fear of industrial use loss

By STEVE WILHELM
AND JEANNE LANG JONES
STAFF WRITERS

For more than a decade, immigration attorney Henry Liebman has been quietly buying land in Sodo, the industrial area south of Seattle's sports stadiums.

Over time, and using money from immigrants seeking U.S. Green Cards, he has assembled nearly 40 acres under a federal program promoting job creation in distressed areas.

Liebman figures he and his firm's investors now own about one-fifth of the property in Sodo, including a handful of Sodo buildings he owns personally.

Liebman is among a number of property owners and developers who are challenging the boundaries of Seattle's industrial zones. They are seeking to open areas that were traditionally devoted to manufacturing and shipping to offices, shops, restaurants and even housing. In doing so, they have raised the hackles of established industrial business owners, who see groups encroaching on Seattle's

See SODO, Page 71

Slow going

Local bid to house families of injured vets falling short

BY CLAY HOLTZMAN
STAFF WRITER

As public concern over military medical care continues across the country, a volunteer fundraising campaign to create a facility in Seattle for the families of injured veterans is stalling.

Over the campaign's nine months, a dozen volunteers have raised about $300,000, a fraction of the campaign's $2 million goal and a fraction of the donor support generated for similar projects in other cities.

Local campaign organizers blame their own inexperience and lack of big-name volunteers, rather than any shortage of local support for military personnel.

"There is a lot of money given in this community, but there is a lot of competition. That is the reality," said Rod Skaar, a test pilot for Boeing who is chairman of the local fundraising effort. "I really don't think there is apathy toward veterans."

See STALLED, Page 73

BUSINESS JOURNAL PHOTOS/DAN SCHLATTER

Seattle police officers Katrina Stuckey (left) and Andrew West talk to a woman after seizing a white "rock," visible on the curb, that field-tested positive for cocaine. Belltown business owner Scott Goldader (below) says his company is moving because of drug activity and the uncertain future of the Alaskan Way Viaduct.

Culture clash

Belltown uneasy over drug activity

By HEIDI DIETRICH
STAFF WRITER

Under the shadow of the Alaskan Way Viaduct, Seattle police officers Katrina Stuckey and Andrew West seize a crack pipe and a rock of cocaine from a woman in Belltown who is about to light up.

They've seen her many times before — usually without shoes — and she tells them she bought the coke with $10 she found on the street. West enters the in-

See BELLTOWN, Page 72

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LOTS: *New home construction could be in for slowdown*

FROM PAGE 1

gap is widening between the high prices of homes and what buyers can afford to pay. The inventory of unsold homes is creeping up. And the housing market is decelerating.

The builders' caution, however, likely will help protect the market from an overbuilding spurt that could lead to a downdraft in sales prices.

The region's largest home builder, Bellevue-based Quadrant Homes — whose business model is based on its ability to build six homes a day — is among those that have cut back on purchasing lots for new development. Home builders typically figure the cost of the lot should make up no more than a third of the final home price.

"Everybody is in a bit of a wait-and-see mode," said Quadrant President Peter Orser. "The sellers are not willing to reduce their prices and the buyers aren't willing to pay prices that represent peak values. Either you have enough lots already to sustain yourself and you can just take a breather — that is our case — or you're reducing your production, or will shortly."

With the mortgage industry in turmoil over subprime lending, Orser is keeping a close eye on any policy changes that might affect the first-time buyers who are his customers.

Meanwhile, Seattle developer Mike Mastro Sr. is feeling the squeeze. Mastro Properties has more than 3,000 residential lots to sell, mainly in Pierce County, and his sales are off compared with last year.

"Our deliveries are being put off or slowed up," said Mastro. "Builders per se are more cautious. They are taking down fewer lots at a time and checking their inventory."

But Mastro said he is not too concerned, because the strong regional economy continues to attract new residents to the Puget Sound area, helping support lot prices. He expects revenue in excess of $120 million on sales of 1,000 lots this year.

RISING PRICES AND SLOWING SALES

As local home builders confront rising prices for lots, they are buying fewer of them. In King County, for example, builders bought 39 percent fewer finished sites for homes in 2006 than the year before. This could presage a slowdown in residential construction.

Source: Gardner Johnson LLC

Right now, the housing market is working through some of the inventory that built up in the fall as prospective home buyers sat on the fence, said Todd Britsch, president of New Home Trends, a research firm in Mill Creek.

"Our market slowed down in the third quarter because the rest of the country slowed down," Britsch said, "and there was a fear factor involved."

Helping put the brakes on lot sales: consumer perception that the Puget Sound area would have to grapple with the pricing drops facing overbuilt markets such as Phoenix or the massive mortgage defaults troubling cities such as Detroit.

"The biggest problem is what we read and hear is doom and gloom," Gardner said, "therefore, we think doom and gloom."

While there will be people who lose their homes in foreclosure, it won't be as common as in other parts of the country, he said. Subprime mortgages account for 7.8 percent of mortgages in Washington state, he said, with just 7.5 percent of that total in foreclosure.

Also easing buyers' concerns are the Puget Sound region's strong job growth and in-migration of highly paid tech workers.

But even though housing sales have stepped back up, said New Home Trends' Britsch, "the boom is over."

"We saw record price increases for two years," he said. "It has to stop somewhere in order to maintain a healthy market, and it did."

He expects the robust local economy and low interest rates will buoy the region's housing market as it decelerates.

"Historically, when we've come out of one of these big booms we haven't had something else immediately driving the housing market," Britsch said. "There's always been a 12- to 18-month resting period — that we will not see this time."

He expects lot prices and home prices will increase about 5 percent this year — not the double-digit increases of years past, but not shabby either.

Several experts said gains in value will vary dramatically depending on whether houses are near the region's job centers or in outlying suburbs.

To continue to find affordable lots on which to build moderately priced new houses, Quadrant has had to expand beyond King, Pierce and Snohomish counties to a six-county area that also includes Kitsap, Skagit and Thurston counties.

"In the last couple of years, home prices have outpaced the growth of incomes on a percentage basis," Orser said, "and lot prices have outpaced the growth of home prices."

The firm's best-selling projects are now located in Kitsap County, Mount Vernon and Yelm.

Because of the growing affordability gap, the Puget Sound area is experiencing one of the largest migrations in its history as home buyers move farther north and south along the Interstate 5 Corridor, Britsch said.

People typically will pay a 10 percent to 15 premium for a new house over the cost of an older home, Britsch said. But lot prices in certain areas, coupled with soaring construction costs, helped push up the cost of new homes to that threshold. One solution would be to allow more townhomes and other types of smaller single-family housing, he said.

The slowdown in lot sales could give the housing market a needed breather to find new ways to bridge the affordability gap.

"If people can't afford the product, then we shouldn't be producing a product people are not willing to pay for," Orser said. "Where you can get in trouble is if you ignore the signs in the market.

"What I'm seeing is a prudent pause," he added, "but the problem is still there."

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STALLED: *Bid to house families of injured veterans lags*

FROM PAGE 1

Even a public service announcement recorded by Seattle Seahawks Coach Mike Holmgren hasn't given the campaign the major boost it needs.

The goal is to build near the Seattle Veterans Affairs medical center on Beacon Hill a facility that would provide temporary housing for the families of wounded veterans, much like the Ronald McDonald houses next to children's hospitals throughout the country.

Skaar, a retired lieutenant colonel in the Washington Air National Guard, volunteered for the fundraising committee because of his military roots. However, like other campaign volunteers, he lacks significant fundraising experience and has a full-time job.

And because the law prohibits federal employees from directly raising money, the Seattle Veterans Affairs medical center staff, who will manage the family-housing facility after it opens, cannot help.

"It is a daunting process," Skaar said. "It takes a lot of time, energy and commitment."

The 16,000-square-foot Seattle Fisher House, which could house seven families at a time, is the brainchild of the Rockville, Md.-based Fisher Foundation, which provides matching funds to start such facilities around the nation.

The foundation said that its network of 30 existing Fisher Houses — including one near Fort Lewis south of Tacoma — saved military families more than $10 million in lodging costs in 2006.

Medical and rehabilitation care for wounded soldiers and veterans came to national attention in February, when *The Washington Post* reported on substandard facilities and care at Walter Reed Medical Center in Washington, D.C. Subsequent media reports have added to the firestorm.

The planned Seattle Fisher House is part of a four-year plan to build 10 additional facilities at veterans hospitals throughout the country, a direct response to the growing number of soldiers returning from Iraq and Afghanistan with horrific injuries that require months of rehabilitation.

Unlike the Seattle campaign, fundraising efforts in other cities have gone much more smoothly.

When a campaign to put a Fisher House in Houston's Texas Medical Center was launched, the campaign chairman called a friend for help — former President George H. W. Bush. Five weeks later, the group reached its goal of $1.2 million.

Late last year in Richmond, Va., the Fisher House campaign led by a senior-level fundraiser collected just under $2 million in six months.

Experts say that in addition to a compelling cause that donors can connect with, leadership and experience are the most important aspects to executing any fundraising campaign.

"It's really all about the value and the worthiness of what they are trying to do and the relationship they have with the donors," said David Siebert, senior vice president and chief administrative officer with the Alford Group, a Seattle-based, nationwide consultant to nonprofit organizations.

With more than 600,000 outpatient and 9,000 inpatient visits a year, and centers for excellence in prosthetics engineering and mental illness research, as well as programs in trauma and post-deployment health, the Seattle VA medical center should continue to be a very busy facility as the wars in Iraq and Afghanistan continue.

Despite the fundraising challenges, Fisher Foundation officials say the foundation will make sure the facility is built in Seattle. But raising more money locally means there would be more money available for the next Fisher House somewhere else.

"It's important to note that fundraising is an ongoing process, and it continues through the start of the construction," said Jim Weiskopf, a vice president and director with the Fisher Foundation.

While the facility, which is expected to break ground some time in the next few months, will help soldiers returning from combat missions abroad, it will also help many soldiers who are injured stateside.

Garan Ruebush, an Army sergeant who was stationed at Fort Lewis, said having his family around to help has undoubtedly hastened his recovery. Today, the 31-year-old soldier is walking again and he hopes to return to his unit soon.

Every day since January, when her son slipped a disc and was paralyzed from the waist down, Jerrie Ruebush has commuted from the Fisher House at Fort Lewis to the Seattle Veterans Affairs hospital.

Without the Fisher House, Ruebush, who lives in Gentry, Ark., said she would not have been able to stay close to her son.

Having a Fisher House near the VA hospital in Seattle would be even better.

"That would be a blessing to have that so close," she said.

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Georgian Heights (by HS)							
Parcel #	Sale Date	Sale Price	Address		Built	Sq ft	
2738630010	**12/14/2005**	**$589,950**	13552 NE 200TH ST		2006	3,780	12,986
2738630020	**3/8/2006**	**$609,950**	13546 NE 200TH ST		2006	3,780	5,100
2738630030	**10/6/2005**	**$579,950**	13540 NE 200TH ST		2005	3,780	5,126
2738630040	**3/6/2006**	**$579,950**	13536 NE 200TH ST		2006	3,020	6,068
2738630050	**3/14/2006**	**$589,950**	20020 135TH AVE NE		2006	3,020	5,280
2738630060	**6/27/2006**	**$617,000**	20024 135TH AVE NE		2006	3,220	6,418
2738630070	**1/25/2006**	**$607,520**	20019 135TH AVE NE		2006	3,240	5,224
2738630080	**6/7/2006**	**$600,000**	20015 135TH AVE NE		2006	3,110	5,269
2738630090	**2/9/2006**	**$609,950**	13525 NE 200TH ST		2006	3,130	7,877
2738630100	**11/18/2005**	**$659,950**	13531 200TH AVE NE		2006	4031	6,694
2738630110	**2/22/2006**	**$579,950**	13537 NE 200TH ST		2006	4030	6,332
2738630120	**10/26/2005**	**$619,950**	13543 NE 200TH ST		2005	4,030	5,757
2738630130	**5/12/2006**	**$589,950**	13549 200TH AVE NE		2006	3,130	5,089
	N	13					
	Min	$579,950				3,020	5,100
	Max	$659,950				4,030	12,986
	Avg	$602,617				3,385	7,021
	Median	$600,000					
Hedges (way east of Avondale)							
Note: RA-5-P zoning; 2 acre lots, #316500020, 316500010, zip is 98077							
Nolan Woods (2005 St of Dreams)							
Norman Court 124th Av NE and NE 155th Pl							
6108850120	**9/12/2006**	**$719,000**	12400 NE 155TH PL		**2006**	3,180	13,187
6108850110	**8/4/2006**	**$710,000**	12410 NE 155TH PL		**2006**	3190	6,803
6108850100	**3/26/2007**	**$690,000**	12420 NE 155TH PL		**2006**	3,180	6,455
6108850090	**5/24/2006**	**$699,000**	12430 NE 155TH PL		**2006**	3,370	6,484
6108850080	**5/17/2006**	**$685,000**	12440 NE 155TH PL		**2006**	3370	9,172
6108850070	**10/11/2006**	**$704,000**	12450 NE 155TH PL		**2006**	3,080	6,228
6108850060	**8/4/2006**	**$704,530**	12455 NE 155TH PL		**2006**	3080	6,570
6108850050	**3/21/2006**	**$710,000**	12445 NE 155TH PL		**2006**	3370	8,763
6108850040	**4/12/2006**	**$665,000**	12435 NE 155TH PL		**2006**	3080	5,623
6108850030	**5/24/2006**	**$700,500**	12425 NE 155TH PL		**2006**	3,190	5,540
6108850020	**4/27/2006**	**$716,733**	12415 NE 155TH PL		**2006**	3180	6,358
6108850010	**8/3/2006**	**$710,000**	12405 NE 155TH PL		**2006**	3190	6,359
	N	12					
	Min	$665,000				3,080	5,540
	Max	$719,000				3,370	13,187
	Avg	$701,147				3,200	7,295
	Median	$704,265					

Narrative to accompany video of traffic operations at Woodinville-Duvall Rd and 156th Avenue NE

The primary concern about queuing capacity along 156th Ave NE is that there is no room to increase the storage length without roadway widening that would involve costly right-of-way acquisition. Several community members have expressed their concern that the FEIS is understating the existing queuing at this location.

Following is an analysis of two videos, taken by residents, showing existing traffic operations at the intersection of Woodinville-Duvall Rd and 156th Ave NE. The purpose of this analysis is to provide a review of the actual intersection operations, including vehicle queuing of southbound turn vehicles; comparing this with the analysis and information provided in the FEIS. The videos capture only a sampling of observations in the AM and PM peak periods, but clearly confirm that queuing and safety issues exist that need further attention.

Summary of the vehicle queuing analysis on page 3.5-57 of the FEIS:

- Existing left turn storage capacity = 170ft (at 25ft/vehicle = 7 vehicles max) 95th percentile queue =175 ft
- Baseline (2008) Queue Length = 190 ft (at 25ft/vehicle = 8 vehicles max)
- An 8 vehicle queue will occur a maximum of 2 times in peak hour in 2008 (baseline)
- Proposed Action Queue Length = 210 ft (95th percentile) – or a total of 8-9 vehicles.
- "Queue lengths that exceed the formal left-turn storage capacity would continue to be rare, but might be exceeded by one vehicle due to the proposed action."
- "…all queues would continue to clear with each signal cycle."

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DVD 1

Video-taped observations were captured on the days and times as noted below. Comments are provided with each observation that identify and/or quantify the traffic operations issues, including vehicle queuing.

Observation Date and Time	Comment
March 27, 2007 Tuesday	**AM – 2 observations in 2 minutes**
8:21am	Shows intersection approach from crest of hill down to where road widens from 2 lanes to 3 lanes – 5 vehicles in left turn lane and 5 vehicles in right turn lane
8:23 am	Shows how the last (5th) left turn vehicle blocks access to the right turn lane, – shows how school bus usage of left turn lane affects capacity. Indicates the actual capacity of the left turn lane is 5-6 vehicles

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March 28, 2007 Wednesday	**AM Peak Hour – 5 observations in 11 minutes**
7:51am	Driveways within intersection create conflicts within intersection – courteous driver backs up to create opening for vehicle exiting the driveway to access the right turn lane
7:54 am	8 vehicle queue (approx 200 ft)
7:56 am	12 vehicle queue (approx 300 ft) – Impatient driver turns left to bypass – Pedestrian crosses through vehicle queue – approx 50-60 seconds long – 8 of the 12 vehicles arrived in first 18 seconds – access to right lane was blocked.
7:59 am	Vehicle with trailer exiting driveway blocking right turn lane – 7 vehicle queue in left turn lane
8:02 am	9 vehicle queue in left turn lane
March 28, 2007 Wednesday	**PM Peak Hour – 5 observations in 18 minutes**
4:58 pm	8 vehicle queue in left turn lane – including pickup stopped crossways in lane after exiting driveway
5:06 pm	8 vehicle queue in left turn lane
5:10 pm	7 vehicle queue in left turn lane
5:14 pm	6 vehicle queue with van crossways in lane after exiting driveway – blocking both lanes.
5:16 pm	6 vehicle queue in left turn lane

Red – denotes queue exceeded 2008 baseline – which as noted on Pg 3.5-57 would occur for approximately twice during the peak hour.

Yellow – denotes existing queue exceeded current storage capacity.

DVD 2

Video-taped observations were captured on the days and times as noted below. Comments are provided with each observation that identify and/or quantify the traffic operations issues, including vehicle queuing.

Observation Date and Time	**Comment**
March 27, 2007 Tuesday	**AM – 2 observations within approx 5 minutes**
8: 10 am	Video taken from driveway near crest of hill. View is looking south toward intersection with Woodinville Duvall Rd. Left turn queue is initially 10 vehicles then increases to 14 vehicles and extends well beyond left turn storage capacity. Queue does not clear, leaving 7 vehicles. Right turn lane was blocked due to extent of left turn queue.
8:12 am	9 vehicle queue in left turn lane

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March 28, 2007 Wednesday	AM Peak Hour – 4 observations in 10 minutes
8:15 am	13 vehicles with 1 school bus extends the queue nearly 400 feet; at which time a truck arrives from over the crest and brakes heavily to a stop avoiding a rear-end collision. Access to right-turn lane is blocked which contributes to a longer queue. Queue does not clear, leaving 6 vehicles.
8:20 am	12 vehicles with 1 school bus extend beyond the limits of the left turn lane. Right turn lane was blocked due to extent of queue. Queue did not clear, leaving 3 vehicles.
8:23	6 vehicles in left turn lane. Queue clears.
8:25	9 vehicles in queue. Queue does not clear, leaving 2 vehicles

Note: Remainder of video on DVD 2 shows traffic cresting over the hill with the sight distance deficiency.

Red – denotes queue exceeded 2008 baseline – which as noted on Pg 3.5-57 would occur for approximately twice during the peak hour.

Yellow – denotes existing queue exceeded current storage capacity.

Conclusions

- Left turn queues currently (2007) exceed the Baseline year (2008) more than twice in peak hour.
- The FEIS queuing analysis understates the actual existing and Baseline condition.
- Current queuing during peak hour extends significantly (5-8 vehicles – 125 to 200 ft) beyond the capacity of the left turn lane and results in blocking access to the right turn lanes and driveways.
- Excessive queue lengths are currently backing up into the crest vertical curve area with inadequate sight distance – creating the potential for rear-end collisions.
- With operating speeds at 40 mph or greater, crash severity would be medium to high due to differential speed.
- The proposed action will increase queue lengths even further.
- Additional green time for this left turn movement is not available due to high volumes and limited capacity along Woodinville-Duvall Rd.
- The roadway profile requires re-grading to meet sight distance requirements, and widening to accommodate queue lengths.
- Infrastructure is inadequate to support the direct and indirect affects of additional traffic volumes resulting from rezoned parcels that are served by 156th Ave NE

Attachments:
DVD 1; DVD 2

Vehicle Queuing

A Proposed Action queuing analysis was conducted for the southbound approach at the intersection of 156th Avenue/Woodinville-Duvall Road. The factor determined through the calibration analysis of existing conditions was applied to the future conditions queuing analysis with the Proposed Action. The existing storage and calibrated queue length with the Proposed Action, as well as the calibrated queue length under the baseline condition, are summarized in Table 3.5-7.

Table 3.5-7
Vehicle Queuing Summary, Proposed Action

156th Avenue NE/ NE Woodinville-Duvall Rd	Current Storage Capacity[1]	Baseline Calibrated Queue Length[2]	Proposed Action Calibrated Queue Length[2]
Southbound Left	170'	190'	210'
Southbound Right	N/A[3]	150'	170'

1. Estimated storage capacity of current lane, including center turn lane (feet).
2. 95th percentile queue length from *Synchro* after calibration based on existing observations of 95th-percentile queues and average vehicle length/spacing (See Appendix L, Exhibit T-3).
3. Southbound travel lane of 156th Avenue NE becomes the southbound right turn lane; queue storage capacity extends thousands of feet to the north of the intersection.

The addition of traffic associated with the Proposed Action would increase the 95th- percentile queue length by the equivalent of approximately one vehicle. Average queue lengths are anticipated to increase by approximately the same amount. The 95th percentile queue reflects the queue length likely to be exceeded for about 5 percent of the peak hour, based on traffic volumes occurring during the highest 15 minutes within the hour. With a 90-second cycle length, it is estimated that this projected queue length would occur for approximately 2 out of 40 signal cycles during the peak hour. As shown in the table, the baseline queue length is anticipated to exceed the storage without the proposed project. Therefore, the following can be concluded:

- Queue lengths that exceed the formal left-turn storage capacity would continue to be rare, but might be extended by one vehicle due to the Proposed Action.
- Because the intersection would operate at LOS D, all queues would continue to clear with each signal cycle.

Synchro analysis of the weekday PM peak-hour conditions at the intersection of the Woodinville–Duvall Road and 156th Avenue NE shows that the left-turn queues with the Proposed Action exceed the available storage lanes for both southbound and eastbound movements. In the worst-case condition, the southbound left-turn queue would extend 210 feet north of the intersection within the two-way left-turn lane markings. As noted in Section 3.5.1.4, the 95th-percentile queue length of 175 feet also exceeds the available storage capacity under existing conditions. Consequently, the Proposed Action would extend the worst-case queue length by 35 feet, and would add incrementally to an existing storage capacity deficit.
Due to the hill on 156th Avenue NE just north of the intersection and north of the end of the queue, Draft EIS review comments questioned whether there was adequate sight distance on this stretch of the road. The City's traffic consultant performed field measurements and determined the stopping sight distance would 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, indicating there would still be adequate stopping sight distance with the Proposed Action.

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 enough storage space for turning vehicles, if properly used. There could be

Exhibit 122

Wood Trails and Montevallo Subdivisions
Public Hearing April 5th, 2007 Traffic
DVD 1
DVD 2

Available for review at City of Woodinville's Development Services's counter

Original 4-8-07 Sandy Dunn

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To: Hon. Greg Smith, Hearing Examiner *pro tem* for the City of Woodinville

Date: April 5, 2007

From: Susan Boundy-Sanders
17859 149th Av. NE
Woodinville, WA 98072-6202

Re: **R-1 versus R-4 in recent Woodinville City Council and Woodinville Planning Commission deliberations, recommendations, and decisions**

Your Honor:

I am submitting the attached transcript and ordinance as insight into the Woodinville City Council's and Woodinville Planning Commission's recent actions with respect to rezoning Woodinville's R-1 zoning district to R-4. **In a nutshell, the Planning Commission and the City Council unanimously support R-1, for reasons outlined in the attachments.**

Attachment 1 is a transcript of Planning Commission Vice Chairman Patrick Edmonds' analysis of the case for rezoning from R-1 to R-4, from the February 14, 2007 Planning Commission meeting.

Mr. Edmonds, an economist by profession, weighed the benefits of R-4 versus R-1 with respect to six considerations and found that in all six cases R-1 serves the needs of the City of Woodinville better than R-4. To quote from Mr. Edmonds' conclusions:

> "R-4 is not required in order for the city to be able to meet its GMA growth allocations at this time.
>
> "An increase in density to R-4 would likely be detrimental to the city's current economic and residential growth plans.
>
> "An increase in density to R-4 would quite possibly place an unacceptable burden on the city's current resources particularly with respect to current capital plans.
>
> "R-4 in the zone in question would impose a materially negative effect on the area's environment in much of the area, including a large part that does not technically meet the Litowitz bar, although a large part of it does meet the Litowitz standard.
>
> "An increase in density to R-4 would be inconsistent with the city's brand image and sense of identity.
>
> "And finally, the R-4 zone in question would have a deleterious impact on defined, existing neighborhoods in the area."

The Planning Commission's unanimous recommendations turned on this analysis, and indeed it formed the backbone of Ordinance 431, which the Woodinville City Council approved unanimously on March 12, 2007, and which maintains R-1 zoning in the entire R-1 district. The draft of Ordinance 431 from the March 12 Council agenda forms Attachment 2 of this document.

This recommendation by the Planning Commission, and decision by the City Council, parallel the unanimous recommendation and decision in 2004 to keep another parcel zoned at R-1, the Draughn property about a half mile south of Wood Trails.

I propose that these decisions are important for two reasons in the context of the Wood Trails and Montevallo applications:

- They demonstrate that the elected representatives of the City of Woodinville believe unanimously that the "need" to keep R-1 zoned R-1 exceeds the "need" for R-4 property.

- They demonstrate that the unanimous will of the elected representatives and their appointed Planning Commission is significantly different than the recommendations being presented to you by Woodinville's interim Staff.

Woodinville Planning Commission meeting of 14 February, 2007

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Excerpt from deliberations on the Sustainable Development Study

Analysis by Vice Chair Patrick Edmonds on the viability of rezoning part or all of Woodinville's R-1 zone to R-4.

Attachment 1

Les: You still think a total R-1 is a possibility?

Pat: Yeah.

Les: OK. You want to defend that?

Pat: Yeah. So it's a little complicated, so bear with me.

So when this started I kind of took as the default option, the null hypothesis if you will—you know which is what—the easy way, which is R-4. We have to accept a certain growth allocation and R-4 is sort of the default way of doing that.

And if the city just accepted that, if there was anybody who was concerned with that, then that would have been that, right?

So, the fact that that was the hypothesis we had to test I think is the reason why we've gone through this effort. So I started with that.

And after listening to the public comments and going through the readings and kind of applying my own logic to it, and actually doing a study, too, on legal precedent, I applied six tests to that hypothesis to help me arrive at my conclusions. And I didn't prejudice it, I actually had these tests to see where I would wind up.

And the first test was that, is R-4 required in order for the City to be able meet its GMA growth allocation?

So when this process started, I didn't know the answer to that question. I know the answer now. We have accounted for our GMA allocation, and in fact we have excess capacity, potentially in excess of even what we have stated, I think, in the last version of the study.

The second filter that I had was, what would be the effect, if any, of an increase in density to R-4 on the City's current economic and residential growth plans?

This is something I've commented on before. I think at the end of the day, you know, as small a city as we are, both in terms of population and in terms of geographical area, we have a remarkably urban center. And we need that because not only do we have to cater to people who want to live there, who have a quote-unquote traditional urban lifestyle but I think that we definitely have people who are low-income and disabled and we have I think a fairly high elderly population who lives downtown. So we've done a fairly good jopb so far, or a decent job anyway, of accommodating their needs with mass transit, parks, good pedestrian facilities, et cetera, work near jobs, for people who are low-income.

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But my concern I guess is—I'll say that—the city definitely does not embrace a no-growth plan.

And I think the CAP members, if anybody were going to criticize them—and I haven't heard this criticism—of being no-growth partisans, I don't think that that's a very fair characterization. I think there's been a lot of passion but I think they've done everything they could to drive an objective, kind of realistic, pragmatic approach here, and I think the staff has done the same. And I think that's kind of characteristic of the way we work our own development plans here at the City.

In fact, we depend on growth for our own economic good. We factor that into the economic plan that Les was working on a couple years ago. But I think we also realize we need smart, controlled growth. We don't need arbitrary growth.

We need to have growth. Given the confines we have, as small as we are, every marginal unit impacts us a lot more than one marginal unit, say, in Seattle or Bellevue or Kirkland. So we have to be smart because we actually feel the repercussions of every single unit in ways that I think are actually unique to this county.

I would put us more, in terms of, not necessarily economically although maybe close, to Yarrow Point, Clyde Hill, very kind of small, condensed, neighborhood-type communities where every marginal unit does make an impact.

A lot of our city is already zoned residential R-4-plus or mixed-use. In fact, I think it's interesting that for a city the size of ours we go up to R-48 which is actually quite dense. That's an urban density classification, in fact, we call it high-density residential.

In fact, we're a 3X job importer, so that in the course of a day our city triples in size, and with that comes all the externalities that comes with a tripling in population in terms of traffic, pollution, right, on and on. That's something we have to deal with already.

I would say that 3X job importation is also a unique characteristic of this city. So these are all things that we have to deal with.

Now, and this is the point that I think I'm most sensitive to as a Planning Commissioner, although in some ways it's the hardest to articulate. There is a real economic risk, I think.

Let me put it this way.

We're at a tipping point that we've talked about now for the better part of the last year with our downtown master plan, our Little Bear Creek plan, our economic plan. We're kind of at a delicate balance. We're looking to complete these documents; we're looking to really get good definition around them. I think we have a good common understanding.

And we're working in the context of the Canterbury property, the Woodinville Village; um, potential talk of another big development site across the street from 175th, and even up Little Bear Creek and how we do that, and I think any combination, any sensible combination of this is going to require a mixed residential and retail balance.

Les talked about you know, sort of, we'd like to keep the big box out as much as possible, but we realize that we need to have a sustainable retail core at the same time, because we do lose money on every home that we put up, we have to subsidize that with extra retail.

And we have to do all this, by the way, in the context of the disadvantaged people and elderly people which we have a GMA obligation to support, which is easier to do downtown, at least in our circumstance.

And then at the same time we have an economic base that's built largely and increasingly on agritourism. And with agritourism, especially in our context with the 40-plus wineries for a city our size—I'm on the tourism task force so this is something that I live and breathe—

Michael: We're up to 40?

Pat: Approximately. 35, 40, it might even be—

Michael: That's 25% growth per year.

Pat: It's enormous.

And we're talking about other elements: the Dinner Train—We're trying to get a real good center of gravity, 21 Acres—All of these are image-intensive things. It's not like our core industry is, you know, manufacturing automobiles. We're actually selling an image. And there's

a real—you talk in business about goodwill and the value of your brand. There's an actual value to that, that you can put in your balance sheet.

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We actually have a tangible brand, if you will, in our image and because it's all directly tied in this delicate and growing economic base of agritourism. I think that's something we need to think about.

If we kind of open the taps, if you will, ah, that's the wrong way to put it—If we don't control—If we don't manage our growth in a smart way I guess is the best way to put it, then we can actually cause real damage to that economic base, to our image.

Les: That 2 of 6?

Pat: The other ones go quick. That's the tough one.

Les: So, your question was, do we need R-4 to be economically viable as a city and I think your answer is no.

Pat: Well, it's not just that. Well, my question was, what's the impact. To me, the impact of just going straight from R-1 to R-4 in such a large part of the city would have impacts that we can't discern at this point. But they're certainly not within the scope of the current plan and I think we're at the tipping point. We're trying to get our arms around it under the current circumstances and if you introduce a massive new variable like that you could get into a situation where—the importance of having a good balance of residential and retail—if you open up competing residential hubs in the city that we didn't account for then that could disrupt the whole balance and with it we throw the baby out with the bath water.

Third point, What would be the impact of an increase in density on our future capital plans?

So we started to talk about this a little bit. As you know, I started to chair the subcommittee on looking at the way we did CIP, and when we get a new financial director that will kick up again, and Michael was working on that with me.

But, there is some art to that. It's not pure science. We're trying to make it more scientific.

But the reality is, this city is a small city like I said, with limited resources and we are stretched. We have infrastructure challenges not the least of which is traffic, and that's come up time and time again.

And I would say even for our state right now, Woodinville has got to rank up there in terms of just awful traffic situations. It's really an untenable situation.

And we have significant financial obligations in a variety of other public works projects too, not just traffic. For example we've got new fields that are going to be put in and that will put—there's a financial investment involved there. So if we extend to R-4 then all of a sudden just to meet minimum code that will impose a financial obligation on the city.

Notwithstanding the fact that you will have developer impact fees to help mitigate some of that, the reality is that if nothing else, with conduits and some of the other basic infrastructure that needs to be supported, that you need to have just to meet basic minimum level of service is going to require an extra burden on the city, and property taxes like I said are not going to be enough to cover that delta.

Fourth, can R-4 be instituted without imposing a material negative impact on the environment?

I know this is where we spent most of our time so I'm not going to belabor the point.

We can talk about Litowitz, and a significant chunk of this seems to meet the Litowitz standards, but when we start pulling the thread we're either getting new information constantly, some of which might be relevant, some of it might not be relevant in terms of the considering the zoning change or the zoning consideration.

But I think there are areas in there that are critical and certainly warrant I think more information if nothing else, and certainly warrant a lot of attention.

I brought up, for example, steep slopes.

I used to live in San Francisco. And when I lived there, a few blocks from my house I could walk by and see some houses washing down cliffs. And undoubtedly these homes when they were built, whenever, were built in the best faith. Engineers and environmentalists and scientists gave their best assessment, but things changed over time and consequently houses washed down cliffs. I happen to live on a ravine right now so I'm sensitive to this.

And when we throw in variables that we're still kind of in very nascent stages of understanding like the fault lines for example, potential fault lines, I don't think that anybody can say with any real confidence exactly what the ramifications are going to be about that. That's one thing that concerns me.

The same thing with the aquifer, we got some clarification on that tonight but we still don't have our arms around that completely, and that picture has evolved.

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We did have a step change, it sounds like, by incorporating a lot more information that the city didn't use to have.

It begs the question to me, what else don't we know? We've already acknowledged tonight that there are areas we don't know.

Fifth, what would be the impact if any of an increase in density on the city's brand image and sense of unique identity?

So we touched on this, but I want to elaborate just for a second. If you look at the city's logo, mission statement, and vision statement, design standards, uh, it's all about Northwest woodland character. That's not just a capricious statement, we actually have that quite well defined what that means, and it runs through everything including our industrial areas.

We have a very specific sense of who we are as a community, and I went thru the Comp Plan just to make a reference, to find out how do we think about this, how do we codify in our Comp Plan, how does it relate to our brand image—call it Northwest woodland character—and how you know maybe unmitigated growth would impact that.

LU-1.1 Preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20-year growth forecasts.

Which we're doing.

LU-1.5 Design and implement a sustainable development program for the greater Woodinville area. This program will guide population growth in a manner that preserves
Woodinville's Northwest character, environmental attributes, and quality of life.

LU-1.7 Concentrate growth by encouraging mixed-use development in nonresidential districts and preserving the existing character in residential neighborhoods.

Which has basically been the default plan we've been working under.

LU-3.2 preserve the existing natural environment of Woodinville's neighborhoods.

ENV-3.1 Encourage preservation of the urban forest.

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ENV-3.3 Maintain a standard of no net loss in the functions and values of sensitive habitat features including wetlands, streams, lakes, and shoreline areas.

No other Litowitz bar there or any other specific reference there; it's "sensitive areas."

ENV-4.1 Protect public safety in potential seismic, flood hazard, and slide hazard areas.

ENV-4.2 Minimize the adverse effects of development on topographic, geologic, and hydrologic features and native vegetation.

ENV-5.1 Preserve aquifer recharge areas.

ENV-5.3 Minimize impervious surfaces.

ENV-5.5 Protect the quality and quantity of water in waterways, wetlands, flood plains, and watersheds from degradation.

Again, no Litowitz or any other bar that's mentioned there.

In summary, I put these together in the context of the question, are we already accommodating our growth? Yes. Are we doing it actually in excess of what our requirements are? Yes.

So when I put it in the context, and this by the way is not a comprehensive list; I just pulled it together in about 20 minutes is what it took me to pull it out, then I have to wonder, how consistent are we being with our current standards if we're talking about changing the zoning?

And then I want to bring one other precedent up, and I said I was not going to play game theorist on this, but I think this is important to mention.

In Robison et al. v. South Bainbridge Community Association and Bainbridge Island School District, I'll just quote from this:

> "The Board recognizes that local circumstances, traditions, and identity will result in unique choices and solutions by each city. In many important ways, the unique history, geography, and development pattern of the city, in this case Bainbridge Island, make it unlike any other city in the region."

So I've talked about how we're a unique community. I'm not bringing this up to necessarily equate us with Bainbridge Island. But what I am saying, if we're to guide ourselves by what sort of considerations should we be making when we're growing according to GMA, then we should be

considering explicitly, our traditions and identity and local circumstances. And one thing that resonated with me is that Bainbridge was recognized as a city that had an equestrian component to it and tradition. It seems to me that our city actually has that as well.

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For example, in addition to our unique history we talked about at the tourism meeting yesterday, we're one of just a handful of locations in the country that has a railroad wye, so even if the tracks get pulled we're probably still going to preserve that railroad wye just for historical reasons. We've already been briefed many times by the Woodinville Historical Society.

Sixth and last point, can R-4 be instituted without having a deleterious impact on the existing neighborhoods in the area?

So we talked about the neighborhood character analysis and I'm not going to belabor that point.

I think that that study was actually very thoughtful, and the point that I wanted to really clarify tonight when I was talking to the Planning Director was that the approach I think is sound. Granted we might be sort of leading edge, and I think Mr. Wuotila did a great job and obviously put a lot of work into it. But nevertheless it's not something he fabricated. The approach is based on established principles by multiple sources.

Even if we can—The one element in there that I would say is—I would say the approach is not questionable. I think the approach is sound and very defensible. The one area about the Neighborhood Character Study that I would question potentially is the allocation of zoning to that. That's the part to me that seemed art. It's part art, part science. I think he got the science part down in the approach. It's the zoning allocation that actually bothered me.

And then I think there's something I think that would equally or potentially even trump the neighborhood character analysis, as sound as that was, and that's—is pre-existing and tangible neighborhood definers and I would say they would be two things that I can think of.

One is neighborhood signs, and I don't know if any neighborhoods up there actually have a sign that indicates, you know, the neighborhood.

And the other would be covenant restrictions.

And I know we said that, a comment was made earlier tonight that sometimes they're complex and sometimes they're archaic, but we've seen actually in the legal precedent that the presence of a covenant is actually at least a source for consideration. And there was something, I think we actually did get an exhibit during the last meeting where somebody

brought up—I forget what neighborhood it was—but an example of a covenant that's been in place for a while, so clearly there's some other evidence out there of neighborhood character that we should consider.

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Les: So what recommendation is this pointing you to?

Pat: So I'll summarize and I'll put it in a nutshell and then I'll get off my soapbox.

So I ran it through the filter; I ran the null hypothesis through the filter and this is what I came up with:

- R-4 is not required in order for the city to be able to meet its GMA growth allocations at this time.
- An increase in density to R-4 would likely be detrimental to the city's current economic and residential growth plans.
- An increase in density to R-4 would quite possibly place an unacceptable burden on the city's current resources particularly with respect to current capital plans.
- R-4 in the zone in question would impose a materially negative effect on the area's environment in much of the area, including a large part that does not technically meet the Litowitz bar, although a large part of it does meet the Litowitz standard.
- An increase in density to R-4 would be inconsistent with the city's brand image and sense of identity.
- And finally, the R-4 zone in question would have a deleterious impact on defined, existing neighborhoods in the area.

So, again, I think growth is a good thing. We talk about growth all the time especially in the economic context. Most of our work is about growth and promoting growth, but we need to promote growth in a smart way. So to me, when I actually run the numbers and apply, kind of, look at it from every angle, I have to arrive at the one conclusion which is, all this good work that we've done takes me to the point that I think at this point in time R-1 is actually the sensible and defensible thing to do and it's most consistent with our obligations as planning commissioners.

Attachment 2

~~ATTACHMENT A~~
Alternative 2 Interim Regulations

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ORDINANCE NO. 431

AN INTERIM ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON AMENDING CHAPTER 21.04 WMC; TEMPORARILY REMOVING A RESTRICTION ON DEVELOPMENT WITH DENSITIES LESS THAN FOUR DWELLING UNITS PER ACRE WITHIN THE CITY'S LOW DENSITY RESIDENTIAL ZONES; ADOPTING PRELIMINARY FINDINGS IN SUPPORT OF SAID AMENDMENT; SCHEDULING A PUBLIC HEARING DATE; PROVIDING FOR SEVERABILITY; DECLARING A PUBLIC EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of Woodinville is required to develop and adopt development regulations implementing its Comprehensive Plan; and

WHEREAS, RCW 36.70A.130(1) requires that the City of Woodinville, a "fully planning" city within King County shall update its Comprehensive Plan and development regulations, as necessary, to reflect local needs, new data, and current laws; and

WHEREAS, the Woodinville City Council has determined that a certain amendment is necessary to keep the Zoning Code updated and to accommodate the needs of its citizens; and

WHEREAS, the Woodinville City Council has reviewed the amendment contained in this ordinance and finds that the amendment meet the required criteria in Ordinance No. 172 and WMC 21.46.030; and

WHEREAS, public hearings concerning the substance of this ordinance were held by the City of Woodinville Planning Commission on January 31, 2007 and February 14, 2007, and by the City of Woodinville City Council on March 5, 2007;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the following preliminary findings in support of this interim ordinance, together with the recitals expressed herein.

1. Among the considerations which come to bear on sustainable development are the City's GMA duty to accommodate urban growth while protecting critical area "function and values", as well as considerations relating to such factors as protection of anadromous fisheries, adequate and diverse housing alternatives,

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availability of urban services and infrastructure, preservation of the character and vitality of existing neighborhoods, and considerations relating to jobs and economic development.

2. Environmental functions and values of critical areas have become more recognized in recent years largely as a result of local jurisdictions' work on their critical area regulations utilizing GMA-mandated "best available science".

3. The GMA itself is silent on what numeric value constitutes "urban density". However, over time, case decisions by Growth Hearings Boards established a minimum figure of four units per acre as meeting the threshold of urban density. This figure has been referred to as the "bright line" threshold.

4. Recently, some jurisdictions (for example, Bothell and Normandy Park) have faced and survived challenges from public policy advocacy or development groups which complained that their plans did not meet the four dwelling unit per acre urban density bright line threshold even though the plans over-all accommodated the jurisdictions' growth allocations. A Washington Supreme Court decision has also held that interpreting minimum density "bright lines" into the language of the GMA was beyond the authority of the Growth Management Hearings Boards and was inconsistent with the deference which local government's decisions must be accorded under the GMA. However, at least one Plan (Normandy Park's) has been appealed to the Washington Supreme Court and the extent of flexibility and deference to which jurisdictions are entitled under the GMA has yet to be finally determined.

5. Central Puget Sound Growth Management Hearings Board rulings generally uphold "lower" residential densities supported through studies applying the "Litowitz v. Federal Way" factors, named for a decision by the Board setting a standard for when lower densities would be acceptable as a means of maintaining the integrity of environmental resources. Even in such cases, however, the jurisdiction in question was still required to meet its growth allocations in some way, and the exemption on density for critical area protection did not reduce the jurisdiction's overall allocation numbers.

6. In a "Litowitz Test" study, lower development densities are justified if the area in question meets a three-part test. The critical area must be shown to: (1) be large in scope; (2) have complex structure and function, and (3) have high (environmental value) rank order.

7. Consultants for the City of Woodinville have performed "Litowitz" studies to evaluate the level of resource sensitivity and potential impact from development and to provide data useful in determining appropriate development density.

8. The GMA also recognizes other factors as relevant in planning. For example, Comprehensive Plan's housing element, among other things, ensures "the vitality and character of established residential neighborhoods". RCW 36.70A.070(2).

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9. Staff has prepared a study of the existing neighborhoods in the R-1 area and therein found that several neighborhoods' housing stock, character, and vitality would best be preserved by lower density zoning.

10. The City contains a surplus supply of buildable lands to accommodate the 20-year housing and population projection required by the GMA.

11. The Planning Commission is responsible for review of issues and formulating recommendations concerning growth, land use, transportation, community infrastructure, preservation of environmental quality, preservation of neighborhood character and developing policy for those and other land use issues.

12. Any amendment to either the City's Comprehensive Plan or regulatory code requires approval of an ordinance by City Council.

13. The Planning Commission held a public hearing on January 31st and February 14th regarding the Sustainable Development Study and proposed amendments to Comprehensive Plan goals and policies as well as amendments to the Zoning Code. They deliberated at the close of the public hearing and the Planning Commission recommended the City Council retain the existing R-1 zoning and amend WMC 21.04.080(1)(a) to remove the restriction of development with densities less then four dwelling unites per acre based on the following reasoning . and findings:

    a. The City contains excess capacity in its residentially zoned areas to accommodate the GMA housing allocation out to the year 2022, the current twenty year planning horizon.

    b. Adding significantly to the City's housing capacity is the recently approved mixed-use and multi-family projects in the downtown area and in the Tourist District. Two projects alone account for over 700 new housing units. These and other projects in the planning stages are serving to implement the City's long standing goal to develop pedestrian-oriented development in and around the commercial areas of the City that accommodate over 3 dozen wineries. The City is at a delicate tipping point in its Downtown/Little Bear Creek Master Plan, Economic Development Plan, and Sustainable Development Plan, particularly with respect to carefully planned growth in higher residential areas that require mixed retail/residential developments to be successful. Sudden increase in development away from this targeted core area could effectively "cannibalize" some of this nascent residential growth where it is needed most.

    c. Changing the R-1 area to R-4 is counter to the City's economic and residential growth plans to encourage housing in the downtown where people can live in proximity to work opportunities, shopping, mass transit and other services, which not only supports the local economy, but also reduces vehicle trips.

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d. An R-4 rezone of the subject area would likely have a negative effect on the City's resources in context of the capital improvement plans, particularly in regards to addressing traffic and acknowledging single-family development that does not provide sufficient tax revenue to support required municipal services.

e. An R-4 up-zone to a large area of the City could have a negative impact on the City's image and sense of unique identity, recognized since its incorporation as a Woodland Character community (Comprehensive Plan Goals LU-1, CD-2)

f. In the central portion of the R-1 area, identified in the Study (Attachment A), the Lake Leota Basin constitutes approximately 50% of the total R-1 area and feeds into Cold Creek and the Bear Creek Drainage Basin, the region's most significant salmon spawning habitat area. These two important natural resources are large in scope, complex in structure and function, and of high rank order and thus, the interconnecting system qualifies under the "Litowitz Test" for low-density (less than R-4) zoning.

g. The Sustainable Development Study and public hearing testimony indicate possible negative impacts to other elements of the natural environment if R-4 zoning were put into place. Greater development could affect geologic hazards, and an extensive Critical Aquifer Recharge Area and Lake Leota.

h. The City is doing an effective job of balancing the competing GMA goals related to accommodating growth and environmental protection by exceeding the GMA job allocation; providing a wide variety of housing, including a national award winning affordable housing project (Greenbrier); and protecting the environment through an updated critical areas regulations based on Best Available Science, as well as participation in and support of such programs as WRIA 8 Salmon Task Force, Sammamish ReLeaf, Salmon Watchers, Wetland Restoration Monitoring and Tree City USA (10 Year Award).

i. The City limits are co-terminus with the Seattle Metropolitan Urban Growth Area Boundary with no potential annexation areas left for the City to grow into after 2022. The R-1 area with proper development regulations, such as shadow platting can serve as a tool for future growth beyond 2022.

14. The City Council held a study session on February 26, 2007 to review and discuss the Sustainable Development Study and the Planning Commission recommendations.

15. The City Council held a public hearing on March 5, 2007 to receive and consider public testimony regarding proposed Zoning Code Amendment as contained in Ordinance No. 431, the Sustainable Development Study and the Planning Commission recommendation to retain the current R-1 zoning in the City.

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16. The entire R-1 zoning district is currently subject to a comprehensive building and land use moratorium that was imposed in order to preserve the status quo during the pendency of the Sustainable Development Study. The moratorium was originally enacted on March 20, 2006, was renewed for an additional six month period commencing September 20, 2006, and is scheduled to expire on March 20, 2007.

17. Allowing the moratorium to expire before the City's new regulations take effect would pose a serious threat to the public health, safety, welfare and local environment by potentially enabling developers to obtain vested development rights inconsistent with the City's new regulations. The accrual of any such vested rights would irreparably frustrate the City's long-term planning efforts with respect to the Sustainable Development Study.

18. Additional time is necessary to thoroughly review the zoning code amendments recommended by the Planning Commission, and to conduct further analysis regarding appropriate permanent changes to the City's existing development regulations.

19. The Council is concerned about the legal and practical implications of renewing the current moratorium, and desires instead to adopt the Planning Commission's recommended zoning code amendments as interim regulations that will temporarily govern development within the R-1 zoning district until such time as permanent amendments are enacted.

20. The City Council fully expects and intends to adopt the permanent zoning amendments arising from the Sustainable Development Study within the six month effective period of this ordinance.

21. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City is authorized to adopt interim zoning regulations.

22. A public emergency exists requiring this ordinance to take effect immediately upon passage by the City Council.

Section 2. Interim amendment to Section 21.04.080, Residential zones, of the Woodinville Municipal Code is hereby amended to read as set forth below. Deleted text is shown by ~~strikethrough.~~

21.04.080 Residential zones.

(1) The purpose of the urban residential zones (R) is to implement Comprehensive Plan Goals and Policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy. These purposes are accomplished by:

(a) Providing, in the low density zones (R-1 through R-4), for predominantly single-family detached dwelling units. Other development types, such as duplexes and accessory units, are allowed under special circumstances. ~~Developments with densities less than R-4 are allowed only if adequate services cannot be provided;~~

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(b) Providing, in the moderate density zones (R-5 through R-8), for a mix of predominantly single-family attached and detached dwelling units. Other development types, such as apartments, duplexes, and townhomes would be allowed so long as they contribute to Woodinville's small town atmosphere as articulated in the vision statement found in the City's Comprehensive Plan and conform to all applicable regulations;

(c) Providing, in the medium density zones (R-9 through R-18), for duplexes, multi-family apartments, and townhomes, at densities supportive of transit and providing a transition to lower density areas; and

(d) Providing, in the high density zones (R-19 through R-48), for the highest residential densities, consisting of duplexes, multi-story apartments. Developments have access to transit, pedestrian and nearby commercial facilities, and provide a transition to high intensity commercial uses.

(2) Use of this zone is appropriate in residential areas designated by the Comprehensive Plan as follows:

(a) The R-1 zone on or adjacent to lands with area-wide environmental constraints, or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;

(b) The R-4 through R-8 zones on 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; and

(c) The R-12 through R-48 zones in appropriate areas, of the City that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

Section 3. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council will conduct a public hearing for the purpose of receiving public testimony regarding this interim ordinance. Said public hearing is hereby scheduled for 7:30 p.m. on March 12, 2007 in the City Council Chambers of Woodinville City Hall. The City Clerk is hereby authorized and directed to provide public notice of said hearing in accordance with applicable City standards and procedures. The City Council may in its discretion adopt additional findings in support of this interim ordinance at the conclusion of the public hearing.

Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance, or any change in a land use designation is held to be invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of this

Boundy-Sanders, R-1 vs. R-4, Attachment 2, page 6 of 7

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ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

Section 5. Copy to CTED. The City Clerk is directed to send a copy of this ordinance to the State Department of Community, Trade, and Economic Development for its files within ten (10) days after adoption of this Ordinance.

Section 6. Effective Date; Sunset. Based upon the recitals and findings set forth above, the City Council hereby declares a public emergency requiring this ordinance to take effect immediately; PROVIDED, that the interim zoning code amendment imposed pursuant to Section 2 hereof shall take effect on March 21, 2007, immediately following the scheduled expiration of the land use and building moratorium originally adopted by Ordinance No. 419 and renewed by Ordinance No. 427. Subject to the foregoing, this ordinance shall be in full force and effect immediately upon adoption, and shall remain effective for a period of six months unless terminated earlier or subsequently extended by the City Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF WOODINVILLE THIS 12th DAY OF MARCH 2007.

_____
Cathy VonWald, Mayor

ATTEST/AUTHENTICATED:

_____
Jennifer Kuhn
City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:_____
J. Zachary Lell
City Attorney

PASSED BY THE CITY COUNCIL: 3-12-2007
PUBLISHED: 3-19-2007
EFFECTIVE DATE: 3-26-2007
ORDINANCE NO. 431

To: Hon. Greg Smith, Hearing Examiner *pro tem* for the City of Woodinville

Date: April 5, 2007

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From: Susan Boundy-Sanders, MS Geology, Caltech
17859 149th Av. NE
Woodinville, WA
98072-6202

Re: **Earthquake faults on the Wood Trails and Montevallo sites**

The purpose of this document is to present recent scientific information on earthquake faults underlying the proposed Wood Trails and Montevallo developments, and effects on buildability at these sites.

As part of geotechnical investigations of the proposed Brightwater site about a half mile northwest of Wood Trails and Montevallo, the US Geological Survey (USGS), University of Washington (UW), Earth Consultants International (ECI), and Boise State University (BSU) have conducted paleoseismic trenching, aeromagnetic surveys, Lidar interpretations, and geologic mapping of the area that includes Wood Trails and Montevallo .

Their research has been published in USGS Open-File Reports, abstracts for national meetings, and is in review in the world's most-cited earth science journal, the *Journal of Geophysical Research* (*JGR*). This latest paper has been designated a "Highly Influential Scientific Assessment" by the USGS.

The researchers include some of the most highly respected names in Pacific Northwest earth sciences: Bob Yeats, Richard Blakely, Craig Weaver, Brian Sherrod—people with impeccable international reputations for the quality and objectivity of their research.

Their earlier published papers conclude that strands of the Southern Whidbey Island Fault Zone (SWIF) cross Brightwater to the northwest and Cottage Lake to the southeast (Blakely et al., 2005; Blakely et al., 2004a; Blakely et al., 2004b; Sherrod et al., 2005; Yeats and Gath, 2005; Yeats, 2005; Blakely et al., 2005). These papers form attachments 1 through 7 to this document.

The paper that is in review connects the two—it includes results of studies in the Wellington neighborhood, starting less than a block from the Wood Trails site (Sherrod et al., in review). I spoke with one of the co-authors, Craig Weaver, on 29 March 2007. He states that the

paper documents two fault lineaments that extend from Lake Leota northwestward up Cold Creek. There is no doubt that they cross the Wood Trails site.

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The same linear trends cross the Montevallo site. Although Dr. Weaver and I did not discuss this specifically, it would be an extension of the Cottage Lake lineament that Weaver's group has already documented.

Figure 1 originated as a figure in Sherrod et al. (2005), reinterpreted to show the new and extended faults that Dr. Weaver described verbally, that are in the *JGR* paper currently in review. Figure 2 shows where these faults cross the Wood Trails site, and Figure 3 shows where they cross the Montevallo site.

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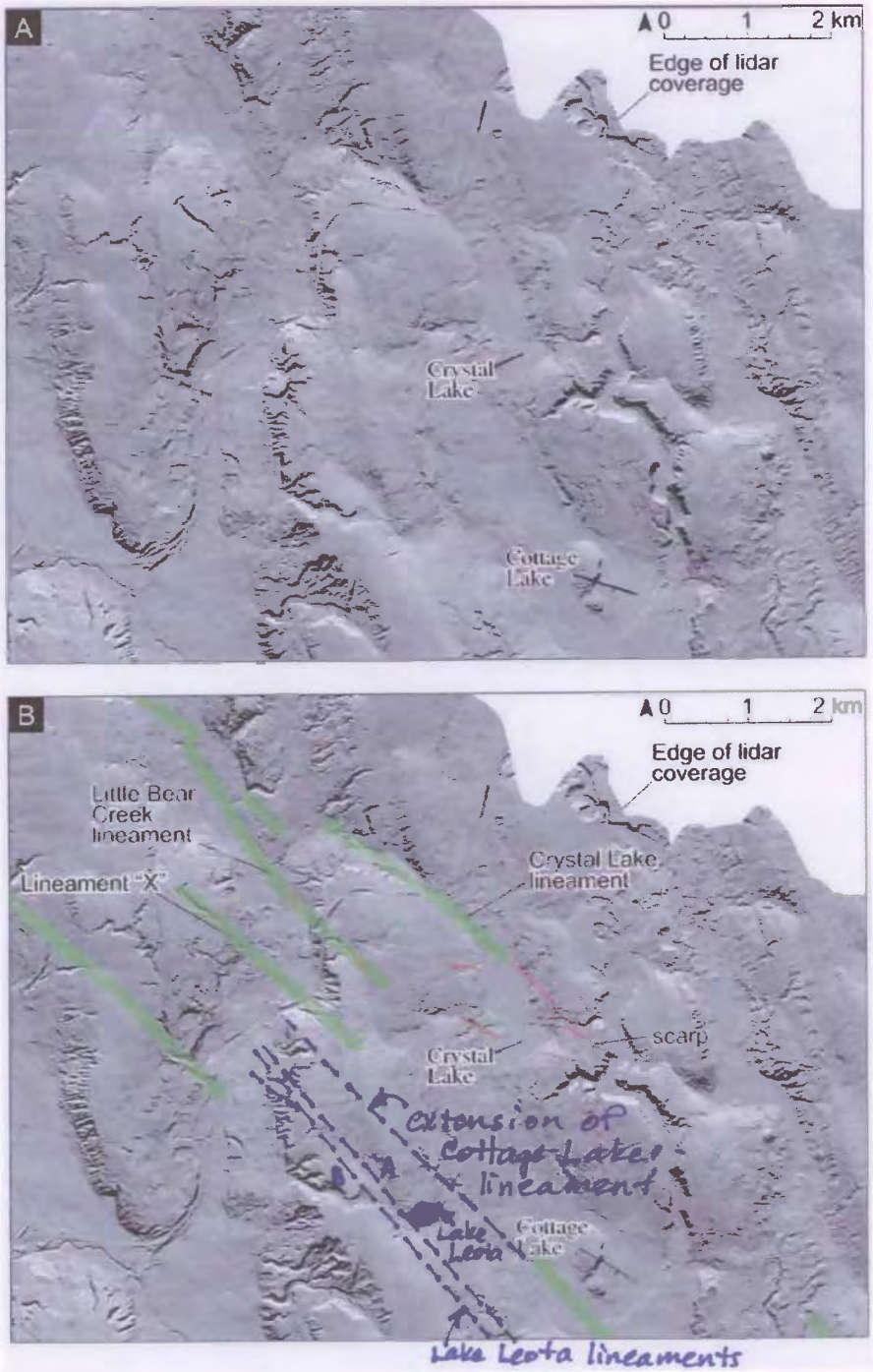
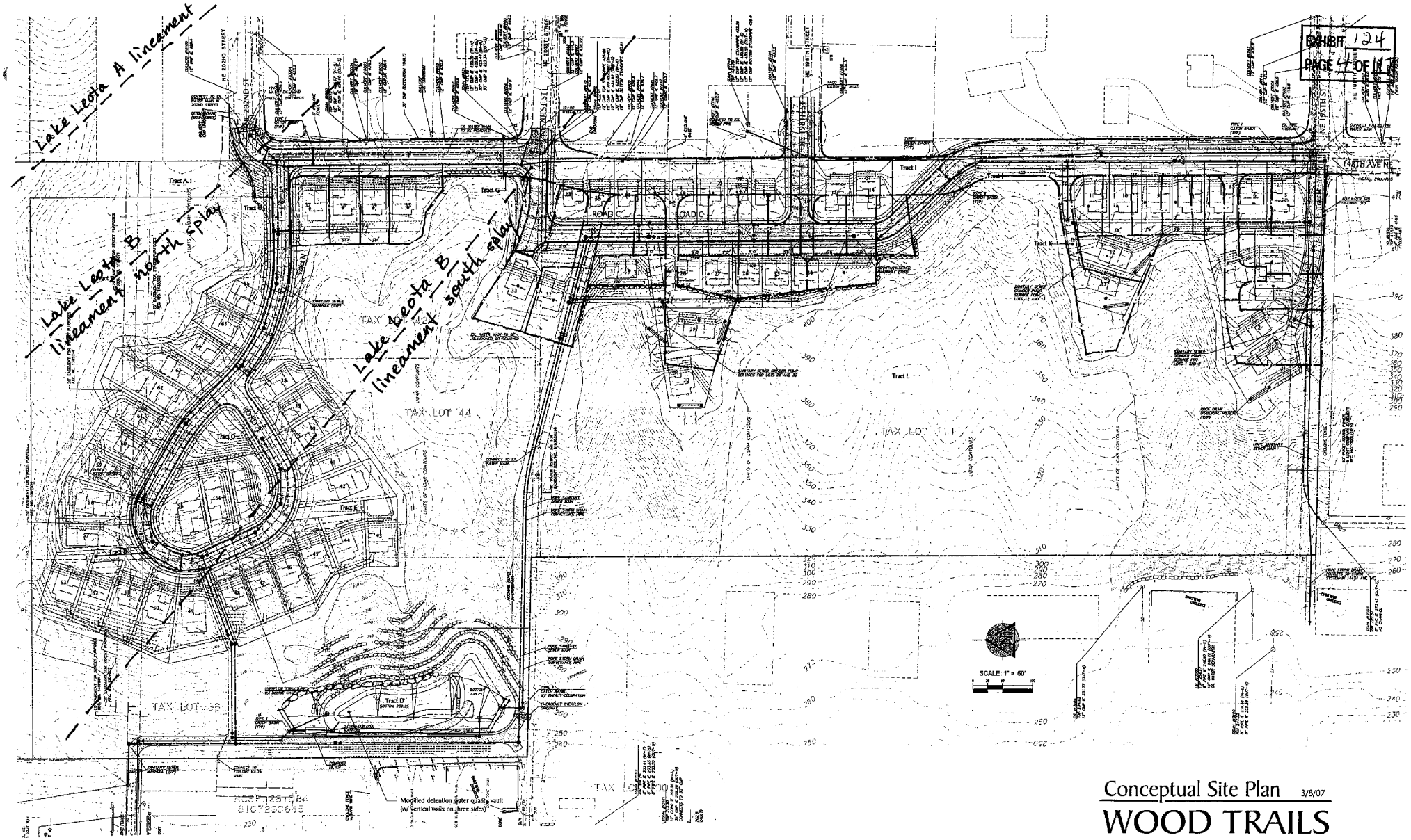


Figure 1. Lidar map from Sherrod et al, 2005. Map A is uninterpreted; B includes Sherrod et al.'s interpreted Lidar lineaments (green) and Lidar scarps (red). Lineaments added in purple are based on a conversation with Craig Weaver. The Lake Leota lineaments represent new lineaments that Weaver's team identified for their *Journal of Geophysical Research* paper, currently in review. The extension of the Cottage Lake lineament is consistent with the conversation with Weaver.



Conceptual Site Plan 3/8/07

WOOD TRAILS

Boundy - Sanders, faults, Figure 2, page 4 of 7

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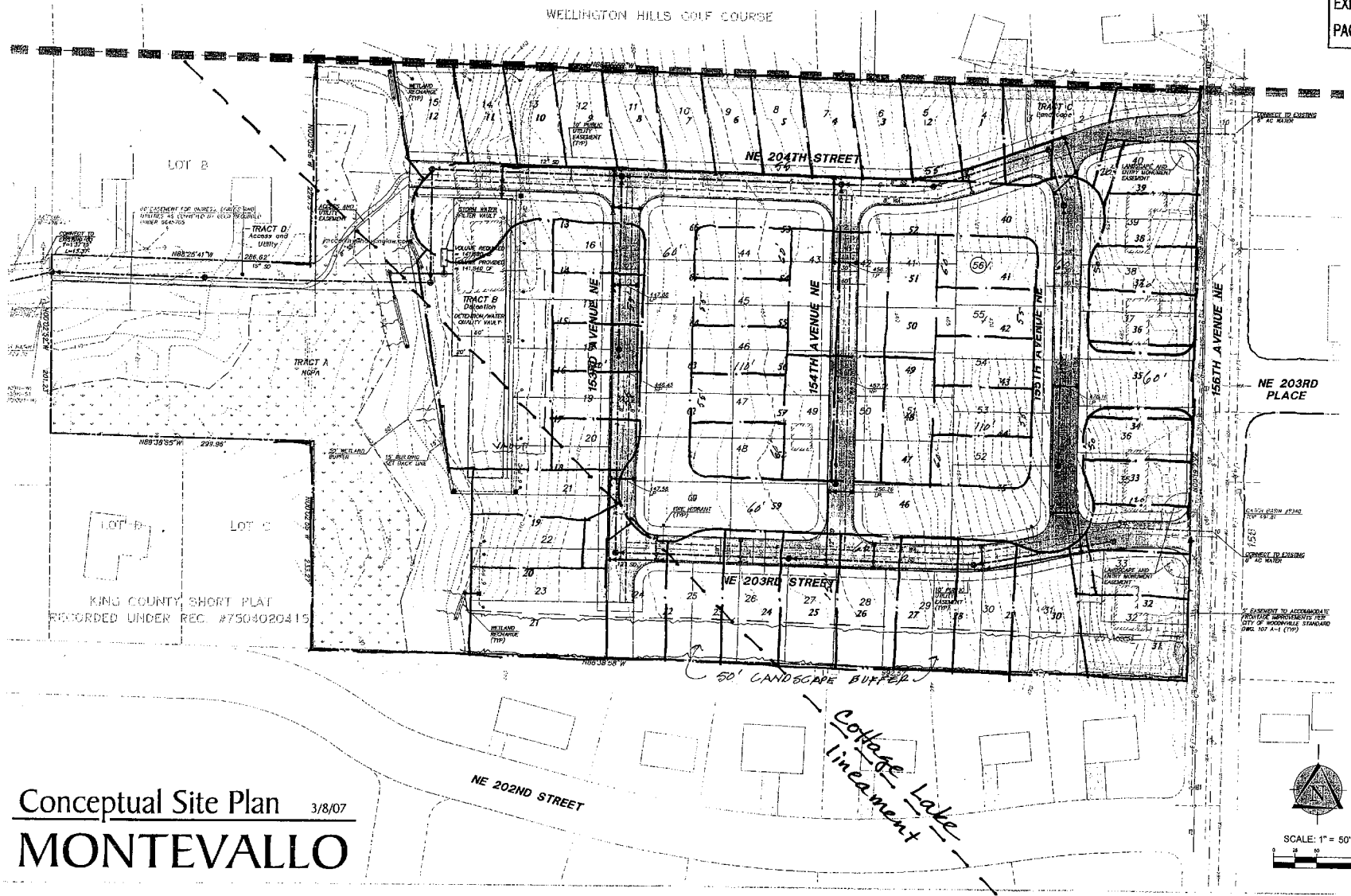

Conceptual Site Plan 3/8/07

MONTEVALLO

Boundy - Sanders, faults,
Figure 3, page 5 of 7

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The significance of this information is multifaceted:

- It further reduces the buildability of the Wood Trails and Montevallo sites: the International Residential Code prohibits building residential buildings on top of faults.
- Wood Trails is documented as a landslide hazard area in the Sustainable Development Study (volume 3 of Exhibit 74), in addition to containing steep slopes, wetlands, streams, and erosion hazard areas. Considering that seismic hazard and landslide hazard are a potentially deadly combination, this should be further evidence that Wood Trails is highly environmentally constrained, unbuildable, and both the rezone application and plat application should be denied.
- Montevallo, being both a wetland and likely having a fault crossing it, should likewise be interpreted as being complexly environmentally constrained and unbuildable. Both the rezone application and the plat application should be denied.
- As a member of the Citizens Advisory Panel for the Sustainable Development Study, I can assure you that these faults are a high priority for the next phase of study. The City Council members who have seen the maps and have the background to recognize the features agree that the features appear to be faults, and prudence and the public interest demand that they be investigated more carefully.

These faults, having been identified by internationally respected earth scientists and being in review to appear in the most-cited international earth science journal, meet even the most stringent standards of Best Available Science. In recognizing them and making a recommendation that is consistent with them, you are certainly observing both the letter and spirit of Woodinville's critical areas ordinances.

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2003 Fall Meeting
Search Results

Cite abstracts as *Eos Trans. AGU, 84*(46),
Fall Meet. Suppl., Abstract xxxxx-xx, 2003

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Your query was:
"S42A-0149"

The selected databases contain **one** document matching your query:

HR: 0830h
AN: **S42A-0149**

The Cottage Lake Lineament, Washington: Onshore Extension of the Southern Whidbey Island Fault?

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EM: *mccormack@aspectconsulting.com*
AF: *Aspect Consulting, 811 First Avenue, Suite 480, Seattle, WA 98104 United States*

The northwest-striking southern Whidbey Island fault zone (SWIF) is reasonably well expressed by borehole data, marine seismic surveys, and potential-field anomalies on Whidbey Island and beneath surrounding waterways. Johnson et al. (1996) described evidence for Quaternary movement on the SWIF, suggested the fault zone is capable of a M 7 earthquake, and projected three fault strands onto the mainland between the cities of Seattle and Everett. Evidence for this onshore projection is scant, however, and the exact location of the SWIF in this populated region is unknown. Four linear, northwest-striking magnetic anomalies on the mainland may help address this issue. All of the anomalies are low in

Boundy-Sanders, faults, Attachment 1

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amplitude and best illuminated in residual magnetic fields. The most prominent of the magnetic anomalies extends at least 15 km, is on strike with the SWIF on Whidbey Island, and passes near Cottage Lake, about 15 km south of downtown Everett. The magnetic anomaly is associated with linear topography along its entire length, but spectral analysis indicates that the source of the anomaly lies principally beneath the topographic surface and extends to depths greater than 2 km. The anomalies are likely created by northwest-trending, faulted and folded Tertiary volcanic and sedimentary rocks of the Cascade foothills, which rise from beneath the Quaternary lowland fill to the southeast of the SWIF. High-resolution Lidar topography provided by King County shows subtle scarps cutting the latest Pleistocene glaciated surface at two locations along the magnetic anomaly; scarps are parallel to the anomaly trend. In the field, one scarp has 2 to 3 m of north-side-up offset; paleoseismic trench excavations are planned for Fall 2003 to determine their nature and history. Preliminary examination of boreholes, recently acquired as part of an ongoing sewer tunnel project, show anomalous stratigraphic and structural disturbances in the area of the magnetic anomalies. Analyses are underway to determine if faulting causes these disturbances. Taken together, the SWIF and the Cottage Lake lineament extend $>$50 km. Thus defined, the SWIF is spatially associated along its length with an arcuate (convex to the southwest) zone of deep ($>$10 km) crustal earthquakes, one of several arcuate alignments of epicenters between the SWIF and Olympia, Washington.

DE: 1517 Magnetic anomaly modeling
DE: 1545 Spatial variations (all harmonics and anomalies)
DE: 7221 Paleoseismology
DE: 7223 Seismic hazard assessment and prediction
DE: 8110 Continental tectonics--general (0905)
SC: Seismology [S]
MN: 2003 Fall Meeting

New Search

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THE COTTAGE LAKE AEROMAGNETIC LINEAMENT: A POSSIBLE ONSHORE EXTENSION OF THE SOUTHERN WHIDBEY ISLAND FAULT, WASHINGTON

By Richard J. Blakely[1], Brian L. Sherrod[2], Ray E. Wells[1], Craig S. Weaver[2], David H. McCormack[3], Kathy G. Troost[4], and Ralph A. Haugerud[2]

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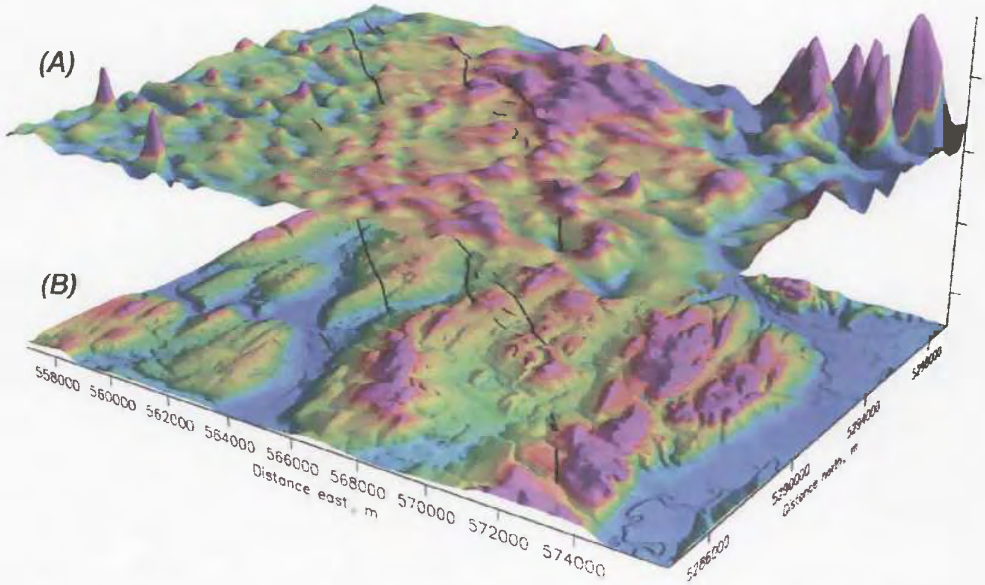

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Boundy-Sanders faults, Attachment 2

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Cover illustration: Three-dimensional view of aeromagnetic anomalies, terrain, and lidar scarps and lineaments. View is from southeast. (A) Residual magnetic anomalies. (B) Terrain from a 10-m digital elevation model, vertically exaggerated 2:1. Black lines are lidar scarps and lineaments discussed in text.

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THE COTTAGE LAKE AEROMAGNETIC LINEAMENT: A POSSIBLE ONSHORE EXTENSION OF THE SOUTHERN WHIDBEY ISLAND FAULT, WASHINGTON

By Richard J. Blakely, Brian L. Sherrod, Ray E. Wells, Craig S. Weaver, David H. McCormack, Kathy G. Troost, and Ralph A. Haugerud

ABSTRACT

The northwest-striking southern Whidbey Island fault zone (SWIF) was mapped previously using borehole data and potential-field anomalies on Whidbey Island and marine seismic surveys beneath surrounding waterways. Abrupt subsidence at a coastal marsh on south-central Whidbey Island suggests that the SWIF experienced a M_W 6.5 to 7.0 earthquake about 3000 years ago. Southeast of Whidbey Island, a hypothesized southeastward projection of the SWIF would make landfall between the cities of Seattle and Everett. As part of systematic, ongoing studies by the U.S. Geological Survey, University of Washington, and other earth science organizations to evaluate potentially active faults and other earth hazards throughout the Puget Lowland, we test this hypothesis using aeromagnetic, lidar, and borehole data.

Linear, northwest-striking magnetic anomalies traversing the mainland region project southeastward toward the communities of Woodinville and Maltby, Washington. All of these magnetic anomalies are low in amplitude and best illuminated in residual magnetic fields. The most prominent of the residual magnetic anomalies extends at least 16 km, lies approximately on strike with the SWIF on Whidbey Island, and passes near Crystal and Cottage Lakes, about 27 km southeast of downtown Everett. In places, this magnetic anomaly is associated with topographic lineaments, but spectral analysis indicates that the source of the anomaly extends to depths greater than 2 km and cannot be explained entirely by topographic effects. The Alderwood #1 oil exploration well located on strike with the Cottage Lake aeromagnetic lineament shows evidence of deformation over a total depth range of 3000 m; some beds within this interval exhibit intense fracturing and shearing, although deformation within the well can only be constrained as post-early Oligocene and pre-Pleistocene. Boreholes acquired as part of a wastewater tunnel project show evidence of soil disturbance at locations where some topographic and aeromagnetic lineaments cross the tunnel alignment. Some of the disturbance is likely tectonic in origin, although other explanations are possible. Some of the soil disturbance demonstrably predates the 15-13 ka Fraser glaciation of the Puget Lowland; other samples have inconclusive ages and may be younger. Subtle scarps in Pleistocene surfaces are visible on high-resolution lidar topography at a number of locations along the Cottage Lake aeromagnetic lineament. Collectively, the scarps are parallel to the trend of the aeromagnetic lineament and extend a total distance of 18 km. In the field, scarps exhibit 1 to 5 m of north-side-up offset. The scarps provide targets for future paleoseismic trenching studies to test the hypothesis that they have a tectonic origin.

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INTRODUCTION

Oblique subduction of the Juan de Fuca plate beneath North America produces a residual northward migration of the Washington and Oregon forearc toward Canada. Plate tectonic models, geodetic measurements, and geologic arguments indicate that this northward migration causes north-south shortening of the Washington forearc at the rate of about 6 mm/year on average (for example, Wells and others, 1998; Miller et al., 2001; Hyndman et al., 2003). Much of this deformation is accommodated on regionally extensive crustal faults that cross the Puget Lowland, including the Olympia, Tacoma, Seattle, southern Whidbey Island, and Devils Mountain faults (Figure 1). A rapidly growing body of paleoseismic evidence is showing that all of these Puget Lowland faults slipped during Holocene earthquakes (for example, Bucknam and others, 1992; Johnson and others, 2001, 2003; Nelson and others, 2003; Sherrod and others, 2004; Kelsey and others, 2004).

The southern Whidbey Island fault zone (SWIF) is a mostly concealed, northwest-trending structure extending across southern Whidbey Island toward Vancouver Island (Figures 1 and 2). The SWIF was first recognized and mapped at a regional scale by Gower and others (1985) on the basis of gravity and aeromagnetic anomaly maps. Johnson and others (1996) analyzed seismic-reflection profiles in the waterways around Whidbey Island, exposures in sea cliffs, and nearby borehole data and concluded that, on Whidbey Island, the SWIF consists of three main strands with strike-slip and reverse displacements. The northern and southern strands exhibit north-side-up displacement, whereas the middle strand has south-side-up offset and was interpreted as a backthrust rooted into the southern strand. Johnson and others (1996) inferred Quaternary deformation on the SWIF and estimated, based on its length, that the SWIF is capable of a M_S>7 earthquake. Kelsey and others (2004) found differences in relative sea-level histories at two coastal marshes located on opposite sides of a newly mapped trace of the SWIF (Figure 2). They interpreted their results as evidence for 1-2 m of vertical, north-side-up displacement during a M_W 6.5 to 7.0 earthquake about 3000 years ago.

The SWIF is associated with a diffuse zone of crustal earthquake epicenters (Figure 3) extending from the Strait of Juan de Fuca to the southern end of Whidbey Island. Associating specific earthquakes with specific faults is problematic throughout the Puget Lowland, however, and the relationship of the SWIF to the regional tectonic framework is complex. For example, focal mechanisms derived from three M>3.5 earthquakes in the mid-crust beneath the SWIF indicate mostly dextral strike-slip offset on northwest-striking, steeply dipping planes (Johnson and others, 1996). On the other hand, recent paleoseismic investigations of the Utsalady Point fault on northern Whidbey Island (Figures 1 and 3) suggest left-lateral displacements during late Holocene earthquakes (Johnson and others, 2003).

Along with the Tacoma and Seattle faults, the location of the SWIF affects earthquake hazard calculations for central and southern Puget Sound. While the location of the SWIF is relatively well known on Whidbey Island and surrounding waterways, it is not known whether, where, or how far the fault extends to the southeast. Johnson and others (1996) concluded on the basis of marine seismic-reflection data that three strands of the SWIF make landfall between Mukilteo and Nora Beach (Figure 2), and they suggested on the basis of regional geophysical data and tectonic arguments that these strands continue southeastward an additional 30 km. The

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geophysical expression of the SWIF is subdued along its entire length, however, especially on the mainland southeast of Whidbey Island. In this paper we use numerical analysis of high-resolution aeromagnetic data, new lidar topographic surveys, and available subsurface information to investigate the proposed southeastward extension of the SWIF.

AEROMAGNETIC ANOMALIES

The aeromagnetic survey

In 1997, the U.S. Geological Survey conducted a high-resolution aeromagnetic survey of the Puget Lowland south of the Canadian border (Figure 4; Blakely and others, 1999). The purpose of the aeromagnetic survey was to contribute to ongoing geophysical and geologic investigations of geologic hazards throughout the Puget Lowland—Willamette Valley urban corridor in western Washington and Oregon. The Puget Lowland aeromagnetic survey was flown at an altitude of 250 m above ground, or as low as permitted by safety considerations. Over the study area to be discussed subsequently, the average altitude above ground was 262 m. Flight lines were directed north-south and spaced 400 m apart over the Puget Lowland; east-west tie lines were flown 8 km apart to facilitate data compilation. A theoretical flight surface, based on a digital topographic model, was computed in advance of the survey, and real-time, differentially corrected Global Positioning System (GPS) navigation was used during flight to maintain that desired flight surface. Two ground-based magnetometers operated continuously during the survey in order to monitor and correct for time-varying magnetic fields. Total-field measurements were reduced to anomaly values by subtracting the International Geomagnetic Reference Field updated to the date of the survey. Original measurements were spaced very closely along each flight and tie line. To alleviate artifacts in gridded and processed maps caused by this directional over-sampling, the original database was winnowed by 90 percent, producing an average along-line sample interval of 180 m.

The airborne and ground-based magnetometers used in the Puget Lowland aeromagnetic survey had sensitivities of 0.005 nT and noise levels of 0.02 nT, but several factors would tend to decrease the overall precision of the aeromagnetic maps. These include navigational errors, diurnal and transient effects, and aircraft magnetic fields. The Puget Lowland survey was conducted using standards established by the U.S. Geological Survey, including positional accuracies estimated at less than 5 m, the use of specially designed aircraft, in-flight compensation of aircraft magnetic fields, and stringent requirements on maximum allowable diurnal and transient magnetic fields. Taking all of the sources of error into consideration, we estimate the overall precision of individual measurements to be 0.5 nT or better.

Given the distribution of flight and tie lines and along-line sample spacing, the aeromagnetic survey has Nyquist wavelengths of approximately 800 m in the east-west direction and 360 m in the north-south direction. We are unable to completely resolve individual magnetic anomalies smaller than these horizontal dimensions. At 262-m altitude, however, even sources as small as discrete points and located as shallow as the topographic surface would produce anomalies with horizontal dimensions of about 600 m. Larger (more realistic) or deeper sources would produce anomalies with broader dimensions, and thus we believe the aeromagnetic survey has done an adequate job of sampling anomalies caused by near surface sources.

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Volcanic rocks are typically more magnetic than other lithologies and produce distinctive magnetic anomalies when exposed at the surface or when located at shallow depths. A complex variety of volcanic rocks of varying ages and origins underlie the Puget Lowland. For example, strong positive magnetic anomalies (bright red areas on Figure 4) occur over the eastern margin of the Olympic Mountains, where basaltic rocks of the Eocene Crescent Formation are exposed at the surface or lie at shallow depth. Distinctive anomalies also occur over pre-Tertiary ophiolites in the San Juan Islands and contribute to a series of magnetic anomalies that help delineate the Devils Mountain fault (Johnson and others, 2001). Characteristic short-wavelength, high-amplitude anomalies occur over volcanic rocks of the Cascade Range, notably those surrounding Mount Rainier in the southeastern corner of the Puget Lowland aeromagnetic map (Figure 4).

Magnetic anomalies are typically subdued over sedimentary basins of the Puget Lowland, but notable exceptions exist. A steeply dipping layer of basaltic conglomerate lying within the Miocene Blakely Harbor Formation produces the narrow, linear anomaly that crosses southern Bainbridge Island (Figure 4; Blakely and others, 2002).

Faults that juxtapose rocks of contrasting magnetic properties at shallow- and mid-crustal depths produce linear magnetic anomalies, and all of the known, regionally extensive faults of the Puget Lowland are reflected in high-resolution aeromagnetic data (Figure 4). Deformation on the Seattle fault, for example, has incorporated various magnetic lithologies into shallow parts of its hanging wall, and these rocks produce distinctive magnetic anomalies that permit detailed mapping of the hanging-wall geology. The narrow anomaly crossing southern Bainbridge Island (Figure 4), for example, marks a Holocene strand of the Seattle fault, as evidenced by close spatial association of the magnetic anomaly with fault scarps exposed in trench excavations (for example, Blakely and others, 2002; Nelson and others, 2003; Sherrod, 2002).

Regional magnetic anomalies of the SWIF

Regional geophysical surveys reveal the broad crustal structure of the SWIF beneath the Puget Sound. Seismic tomography and gravity anomalies (Brocher and others, 2001) image the SWIF as a linear, northwest-trending contact between low-velocity, low-density sediments of the Everett basin and high-velocity, high-density Crescent Formation that underlies the Kingston arch (Figure 1). Marine seismic-reflection surveys have imaged three strands of the SWIF in the waterways around southern Whidbey Island, and interpretations based on these data indicate vertical, north- and south-side-up displacements at least as recently as Quaternary time (Johnson and others, 1996).

The SWIF also appears as a regional-scale linear aeromagnetic anomaly (Figures 2 and 4), first recognized by Gower and others (1985). Although aeromagnetic anomalies clearly identify the SWIF, its expression is broader and more subdued than those associated with other faults in the Puget Lowland (for example, Blakely and others, 2002). West of Whidbey Island (Figure 2), linear magnetic anomalies are clearly aligned along mapped strands of the SWIF. Southeast of Useless Bay, however, magnetic anomalies are longer in wavelength, and associating anomalies with individual fault strands is problematic. To first order, the magnetic expression of the SWIF reflects vertical offsets of highly magnetic basaltic rocks of the Eocene Crescent Formation against younger, less magnetic sedimentary deposits that fill the Everett basin to the north. The

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broad nature of the anomaly over Possession Sound (Figure 2) indicates that offsets of Crescent Formation are relatively deep in this region, greater than several kilometers, a fact confirmed by seismic-reflection data (Johnson and others, 1996). Over the mainland and at the scale of Figure 2, the magnetic expression along the hypothesized southeastward projection of the SWIF is obscured, particularly in the region between Lake Washington and Everett. This suggests that offsets in Crescent Formation, if they exist beneath the mainland, lie at even greater depths than beneath Whidbey Island and Possession Sound. On the other hand, we note a subtle northwest-trending grain to the aeromagnetic anomalies in this mainland region (Figure 2) that may originate from magnetic rocks stratigraphically higher than the Crescent Formation.

Possible magnetic sources beneath the mainland projection of the SWIF

Two high-amplitude magnetic anomalies are evident between Snohomish and Woodinville (Figure 5), along the hypothesized southeastward projection of the SWIF. A pronounced circular anomaly (label A, Figure 5) lies over Tertiary mafic volcanic rocks exposed at Devils Butte and Bald Hill south of the town of Snohomish (Yount and Gower, 1991; Minard, 1985). Johnson and others (1996) considered these rocks equivalent to Eocene volcanic rocks of Mount Persis (Tabor and others, 1993), correlative with Tukwila Formation exposed 30 to 40 km to the south. Based on magnetic susceptibility measurements at four sites on and around Bald Hill, induced magnetization of relatively fresh volcanic exposures had an average magnetization of 0.73 A/m (Table 1). These mafic volcanic rocks probably cause anomaly A.

A broader magnetic anomaly of similar amplitude overlies Crystal and Cottage Lakes (label B, Figure 5). Glacial deposits exposed at the ground surface in this area are not sufficiently magnetic to account for the high amplitude of this anomaly (Table 1), and the broad gradients around the margins of the anomaly suggest that it originates from several kilometers below the surface. Eocene Crescent Formation or Eocene volcanic rocks of Mount Persis probably cause anomaly B. The linear northeastern margin of anomaly B suggests steeply dipping bedrock or fault control.

Superimposed on these pronounced, broad, high-amplitude magnetic anomalies is a subtle pattern of short-wavelength, low-amplitude anomalies, best displayed by the shadows in Figure 5. Man-made structures cause some of these anomalies. The distinctive anomaly located about 3 km southeast of Mukilteo and immediately north of State Route 526 (label C, Figure 5), for example, lies over a major Boeing facility and is probably caused by associated infrastructure. Much of the other short-wavelength, "noisy" pattern between Mukilteo and Edmonds is probably caused by human development.

Other low-amplitude anomalies in Figure 5 are caused by near-surface geology. Of particular interest are anomalies that extend linearly for many kilometers. These linear anomalies cannot be explained by man-made structures and probably originate from magnetic variations in geologic materials. In particular, the northwest-trending, linear anomaly near Cottage and Crystal Lakes, evident as a shadow on Figure 5 (label D, black arrows), is not obviously associated with roads, power lines, or other human development.

Although vertical offsets of Crescent Formation or other highly magnetic volcanic rocks appear to be relatively deep beneath anomaly B, as discussed above, deep exploratory wells in the area

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indicate that overlying sedimentary rocks may also contribute to magnetic anomalies. In particular, two wells are located in the immediate region where the SWIF is hypothesized to project onto the mainland (Figure 5). The Standard Oil Company of California Alderwood #1 well reached a total depth of 3353 m (Rau and Johnson, 1999). Drilling encountered unconsolidated Pleistocene glacial and interglacial deposits to depths of 110 m, then penetrated mudstone, siltstone, and sandstone of the upper Eocene to lower Oligocene Blakeley Formation to a depth of 1591 m.

Glacial deposits and Blakeley Formation are generally considered nonmagnetic (for example, Finn, 1990; Blakely and others, 2002). However, sandstone and siltstone observed within the Blakeley Formation of the Alderwood #1 well were commonly tuffaceous (Rau and Johnson, 1999) and thus may be weakly magnetic. Moreover, minor correlations between glacial topography and magnetic anomalies, noted subsequently, suggest that glacial deposits also might be slightly magnetic. In an attempt to verify this, we made a number of magnetic susceptibility measurements in the Woodinville-Maltby area, summarized in Table 1. We visited five locations of Vashon-age recessional outwash and older Pleistocene glacial deposits and found average induced magnetizations ranging from 0.05 to 0.12 A/m, with an overall average value of 0.09 A/m. We also conducted magnetic susceptibility measurements of four bedrock exposures in the Maltby area mapped as upper Eocene to lower Oligocene Blakeley Formation (Minard, 1985). Fine-grained exposures had an average induced magnetization of only 0.01 A/m, but one pebbly bed had an average magnetization of 0.11 A/m. These weak values are sufficient to produce low-amplitude magnetic anomalies at low aircraft altitudes, as demonstrated subsequently.

Between depths of 1591-3353 m, the Alderwood #1 well passed through sedimentary and volcanic rocks interpreted by Rau and Johnson (1999) as Eocene sandstone of Scow Bay. Within this interval, eight or more intervals of volcanic rock and volcanic conglomerate had thicknesses up to 46 m. Based on five samples from the well, 80 percent of the volcanic rock had basaltic composition; the remainder was andesitic in composition (Rau and Johnson, 1999). Offsets of these volcanic units within the Eocene sandstone of Scow Bay also could produce subtle magnetic anomalies.

The Standard Oil Company of California Socal-Schroeder #1 well (Figure 5; Rau and Johnson, 1999) passed through 207 m of unconsolidated Pleistocene glacial and interglacial deposits, then penetrated Blakeley Formation and Renton Formation to a depth of 2438 m. From 2438 to 2697 m, drilling penetrated andesitic volcanic rocks interbedded with carbonaceous mudstone and siltstone, interpreted by Rau and Johnson (1999) as upper Eocene volcanic rocks of Mount Persis (Tabor and others, 1993). Similar rocks are exposed at Devils Butte and Bald Hill, where they produce a high amplitude magnetic anomaly (label A, Figure 5) and have moderate values of magnetic susceptibility (Table 1). These buried volcanic deposits could produce low-amplitude magnetic anomalies at aircraft altitudes.

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Analysis of aeromagnetic data

Numerical processing of aeromagnetic surveys often reveals subtle trends related to important structures not readily seen in the regional-scale analysis (for example, Ponce and others, 2003; Grauch and others, 2001). Three numerical methods were applied to the Puget Lowland aeromagnetic survey in an attempt to emphasize subtle, linear anomalies presumably caused by shallow geologic sources. These methods are described in the following subsections and in Figures 6 through 11.

Residual magnetic anomalies

The first method capitalizes on the fact that the intensity of a magnetic field decreases with distance from the object that causes the magnetic field. The field intensity over a spherical magnetic source, for example, is proportional to $1/r^3$, where r is the distance between the magnetic sensor and the center of the sphere (Telford and others, 1990; Blakely, 1995). Suppose we have two aeromagnetic surveys over the same distribution of magnetic sources, the only difference being the altitudes of the surveys above ground. Each magnetic anomaly in the upper survey will have lower amplitude than its counterpart in the lower survey, but, because of the $1/r^3$ rule, the amount of that attenuation will depend on the depth of each respective source: deeper sources will be less attenuated than shallow sources. Given only a single aeromagnetic survey, we can exploit these characteristics with a two-step procedure: We first analytically continue the aeromagnetic survey upward a small distance, then subtract that result from the original survey. This procedure tends to accentuate anomalies due to shallow magnetic sources at the expense of those caused by deeper sources. This method is essentially a discrete vertical derivative of the magnetic field, well known as a way to accentuate shallow magnetic sources (Telford and others, 1990; Blakely, 1995).

Figure 6 demonstrates these principles with a hypothetical example using actual data. The map on the left (Figure 6A) shows actual measured aeromagnetic anomalies. To simulate a near-surface fault in weakly magnetic sediments a very low-amplitude magnetic anomaly has been artificially added to these data. It is difficult if not impossible to detect the anomaly caused by the hypothetical fault in the original data (Figure 6A). The map on the right (Figure 6B) shows the same data after application of the residual method. Large-amplitude anomalies due to deep sources are now greatly subdued, and the linear anomaly caused by the hypothetical fault is more evident.

Figure 7 shows the residual method applied to aeromagnetic data over the study area. Magnetic anomalies caused by deep sources are still prominent but significantly reduced in amplitude relative to the original data (Figure 5). This procedure naturally amplifies the magnetic signal of manmade structures at the topographic surface. For example, large buildings, like hospitals and skyscrapers, often produce distinctive, more or less symmetric anomalies that are easily recognized. The most obvious example in Figure 7 is the complex, roughly circular anomaly 3 km southeast of Mukilteo. It has peak-to-trough amplitudes in Figure 7 of approximately 190 nT, is located over a major Boeing facility, and is probably related to manmade structures. Linear anomalies sometimes coincide with major freeways because freeways incorporate

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metallic building materials. However, we see no evidence in Figure 7 that linear anomalies are associated with freeways or major highways.

Many linear anomalies evident in Figure 7 are not associated with manmade objects and must have geologic explanations. In particular, a northwest-striking gradient passing near Crystal and Cottage Lakes is continuous over a length >16 km and not associated with manmade objects. Other northwest-striking anomalies in Figure 7 have similar expression. These anomalies are very low in amplitude, with peak-to-trough amplitudes generally less than 8 nT. We focus here on the Cottage Lake aeromagnetic lineament (label D, Figure 7) for reasons described in the following section.

Magnetic boundary analysis

The second method emphasizes contacts between magnetic and less magnetic rocks. It capitalizes on a mathematical connection between magnetic anomalies and gravity anomalies: Given only the magnetic anomaly measured over a distribution of magnetic sources, it is possible to calculate the gravity anomaly expected over an identical distribution of gravity sources (Baranov, 1957; Telford and others, 1990; Blakely, 1995). This transformation, known as *pseudogravity*, requires no assumptions regarding the true nature of the magnetic sources, other than the vector orientation of magnetization. The pseudogravity transformation is of interest in our application because gravity anomalies are in some ways easier to interpret than magnetic anomalies. For example, a gravity anomaly over a tabular mass has maximum horizontal gradients located over the edges of the mass, whereas the dipolar nature of magnetic sources produces magnetic anomalies with highs and lows, a shape that depends on both the direction of magnetization and direction of the ambient field (Figure 8). We extend this advantageous characteristic of gravity anomalies to analysis of aeromagnetic anomalies with a three-step procedure (Blakely and Simpson, 1986): (1) We transform magnetic anomalies to pseudogravity anomalies, (2) calculate the maximum horizontal gradient at each point, and (3) plot the location of each maximum. Figure 9 shows this method applied to the aeromagnetic data over the study area, where alignments of white dots indicate abrupt contrasts in magnetization. This method has the important advantage of providing an objective interpretation, not influenced by pre-determined geologic models. No assumptions about the magnetic source are required except an assumed knowledge of the vector direction of magnetization, which we here assume to be parallel to the ambient field of the earth.

These aeromagnetic lineaments have various geologic explanations (discussed below), but those that trend northwestward are most relevant for testing the hypothesis of possible onshore projections of the SWIF. Figure 10 identifies significant northwest-striking magnetic lineaments. Black dashed lines on Figure 10 indicate interpreted lineaments associated with specific magnetic boundaries (white dots of Figure 9), as determined numerically with the method of Blakely and Simpson (1986). Black dotted lines are interpreted lineaments with lower confidence, drawn on the basis of alignment, offset, or truncation of individual anomalies. Using continuity of white dots (Figure 9) as a measure, the Cottage Lake aeromagnetic lineament is the longest, most continuous northwest-striking magnetic gradient of the study area. Even still, the Cottage Lake aeromagnetic lineament is much lower in amplitude relative to magnetic anomalies along mapped traces of the SWIF west of Whidbey Island (Figure 2).

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Matched-filter analysis

The third method (Figure 11) exploits the fact that the *shape* of a magnetic anomaly depends on the depth to its magnetic source. For example, a deep source will produce a broader, smoother anomaly relative to the same source located at shallower depths. These wavelength characteristics are best described in the Fourier domain as power-density spectra, where the power of a deep-source anomaly falls off more rapidly with increasing wavenumber than the power of a shallow-source anomaly (Spector and Grant, 1970; Blakely, 1995). In principle, the shape of a power-density spectrum of a magnetic anomaly caused by a stack of magnetic layers can be analyzed to estimate the layer depths (Spector and Grant, 1970). Once determined, matched filters are designed to emphasize anomalies originating from important individual layers (Syberg, 1972; Phillips, 1997). In applying the matched-filter technique to the data of Figure 5, we determined four important layers at depths of 107, 433, 1245, and 2723 m. Table 2 shows our interpretation of each of these layers, and Figure 11 shows magnetic anomalies filtered to emphasize sources within a layer with top at 1245 m depth. We interpret this map as a reflection of offset of or lateral variations within magnetic lithologies between 1 and 2.5 km below the topographic surface. Existing borehole control suggests that the source layers may include volcanic rocks or volcanic conglomerate within the Tertiary sandstone of Scow Bay or Tertiary volcanic rocks of Mount Persis (Rau and Johnson, 1999). Most of the northwest-striking lineaments interpreted from previous maps are evident in this filtered version (interpreted black dashed and dotted lines, Figure 11), indicating that these northwest-striking sources extend to depths greater than 2 km.

Consideration of possible artifacts

Each of the above methods involves Fourier-domain calculations, and thus we should consider the possibility that northwest-trending features seen in the processed data are artifacts due to edge effects, aliasing, or other computational errors. Edge-effect artifacts, as the name implies, tend to be near and oriented parallel to the edges of the gridded database. If they exist at all in our results, they do not cause the northwest-trending anomalies described above. We also do not regard aliasing or uneven sample distribution to be serious problems, for the reasons discussed above. Moreover, anomaly D and other northwest-trending magnetic lineaments appear in the original aeromagnetic data (Figure 5); their presence in the derivative maps (Figures 7 and 9-11) cannot be the result of processing artifacts.

In summary, high-resolution aeromagnetic measurements over the study area indicate a subtle pattern of northwest-striking anomalies best displayed in processed versions of the original magnetic data. Geologic interpretation of those anomalies is discussed below.

Geologic interpretation of magnetic anomalies

Northwest-striking magnetic anomalies in Figures 5, 7, and 9-11 are interpreted as originating from alignments of weakly magnetic sedimentary rocks and thin interbedded volcanic layers in the upper few kilometers of the earth's crust. Later we will describe spatial correlations between some of these anomalies and lidar topography and regional digital elevation models. Various geologic explanations for these anomalies should be considered (Figure 12).

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In some situations, shallow materials underlying the terrain itself may be magnetic and thus produce magnetic anomalies that correlate with topography (Figure 12B). Under ideal conditions, the pilot flying the aeromagnetic survey strives to maintain constant altitude above all topographic features. In practice, fixed-wing aircraft never completely achieve this goal, flying near the ground over ridge tops and farther from the ground over valleys, and variable clearance above weakly magnetic terrain can produce low-amplitude anomalies. Weakly magnetic sediments forming the sea cliffs probably cause the anomalies along coastlines in Figure 5, for example, particularly along the southern coast of Whidbey Island and the west coast of the mainland. Later in this report we contrast the relative anomaly amplitudes that might originate from terrain verses from deeper layers. In any case, it is unlikely that the northwest-striking gradients in the study area can be explained entirely in this way because few if any of these lineaments correlate with variations in terrain clearance (Figure 13B). Exceptions occur over the Snohomish and Skykomish Rivers, where the rivers wrap around the steep slopes of Devils Butte and Bald Hill, and over the Sammamish River, where it empties into Lake Washington. We note that the anomaly near Crystal and Cottage Lakes (label D, Figures 5, 7, 9-11), the longest of the northwest-striking anomalies, shows negligible correlation with variations in aircraft altitude above ground.

The growth of secondary magnetic minerals along concealed fractures or faults could produce linear magnetic anomalies in the study area (Figure 12C). Such processes occur in some geologic environments. Linear magnetic anomalies in northern Nevada, for example, reflect epithermal processes related to large distal volcanic systems, where secondary magnetic minerals have been concentrated in pre-existing fracture zones (Ponce and Glen, 2002). Although much smaller in size, the volcanic rocks that underlie Devils Butte and Bald Hill are described as partially intrusive (Minard, 1985), and a Tertiary pluton may have provided a possible source for secondary mineralization. We cannot rule out the possibility that such processes occurred in our study area, but existing geologic mapping shows no evidence of such concentrations.

The most likely explanation for the northwest-striking anomalies is simply the juxtaposition of lithologies having slightly contrasting magnetic properties. These contacts may be due to crustal faulting (Figure 12D) or to depositional processes (Figure 12E) now concealed by younger glacial deposits. In the first case, correlations between magnetic anomalies and topographic lineaments and scarps may reflect tectonic deformation of the topographic surface; in the latter case, correlations between magnetic anomalies and topographic lineaments and scarps may reflect lateral variations in resistance to erosion that correspond to variations in magnetic properties. Pronounced linear contacts extending over many kilometers are commonly due to faulting or folding. We cannot determine the age of the fault from aeromagnetic data alone. An older, inactive fault scarp could cause the anomalies.

SUBSURFACE INFORMATION

The Standard Oil Company of California Alderwood #1 well is located within the hypothesized onshore projection of the SWIF (Figure 14) and on strike with the Cottage Lake aeromagnetic lineament. Oil company descriptions of the Alderwood #1 well (Standard Oil Company of California internal document, 1947) document evidence of tectonic deformation between depths of 1209 and 2713 m, variously described as slickensides, fault gouge, and "badly crushed" or

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"badly fractured" strata. Rau and Johnson (1999) reexamined the Alderwood #1 well and also found evidence of subsurface deformation. Strata within the Oligocene Blakeley Formation (depths from 268 to 1591 m) were commonly fractured and sheared, and beds within the deeper sandstone of Scow Bay (depths from 1591 to 3353) were intensely sheared (Rau and Johnson, 1999). No deformation was noted in strata younger than the Blakeley Formation, about 35 Ma. Thus the age of deformation in the Alderwood #1 well is only constrained to be post-early Oligocene and pre-Pleistocene. Rau and Johnson (1999) noted no deformation in the Socal-Schroeder #1 well.

Subsurface explorations are underway to support design and construction of 30-km of wastewater conveyance tunnels between the Woodinville area and a marine outfall in Puget Sound south of Edmonds, Washington (Figure 14). Explorations consisting of 157 boreholes to an average depth of 75 m have been completed along the conveyance alignment (CDM, 2004), allowing a detailed geologic profile to be constructed across much of the study area. Conveyance borehole core samples are being analyzed for evidence of subsurface disturbances, such as shearing, slickensides, fracturing, brecciation, low soil strength, and other indications of post-depositional stress.

Soil disturbance was encountered in many boreholes throughout the conveyance alignment. The locations of boreholes exhibiting at least one vertical zone of continuous disturbance are presented on Figure 14. Although some of the sample disturbance is likely tectonic in origin, soil disturbance of this type can also result from modern or ancient landslides, ice loading or ice contact, soft sediment loading and fluid escape, liquefaction, and bioturbation, The drilling and sampling process can also induce disturbance. Some of the disturbed structures are tightly rehealed, indicating that they have been glacially overridden and that the disturbance predates the 15-13 ka Fraser glaciation of the Puget Lowland. In other samples, the disturbance appears to be younger. However, since drill or sample-induced disturbance may account for some or all of the apparently younger disturbance, it is not possible to conclusively determine the relative age or cause of this apparently post-Fraser sample deformation. Ongoing design studies are likely to provide additional soil and geologic data beneficial for subsurface evaluation.

The pattern of disturbance does not directly correlate with interpreted magnetic or topographic lineaments. Two boreholes exhibiting soil disturbance are located beneath a northwest-striking aeromagnetic lineament (label E, Figure 14) that passes about 1 km southwest of Woodinville, and other disturbed boreholes are on strike with several aeromagnetic lineaments (labels F, G, and H, Figure 14) extending southeast from Edmonds. On the other hand, other aeromagnetic lineaments identified on Figure 14 (label I and J) show no relation to soil disturbance. The Cottage Lake aeromagnetic lineament (label D, Figure 5, 7, 9-11) does not cross the conveyance project, and it will not be possible to correlate between sample disturbance and this hypothesized projection of the SWIF.

LIDAR GEOMORPHOLOGY

Lidar (light detection and ranging, also known as ALSM, airborne laser swath mapping) is an airborne technique to determine topographic elevations with high precision (Haugerud and others, 2003). Using a narrow laser beam to penetrate through tree cover, lidar surveys can produce accurate terrain maps even where forest cover largely obscures the ground surface. In

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the highly vegetated Puget Lowland, lidar has proved a boon in discovering previously unrecognized scarps and other geomorphology (Haugerud and others, 2003).

In this report, we define a *scarp* as a line of cliffs or topographic steps produced by faulting or erosion (Bates and Jackson, 1980). A *fault scarp*, on the other hand, refers to a line of cliffs or steps caused by surface rupture during an earthquake. *Possible scarps* are features that resemble scarps in the lidar data, but lidar profiles, local geomorphology, or field observations do not clearly confirm their existence. A *topographic lineament* is defined as a linear alignment of landforms, including streams, low ridges, steps, cliffs, and ravines, and may be the result of faulting, erosion, or glacial processes. Because none of the features identified in this report have been studied in detail, we cannot attribute any scarp to an earthquake or faulting event, nor can we preclude the possibility that faulting was responsible for such scarps. Detailed field work is required before any *scarp* can be categorized as a *fault scarp*. In some cases, however, the geomorphology of the feature and surrounding area suggest a particular origin for a scarp (landslides, for example). Our work so far has been aimed at identifying *possible* tectonic features, some of which will be the focus of future detailed field studies.

Lidar data provided by King County and the Puget Sound Lidar Consortium were used in a GIS analysis to look for scarps and other topographic evidence of fault locations. We focused our search on the Woodinville-Maltby area for four reasons: First lidar data are not available throughout the study area (Figure 15B). In particular, the region west of SR 99 and much of the northeastern portion of the study area are not yet surveyed. Second, the Woodinville-Maltby area lies on strike with the hypothesized southeastward projection of the SWIF, and our primary objective was to evaluate the potential southeastward extension of this structure. Third, the Cottage Lake aeromagnetic lineament, the principal magnetic lineation identified within our study area and the most likely candidate for a subsurface fault, trends through the Woodinville-Maltby area. Recent studies elsewhere have noted the close association of aeromagnetic anomalies and fault scarps (for example, Sherrod, 2002; Sherrod and others, 2004; Nelson and others, 2003; Blakely and others, 2002). Fourth, the region west of the Woodinville-Maltby area is highly urbanized (crosshatch pattern, Figure 5). Lidar data throughout much of this area are not useful for identifying possible scarps because of extensive ground surface alteration for human development. In any case, our interpretations throughout the study area should be considered preliminary.

Our analysis primarily used visual examination of hillshaded relief images, simultaneously illuminated from azimuths of 315°, 0°, and 45°, at a sun angle of 45°, and with no vertical exaggeration. Our purpose was to map the population of scarps and topographic lineaments along the hypothesized SWIF. The grayscale topographic relief images were also draped with a semitransparent grid of residual magnetic anomalies to facilitate comparison with aeromagnetic data (Figure 15A). The resulting images show which of the scarps and topographic lineaments are associated with linear aeromagnetic anomalies having a crustal source.

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Features identified from lidar data

Images calculated from high-resolution lidar data from the Cottage Lake area (Figures 15A) show several features important in understanding the geological history of the area. The images show linear glacial flutes that indicate flow directions of the last ice sheet, which flowed across this region about 16 ka (Porter and Swanson, 1998), and more subtle features, such as scarps and lineaments that cut across the glacial flutes at various locations. The following sections describe the topographic features observed in the lidar images and in the field. The text uses geographic names found on USGS 7.5' topographic maps to guide the reader in locating features on topographic and street maps. We first present a short description of processing artifacts in the lidar data, followed by a description of glacial flutes and ice flow directions in the study area, and end with a description of each scarp and topographic lineament.

Processing artifacts in the lidar data

Several processing artifacts are seen throughout the lidar data obtained from King County, specifically "pyrite forests" and swath boundary offsets. Descriptions of several common lidar artifacts, including pyrite forests, are located at the Puget Sound Lidar Consortium website: http://duff.geology.washington.edu/data/raster/lidar/lidardata/index.html.

Swath boundary offsets are sinusoidal features that, in these data, trend east-west. The lidar data were collected as narrow, east-west trending strips, or swaths, and then pieced together (see URL above for a short discussion of lidar processing by David Harding, a NASA lidar specialist). If, as is common, one swath of data is slightly tilted relative to the neighboring swath, the pieced-together surface will have a vertical step at the boundary between swaths. Steps smaller than about 15 cm (6 inches) may not be visible in images calculated from the lidar data. In data examined here, however, the steps are locally as large as 0.6 m (2 feet). The swath boundaries are sinusoidal because of roll of the aircraft that carried the lidar instrument. We identified and marked these artifacts whenever noted in order to avoid interpreting them as landforms. Our evaluations were conservative; if a lineament might have been a processing artifact, it was not considered further.

Glacial flutes

Glacial flutes are linear topographic features created by flowing ice and subglacial meltwater. Maps showing former ice flow directions are created by drawing lines along the crests of these flutes and along the bottoms of the interfluves (Figure 15A). Two ice-flow trends are observed in the study area: (1) roughly north to south (azimuth of ~175°) in the western part of the study area, and 2) slightly southeast (azimuth of ~165° to ~160°) in the eastern part of the study area. These former ice flow directions are important for our study because topographic features that cut across the flutes at high angles are likely not related to glaciers and probably reflect post-glacial processes.

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Scarps and topographic lineaments

We identified 21 possible post-glacial features in our preliminary examination of the lidar images and grouped them as scarps, possible scarps and topographic lineaments (Figure 15A, Table 3). Azimuths of individual features range from about 120° to 145° and thus at an oblique angle to the glacial flutes described above. The 21 features are described below, progressing generally from the northwest to the southeast. Numbers at the beginning of each description are keyed to Figure 15A.

1. Lineament 1 trends northwest-southeast for approximately 2 km along several aligned stream channels and small ridges (Figure 16). The topographic lineament cuts across North Creek and sub-parallel to and about 2 km south of the Cottage Lake aeromagnetic lineament (Figure 14).

2. Lineament 2 trends northwest-southeast for about 7.5 km along several aligned streams and low, linear ridges (Figure 16). The lineament begins about a kilometer southeast of Martha's Lake, crosses North Creek near Thrasher's Corner, and ends at SR 522. Lineament 2 is adjacent to an aeromagnetic anomaly at its southeastern end (Figure 14).

3. Lineament 3 follows linear ridges and aligned stream channels for 2.25 km (Figure 16). The lineament begins about 1.5 km northeast of Kennard Corner and trends southeast before terminating several hundred meters east of Bear Creek. This topographic lineament lies on or near and is parallel to the Cottage Lake aeromagnetic lineament.

4. Lineament 4 is about 3 km long and follows the lower Bear Creek drainage (Figure 17). The lineament crosses SR522 about 1 km northeast of the intersection of SR 522 and SR 9. The southeastern part of the lineament is aligned along a deep ravine, a low ridge or scarp, and two additional scarps (see #8 below). The topographic lineament lies parallel to and along an aeromagnetic anomaly about 1.5 km southwest of the Cottage Lake aeromagnetic lineament.

5. Lineament 5 is a short alignment (~750 m long) of low ridges or scarps at Turner's Corner (intersection of SR 9 and 212th St. SE). A series of parallel linear ridges are seen in the lidar data at this location, the most prominent of which is marked on Figure 17. These features appear on the landscape between two aeromagnetic anomalies - the Cottage Lake aeromagnetic lineament and an aeromagnetic anomaly about 1.5 km to the southwest (Figure 14). Field observations in this area confirmed the presence of low linear ridges along lineament 5.

6. Feature 6 is a short, low scarp (Figures 17 and 18) along the Cottage Lake aeromagnetic lineament. The scarp trends northwest-southeast and is roughly aligned with the northwest end of lineament 7 (see below). A profile across the scarp (using the lidar data) shows that the scarp is north-side-up and has a maximum height of about 2 m (Figure 18).

7. Lineament 7 is a topographic alignment about 2.5 km long consisting of aligned streams, ravines, and low ridges (Figure 15A, 19). The topographic lineament begins near Turner's Corner at the southeast end of feature 6 and ends at the north end of Crystal Lake. The lineament lies along the Cottage Lake aeromagnetic lineament.

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8. Two short scarps (~250 m) along the southeast end of lineament 4 show field evidence for north-side-up deformation (Figures 15 and 17). Profiles extracted from the lidar data across these scarps show two sub-parallel, north-side-up scarps, each about 2 m high (Figure 20). We believe that these scarps may be related to landslide deformation: Discussions with the owner of property located at the northwest end of these scarps suggest small amounts of on-going mass wasting; for example, about one inch of displacement on a sewer line and small cracks in a garage floor were noted after the 2001 Nisqually earthquake.

9. Feature 9 consists of two small scarps near the northwest shoreline of Crystal Lake (Figures 15A and 21). The scarps are between 750-1000 m long, are roughly perpendicular to the shoreline of Crystal Lake, and trend sub-parallel to the Cottage Lake aeromagnetic anomaly (Figure 14). These scarps are associated with a small swale in the road along the west shoreline of Crystal Lake. Lidar images of these scarps suggest the north sides are approximately 2 m higher than the south sides.

10. Feature 10 is the most prominent scarp observed in the lidar data (Figures 15A and 22). The scarp is about 1.5 km long, is sub-parallel to the eastern shoreline of Crystal Lake, and lies along the Cottage Lake aeromagnetic lineament (Figures 14 and 15A). Scarp 10 is aligned with lineament 7 to the northwest and joins with lineament 11 to the southeast, continuing southeast along the Cottage Lake aeromagnetic lineament for another 1.5 km. Lidar profiles across feature 10 (A-A' and B-B', Figure 22) show a broad, north-side-up scarp between 2.5 and 4 m in height. Field observations confirmed the scarp location and approximate height. The scarp is not clear on the lidar map at its southeast end due to poor lidar returns in dense vegetation.

11. Lineament 11 consists of a low, north-side-up ridge or scarp (Figures 15 and 23). This feature begins at the southeast end of feature 10 and continues to the southeast along the Cottage Lake aeromagnetic lineament for 1.5 km. A lidar profile across the feature (C-C', Figure 23) shows a broad, north-side-up scarp at least 4 m high. Field observations confirm the presence of a scarp in places, but dense vegetation made it difficult to trace the feature in the field. At other field locations, feature 11 resembles a small swale.

12. Feature 12 is a short, arcuate scarp located about 750 m northeast of feature 10 (Figures 15A and 23). Additionally, two faint arcuate features observed in the lidar data are located between features 12 and 10 (not marked on map because the features were so faint in the data). A profile across this feature (D-D', Figure 23) using the lidar data shows a 4 m high, north-side-up scarp. The size and shape of this feature suggest a landslide origin.

13. Feature 13 is a short, straight scarp located about 1 km east of feature 12, at the top of the bluff (about 200 m west of Paradise Lake Rd.) along the west side of Paradise Valley (Figures 15A and 24). Scarp 13 is ~100-200 m long and trends northwest-southeast, approximately parallel to the bluff edge (Figure 24). This feature is probably not a landslide: The hillshaded lidar map shows that this scarp has north side up, whereas a landslide at this location would produce a northeast-facing headscarp. Scarp 13 is 1.2 km northeast of the Cottage Lake aeromagnetic lineament. No field observations are available for this feature.

14. Lineament 14 is an alignment of ravines and a low ridge on the west side of Crystal Lake (Figure 25). The lineament is roughly parallel to the Cottage Lake aeromagnetic lineament and

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is on strike with feature 15, a small scarp located at the south end of Crystal Lake. A lidar profile (Figure 25) indicates north side up. No field observations are available for this feature.

15. Feature 15 is a small scarp located at the south end of Crystal Lake (Figure 15A). The scarp is about 500 m long and trends northwest-southeast across a formerly clear-cut area (Figure 26). A profile across the scarp using the lidar data shows that the north-side-up scarp sits on a surface sloping gently to the northeast. The scarp is 3 m high at the location where the lidar profile was drawn – poor lidar returns in most of this area prevented further assessment of scarp heights. However, field observations of the scarp are consistent with the height and aspect shown in Figure 26.

16. Feature 16 consists of three short, en-echelon scarps that lie about 1 km southwest of the Cottage Lake aeromagnetic lineament (Figures 15A and 27). Detailed lidar images show individual scarps 150-200 m long with north side up (Figure 27). A profile across the southernmost scarp of feature 16 shows a low (~2 m high), broad (~20 m wide) scarp (Profile A-A' on Figure 27).

17. Feature 17 is a 500-m-long scarp located about 300 m east of the southern end of feature 16 (Figure 15A and 27). The scarp cuts through a developed area and is likely somewhat modified by landscaping and construction. The scarp cuts across a small ravine at its northern end. A profile across the middle of feature 17 shows a 5-m-tall, north-side-up scarp (Profile B-B' on Figure 27).

18. Feature 18 is a series of en-echelon and parallel scarps located about 2.5 km southeast of the intersection of Mink Rd. NE and NE Woodinville-Duvall Rd. (Figure 28). The scarps are sub-parallel to a prominent magnetic anomaly along the southern end of the Cottage Lake aeromagnetic lineament (Figure 15A). The most prominent scarp is about 2 km long (Figure 28). Lidar profiles across this scarp show broad (>15 m in places), north-side-up topography reaching maximum heights of 2 to 3 m (Figure 26). Field observations confirm the presence of a broad scarp consistent with the lidar image of feature 18. The scarp cuts through a developed area and is likely modified from its original morphology in places.

19. Lineament 19 consists of an alignment of streams and low ridges at the south end of the Cottage Lake aeromagnetic lineament (Figure 15A). The lineament trends north-northwest sub-parallel to nearby glacial flutes.

20. Lineament 20 consists of an alignment of low ridges or scarps northeast of the intersection of 210th Avenue NE and Novelty Hill Road in Redmond, Washington (Figure 15A). These short features appear as low (~1 m), en-echelon scarps and trend sub-parallel to nearby glacial flutes.

21. Feature 21 is a broad north-side-up scarp located at the junction of valleys occupied by Bear Creek and the Sammamish River (south of the intersection of SR 522 and SR 202 in Woodinville; Figure 15A). The scarp is broad in comparison to other scarps observed in lidar data and is parallel to the Sammamish River (roughly NW-SE). The geomorphology of the surrounding area suggests that the scarp likely represents a riser (vertical, steeply sloping step) between two fluvial terraces – one in the Bear Creek valley and the other in the Sammamish River valley.

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Features considered for further field study

Our analysis of lidar images and field observations lead us to conclude that scarps 10, 11, 15, and 18 are the most likely candidates for further field study. This conclusion is based on their proximity to the Cottage Lake aeromagnetic lineament, distinctness of the lidar trace, characteristics of the lidar profiles, and field observations that, among other factors, demonstrate the feasibility of trenching across them. Trenching across scarps could help determine their origin and could yield information on the presence or absence of past earthquakes on the hypothesized projection of the SWIF.

DISCUSSION

In summary, we have found evidence for very low-amplitude, northwest-trending magnetic anomalies between Snohomish and Lake Washington (Figures 5, 7, 9-11), which are on strike with a hypothesized southeastward projection of the SWIF. The longest of these anomalies lies near Crystal and Cottage Lake and extends continuously for about 18 km. The Cottage Lake aeromagnetic anomaly is on strike with the Alderwood #1 well (Figure 14), where Oligocene and older sedimentary rocks are deformed. Boreholes in the area between Woodinville and Puget Sound show evidence of Pleistocene soil disruption consistent with tectonic disturbance, although other explanations are possible. Some of the borehole disturbance is demonstrably older than Fraser glaciation (15-13 ka), whereas the age of other disturbances are inconclusive. The association of disturbed boreholes with specific aeromagnetic lineaments is problematic. We also have examined lidar data from the Woodinville-Maltby area and found evidence of 21 topographic scarps and lineaments (Figure 15A). The most prominent scarps are located near Crystal and Cottage Lakes where, considered together, the scarps and associated topographic lineaments extend for about 18 km, are coincident with and sub-parallel to the Cottage Lake aeromagnetic lineament (Figure 14), and are sub-parallel to the hypothesized southeastward projection of the SWIF from Whidbey Island. In the field, the scarps are typically 2 to 3 m high (maximum of 5 m), north side up, and cut the latest Pleistocene glaciated surface. In comparison to other lidar scarps of the Puget Lowland (for example, Nelson and others, 2003), the Crystal and Cottage Lake scarps are subtle features, but their close spatial association with the Cottage Lake aeromagnetic lineament is suggestive of a common origin.

In addition to spatial association with 2-5-m high scarps, the Cottage Lake aeromagnetic lineament (label D, Figure 5, 7, 9-11) also correlates with larger topographic features observed on topographic quadrangle maps and digital elevation models. Figure 13A shows the interpreted northwest-striking aeromagnetic lineaments plotted on a topographic map derived from a 10-m digital elevation model. North of Cottage Lake, the Cottage Lake aeromagnetic lineament swings northward to follow the Cottage Lake Creek drainage for approximately 2 km. The lineament also passes through a gap between two offset glacial ridges located about 2 km north-northwest of Crystal Lake, and similar correlations are seen elsewhere along this and other aeromagnetic lineaments.

A variety of large-scale linear topographic features are apparent in the modern landscape. The mostly north-south troughs of Puget Sound are the result of subglacial drainage (Booth and Hallet, 1993); the roughly north-south elongated ridges and valleys in the Puget Lowland are

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glacial drumlins and interdrumlin valleys resulting from glacial processes (Goldstein, 1994; Booth et al., 2003). A number of small to large channels, some with modern streams and some without, crosscut this overall north-south grain. Most of these are glacial recessional channels related to varying ice retreat positions. Included in this group are many northwest-trending valleys across the Puget Lowland such as McAleer Creek, the Seattle ship canal valley, the Duwamish valley, and the downstream end of the Puyallup valley. The reasons for the locations of these valleys are not always obvious. They could simply have been shallow post-glacial or subglacial troughs, later exploited and expanded by recessional meltwater. Some do coincide with aeromagnetic anomalies, but most do not. A tectonic origin is inadequate to explain them all. Of the most prominent of the northwest-trending valley lineations, the Seattle ship canal does not correspond to any known tectonic anomaly, whereas the lower Puyallup valley does correspond to a possible strand of the Tacoma fault (with an associated aeromagnetic anomaly). Given that several active faults in the Puget Lowland trend in a northwest-southeast direction, increased erosion along more highly fractured Quaternary deposits with similar trends is a plausible explanation for the origins of some of the valleys. Booth and others (2004) mapped gentle folds in Quaternary deposits exposed along the Puget Sound coastline between Seattle and Tacoma. Most of the fold axes trend east-west, some trend northwest-southeast, and others trend in other directions. Comparison of fold axis to upland lineations has not been done. Similar folding may be present in the Quaternary deposits north of Seattle, and if present may exert some control on drainage patterns. Additional study of such valley lineations, however, is needed to determine probable origins.

Although associated with topography in some places, we do not believe magnetic terrain causes the entire Cottage Lake aeromagnetic lineament for three reasons. (1) Measurements of magnetic susceptibility at five locations along the Cottage Lake aeromagnetic lineament indicate average induced magnetizations within Pleistocene glacial deposits ranging from 0.05 to 0.12 A/m (Table 1), sufficient to contribute to but not entirely explain the anomaly. This is further demonstrated in Figure 13C, which shows the aeromagnetic anomaly that would be caused solely by glacial terrain with a uniform magnetization of 0.08 A/m (the average of all values in Table 1). Correlations between topographic anomalies and aeromagnetic lineaments are evident in Figure 13C, but the amplitudes of these anomalies are lower than actually observed in the original data (Figure 5). (2) The altitude of the aircraft above terrain (Figure 13B), as determined by onboard radar altimetry, shows little correlation with the Cottage Lake aeromagnetic lineament. (3) Matched filter analysis (Figure 11, Table 2) indicates significant sources lying deeper than 1 km below the topographic surface.

Figure 29 shows a hypothetical geologic cross section across the Cottage Lake aeromagnetic lineament based on the aeromagnetic data. This model includes three magnetic layers: (1) weakly magnetized Pleistocene glacial deposits at the topographic surface; (2) a weakly magnetized sedimentary layer at 1 to 2 km depth, interpreted to be either Eocene volcanic rocks of Mount Persis or tuffaceous beds within the Oligocene Blakeley Formation; and (3) a highly magnetic volcanic unit beginning at 2-km depth, possibly basalts of the Eocene Crescent Formation or Eocene sandstone of Scow Bay. Although the modeled cross-section includes a north-side-up offset of magnetic layers, this is but one mathematically acceptable interpretation; an infinite variety of cross sections can be developed that satisfy the same magnetic data with equal precision. We did not attempt to constrain the dip of the fault with any precision.

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The north-side up scarps (Figures 15) and apparent north-side-up offsets of magnetic layers (Figures 5, 7, 9-11, 29) are in general agreement with the regional framework of the SWIF as observed on and around Whidbey Island. Johnson and others (1996) found evidence for three strands of the SWIF in seismic-reflection data from Possession Sound (Figures 2). The northern and southern strands dip steeply northward and exhibit north-side-up displacement, whereas the central strand dips steeply southward and has its south side up. They interpreted this geometry as an antiformal flower structure, with the central strand rooting into the southern strand. In addition, Kelsey and others (2004) interpreted differences in sea-level histories at two marshes located on opposite sides of one strand of the SWIF on Whidbey Island as evidence for north-side-up displacement about 3000 years ago.

The SWIF is mapped in areas where Quaternary deposits are exposed at the ground surface, but these faults do not appear to have caused enough recent offset to juxtapose different Quaternary deposits. The hypothesized extension of the SWIF onto the mainland is thus similar to the Tacoma fault in that no apparent Quaternary stratigraphic offsets are present on the landscape. This is unlike the Seattle fault, however, where an earthquake 1100 years ago left readily apparent topographic features at the modern ground surface, and where sufficient offset has accumulated over time to produce an east-west lineation of bedrock outcrops exposed through the otherwise continuous Quaternary cover in the Puget Lowland.

Current models infer that the direction of permanent crustal shortening in central Puget Sound is approximately north-south. Regional kinematics, earthquake focal mechanisms, and fault slip data from trenches across the Seattle fault indicate north-south shortening, with little strike-slip motion (Wells and others, 1998; Nelson and others, 2003). If the same strain field characterizes the SWIF, we would expect dextral thrust motion based on the northwest trend of the fault. However, a trench across the west-northwest-trending Utsalady fault on northern Whidbey Island (Johnson and others, 2003) indicates sinistral-thrust slip during its last earthquake, inconsistent with the central Puget Sound data, but consistent with GPS shortening in the northeast direction of convergence (for example, Miller and others, 2001). The sinistral slip implies that the partitioning of the margin-parallel (north-directed) component of convergence decreases northward between Seattle and the San Juan Islands. If sinistral slip is typical of northern Puget Sound faults, the SWIF may occupy a transition zone between two different strain regimes, and may have thrust motion, with an increasing dextral component southward.

Aeromagnetic anomalies alone cannot be used to determine the age of latest deformation or rate of earthquake recurrence. If our speculations are correct (Figure 29), the Cottage Lake aeromagnetic lineament represents an offset of Pleistocene glacial deposits, Eocene and/or Oligocene sedimentary rocks, and possibly Eocene Crescent Formation. However, magnetic models are not unique, and the shallowest deformation in the Alderwood #1 well is recorded at 1209 m depth (Standard Oil Company of California report, 1947), which falls within late Eocene to early Oligocene Blakeley Formation, as interpreted by Rau and Johnson (1999). Thus, if the Cottage Lake aeromagnetic lineament reflects deformation, we can only state with confidence that it must have occurred more recently than about 35 Ma. Trench excavations across the scarps near Crystal and Cottage Lakes are needed to determine if the scarps have a tectonic origin and, if so, further constrain the recency of surface deformation. Ongoing studies of data from boreholes recently drilled as part of a proposed wastewater conveyance project may

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provide additional evidence to evaluate the possibility of tectonic disruption of near-surface soils.

CONCLUSIONS

We have tested the hypothesis that the SWIF extends southeastward from Whidbey Island to the mainland region between Snohomish and Lake Washington. The Cottage Lake and other northwest-trending aeromagnetic lineaments reflect northwest-trending geologic structures between Snohomish and Lake Washington. The geometry and locations of these structures are consistent with those one might expect from the hypothesized southeastward extension of the SWIF onto the mainland. Evidence of subsurface deformation and disturbance is present in boreholes and in one deep well and suggests a structural origin for some of the anomalies. Most subsurface disturbance observed within the boreholes occurred prior to 15-13 ka; deformation within the deep well can only be constrained as post-early Oligocene and pre-Pleistocene. Subtle, discontinuous, post-glacial topographic scarps visible on lidar images coincide with the aeromagnetic lineament over a distance of 18 km. The scarps exhibit variable morphology and cut across the glacial flutes at an acute angle. Although they may have various origins, the coincidence between the subsurface-generated magnetic anomalies and surface disturbance suggests a possible tectonic origin. In summary, the Cottage Lake aeromagnetic lineament is the most likely location of a hypothetical projection of the SWIF. This hypothesis can be further tested with paleoseismic studies of identified scarps.

ACKNOWLEDGMENTS

We are indebted to the Puget Sound Lidar Consortium for providing the lidar topographic data collected by King County. We are grateful to King County for allowing us to present the borehole data and to the CDM Brightwater conveyance team for their borehole analysis. We appreciate advance comments from Derek Booth, Tom Brocher, and Bob Yeats which helped refine some of our discussion, and we are indebted to Tom Brocher, Vicki Langenheim, and Alan Nelson for technical review of our manuscript and for critical comments.

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Table 1.—Magnetic susceptibility measurements in the Woodinville-Maltby area. All measurements conducted with a hand-held Model KT-6 Kappameter manufactured by Geofyzika.

Location	Description	Susc.[1]	N[2]	Magn.[3]
NE 160th St and 210th Ave NE	Pleistocene glacial deposit	2.817	10	0.12
NE 159th St and 202nd Ave NE	Pleistocene glacial deposit	1.832	10	0.08
NE 205th St	Pleistocene glacial deposit	1.367	10	0.06
NE 205th St	Pleistocene glacial deposit	1.335	10	0.05
NE 205th St	Pleistocene glacial deposit	2.405	8	0.11
Welch Rd near Elliott Rd	Blakeley Formation, fine grained	0.225	10	0.01
Welch Rd near Elliott Rd	Blakeley Formation, pebbly	2.690	13	0.11
Welch Rd near Elliott Rd	Blakeley Formation, fine grained	0.150	3	0.01
Elliott Rd near Fales Rd	Blakeley Formation, fine grained	0.308	16	0.01
SR 522 near Bald Hill, site A	Mt. Persis volc. rocks, weathered	2.173	19	0.10
SR 522 near Bald Hill, site B	Mt. Persis volc. rocks, unweathered	16.894	14	0.75
Gravel pit, Snohomish-Monroe Rd	Mt. Persis volc. rocks, weathered	5.255	17	0.23
Quarry on Bald Hill	Mt. Persis volc. rocks, unweathered	16.160	10	0.71

[1] Average susceptibility in SI units; displayed numbers multiplied by 10^3

[2] Number of individual measurements

[3] Magnetization in A/m

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Table 2.—Interpretation of matched-filter analysis of aeromagnetic anomalies of the region between Mukilteo and Lake Washington. Analysis covers the area shown in Figure 11.

Layer	Depth[1] (m)	Amplitude (nT)	Interpretation
1	107	2.67×10^{-5}	Located above ground level. Noise caused by minor fluctuations in aircraft altitude, small errors in navigation, etc.
2	433	8.66×10^{-3}	Very weakly magnetic glacial and interglacial deposits and Blakeley Formation
3	1245	0.14	Weakly magnetic sedimentary or volcanic rocks, possibly tuffaceous units within the Blakeley Formation or volcanic rocks of Mt. Persis
4	2723	1.43	Crescent Formation and/or sandstone of Scow Bay

[1] Relative to aircraft altitude.

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Table 3.—Features identified in GIS analysis of lidar data from northern King County and southern Snohomish County.

Feature No.	Feature type	Possible Interpretation	Confidence of Interpretation	Field Checked
1	lineament	structural lineament	medium	no
2	lineament	structural lineament	medium	no
3	lineament	structural lineament	medium	yes
4	lineament	structural lineament	medium	yes
5	lineament	structural lineament	medium	no
6	scarp	fault scarp	medium	no
7	lineament	structural lineament	medium	yes
8	scarp	fault or landslide scarp	high	yes
9	scarp	fault or landslide scarp	low	no
10	scarp	fault scarp	high	yes
11	possible scarp	fault scarp	medium	yes
12	scarp	landslide scarp	medium	no
13	scarp	landslide or fault scarp	low	no
14	scarp/lineament	structural lineament	low	no
15	scarp	fault scarp	high	yes
16	scarp	en-echelon fault scarp	medium	yes
17	scarp	fault scarp	medium	yes
18	scarp	fault scarp	high	yes
19	lineament	structural or glacial lineament	low	no
20	lineament	structural or glacial lineament	low	no
21	possible scarp	post-glacial channel edge	medium	no

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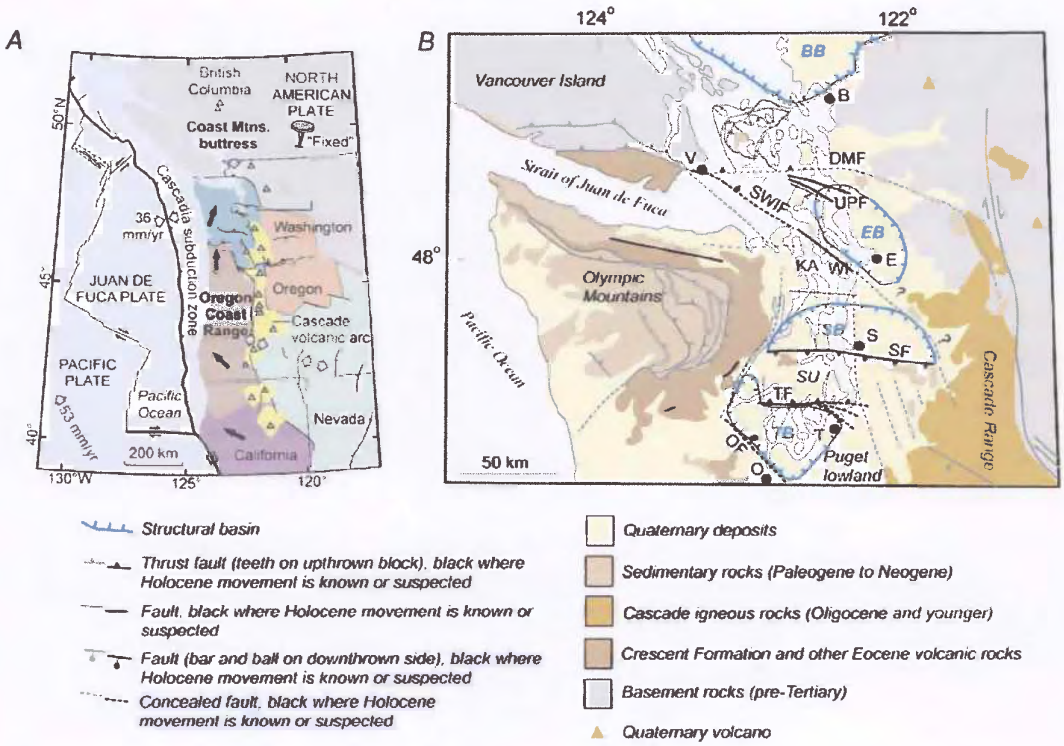

Figure 1.-(A) Kinematic model of the Cascadia forearc, simplified from Wells and others (1998) and Wells and Simpson (2001). Northward motion of Oregon microplate (large black arrows) squeezes western Washington against fixed North America, producing earthquakes and faults in Puget Lowland. (B) Generalized geologic and tectonic map of the Puget Lowland and surrounding regions. BB, Bellingham basin; EB, Everett basin; SB, Seattle basin; TB, Tacoma basin; DMF, Devils Mountain fault; UPF, Utsalady Point fault; SWIF, southern Whidbey Island fault; SF, Seattle fault; TF, Tacoma fault; OF, Olympia fault; V, Vancouver; B, Bellingham; E, Everett; S, Seattle; T, Tacoma; O, Olympia; WI, Whidbey Island; KA, Kingston arch; SU, Seattle uplift.

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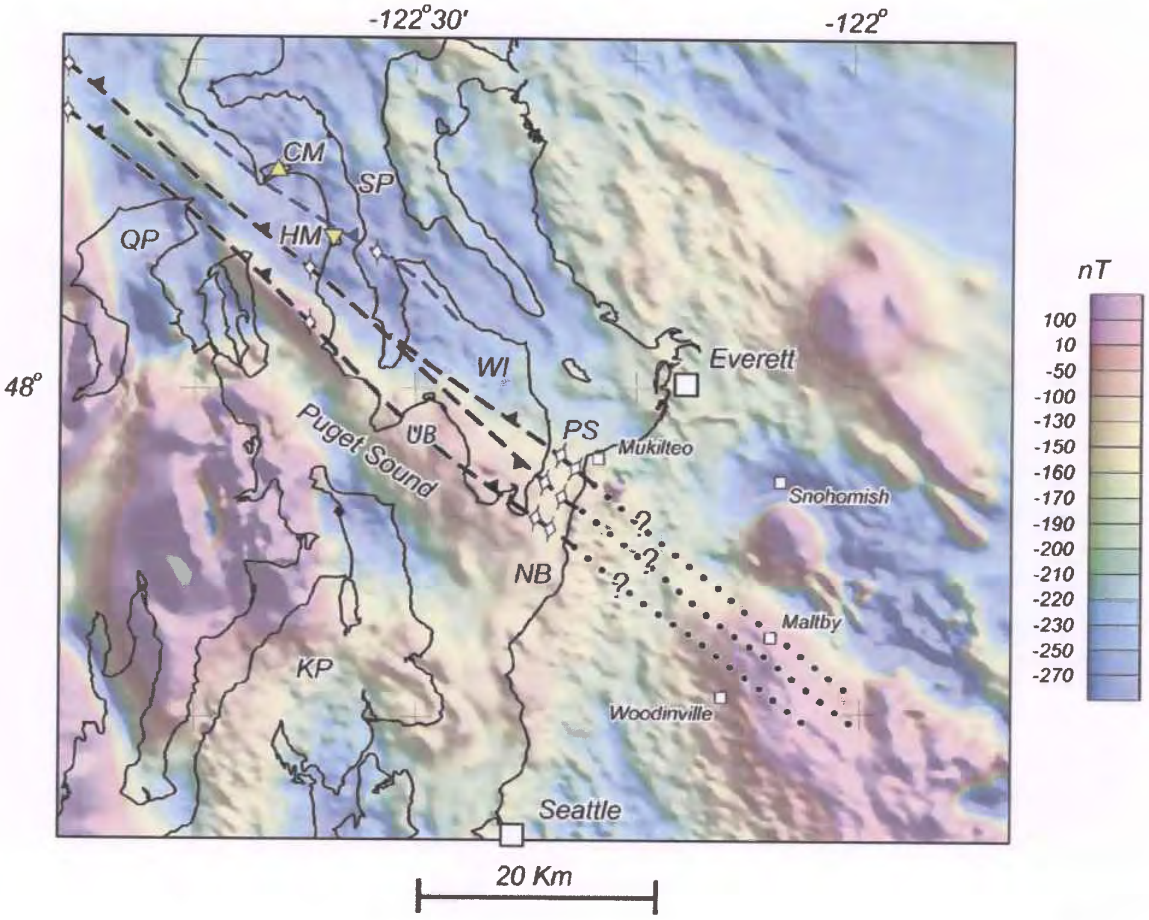

Figure 2.-Evidence for the SWIF on Whidbey Island. Color-shaded relief image indicates intensity of magnetic field observed in a high-resolution aeromagnetic survey (Blakely and others, 1999). Dotted and dashed lines show faults from published reports: black lines from Johnson and others (1996), blue line from Kelsey and others (2004). White diamonds show approximate location of marine seismic-reflection evidence for Quaternary fault offsets. Yellow triangles indicate studies of relative sea-level history at two coastal marshes (Kelsey and others, 2004); northern triangle (Crockett Marsh) is up relative to southern triangle (Hancock Marsh). CM, Crockett Marsh; HM, Hancock Marsh; WI, Whidbey Island; SP, Saratoga Passage; PS, Possession Sound; QP, Quimper Peninsula; KP, Kitsap Peninsula; NB, Nora Beach.

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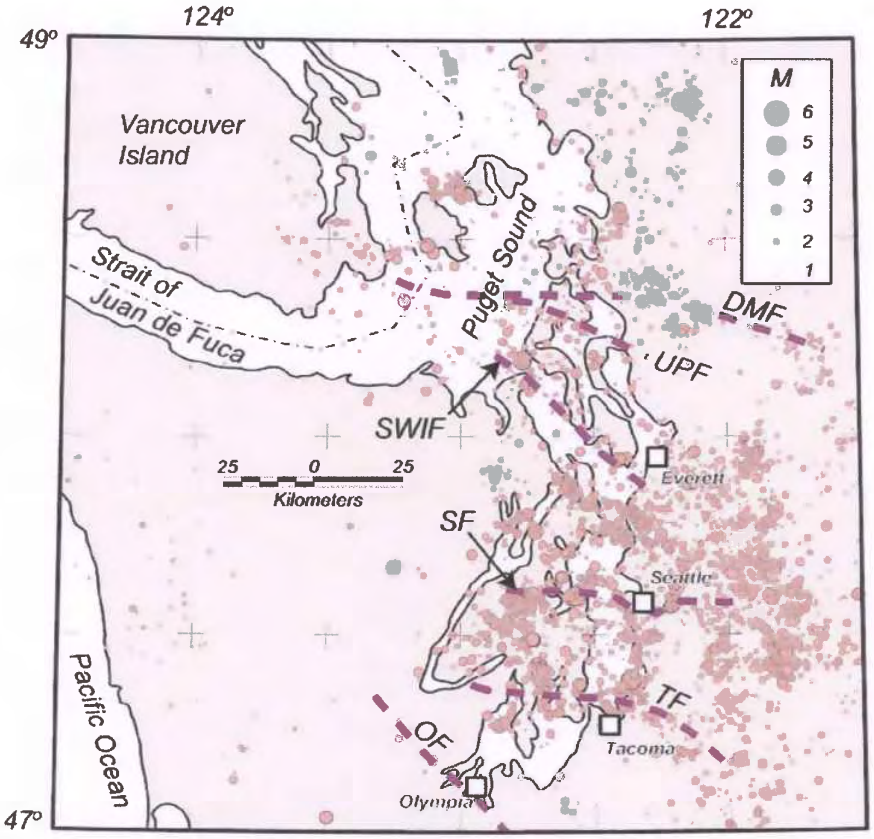

Figure 3.-Crustal earthquakes of northwestern Washington, from Pacific Northwest Seismic Network, University of Washington, 1971 through 2003. Symbol size proportional to earthquake magnitude. Bold lines indicate faults as interpreted from aeromagnetic anomalies (Figure 4). See caption to Figure 1 for label explanations.

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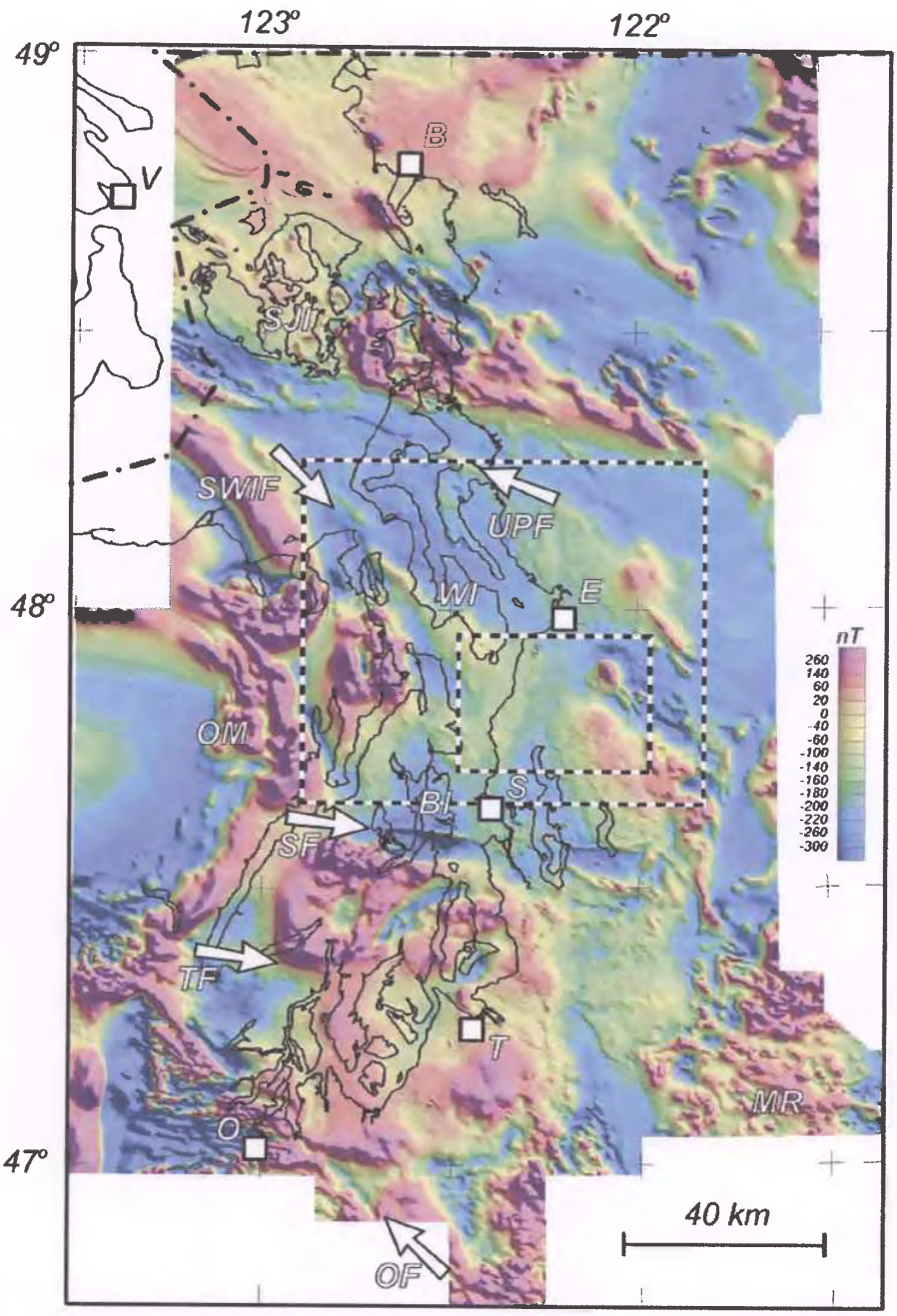

Figure 4.-Puget Lowland aeromagnetic survey. Color-shaded relief image indicates intensity of magnetic field observed in a high-resolution aeromagnetic survey (Blakely and others, 1999). Color intervals based on equal histogram algorithm. Large dashed rectangle indicates area of Figure 2; small rectangle shows study area (Figures 5, 7, 9-11, 14). SJI, San Juan Islands; BI, Bainbridge Island; MR, Mount Rainier; OM, Olympic Mountains. Arrows indicate linear anomalies associated with major crustal faults. See Figure 1 for explanation of other labels.

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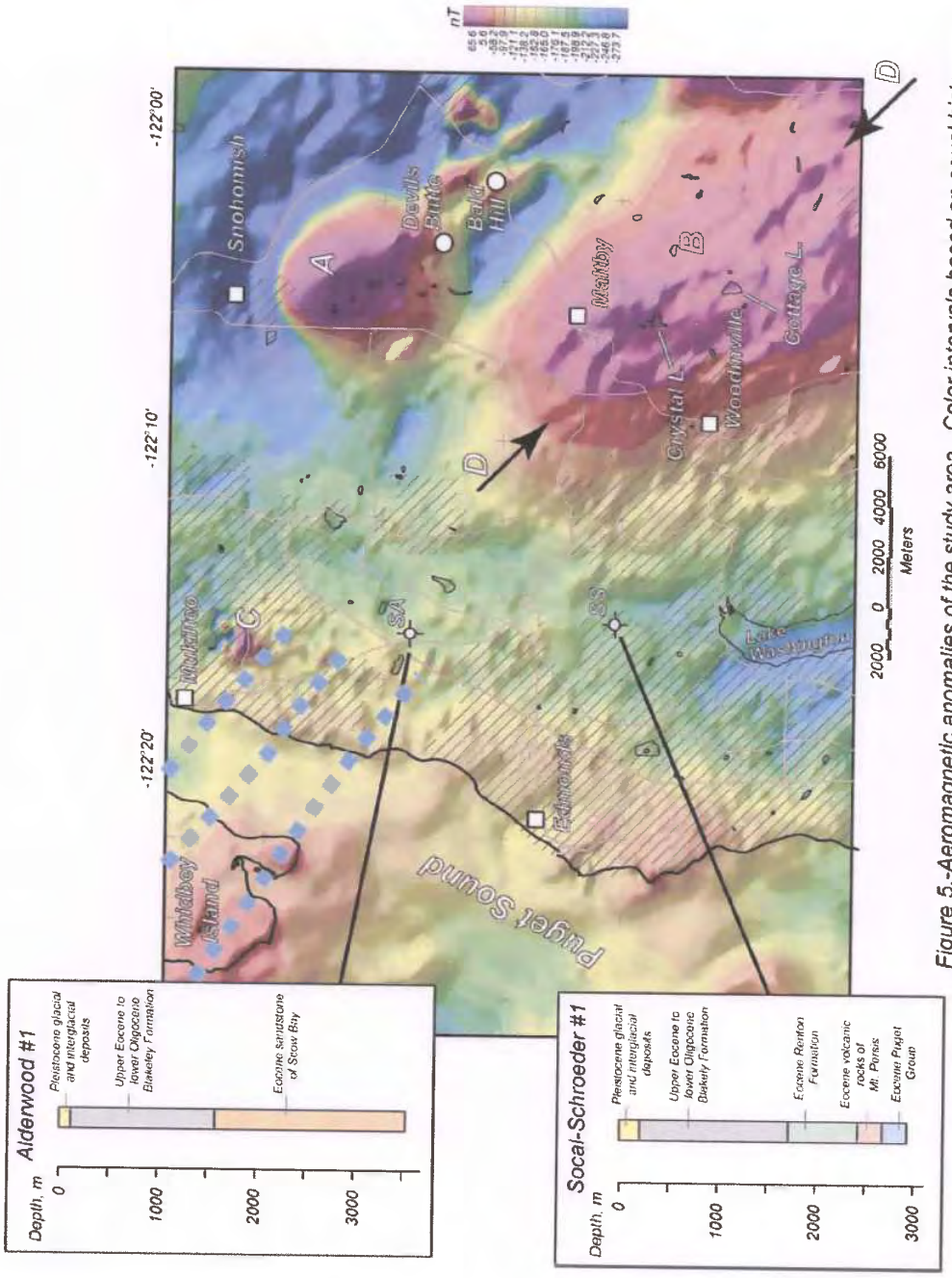

Figure 5.-Aeromagnetic anomalies of the study area. Color intervals based on equal histogram algorithm. Major roads indicated by brown lines. Black errows and labels A, B, C, and D refer to magnetic anomalies discussed in text. Crosshatched areas are heavily urbanized. Blue dashed lines are strands of the SWIF, as interpreted by Johnson and others (1996). SA, Standard Oil Company of California Alderwood #1 well; SS, Standard Oil Company of California Socal-Schroeder #1 well. Insets: Stratigraphy of Alderwood #1 and Socal-Schroeder wells (Standard Oil Company of California), summarized from Rau and Johnson (1999).

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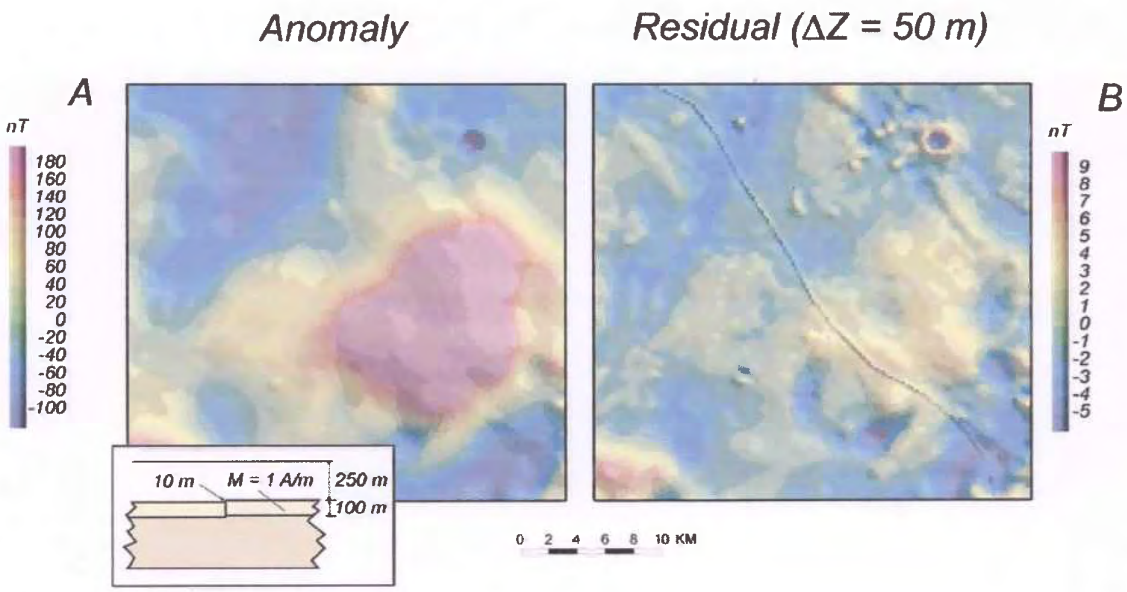

Figure 6.-Demonstration of the residual method, a way to emphasize magnetic anomalies caused by shallow sources. (A) Aeromagnetic anomalies (actually measured), plus a hypothetical anomaly caused by a small vertical offset of a shallow, weakly magnetic sedimentary layer (inset). (B) The same data as displayed in Figure 6A after application of the residual method. Upward-continuation distance 50 m.

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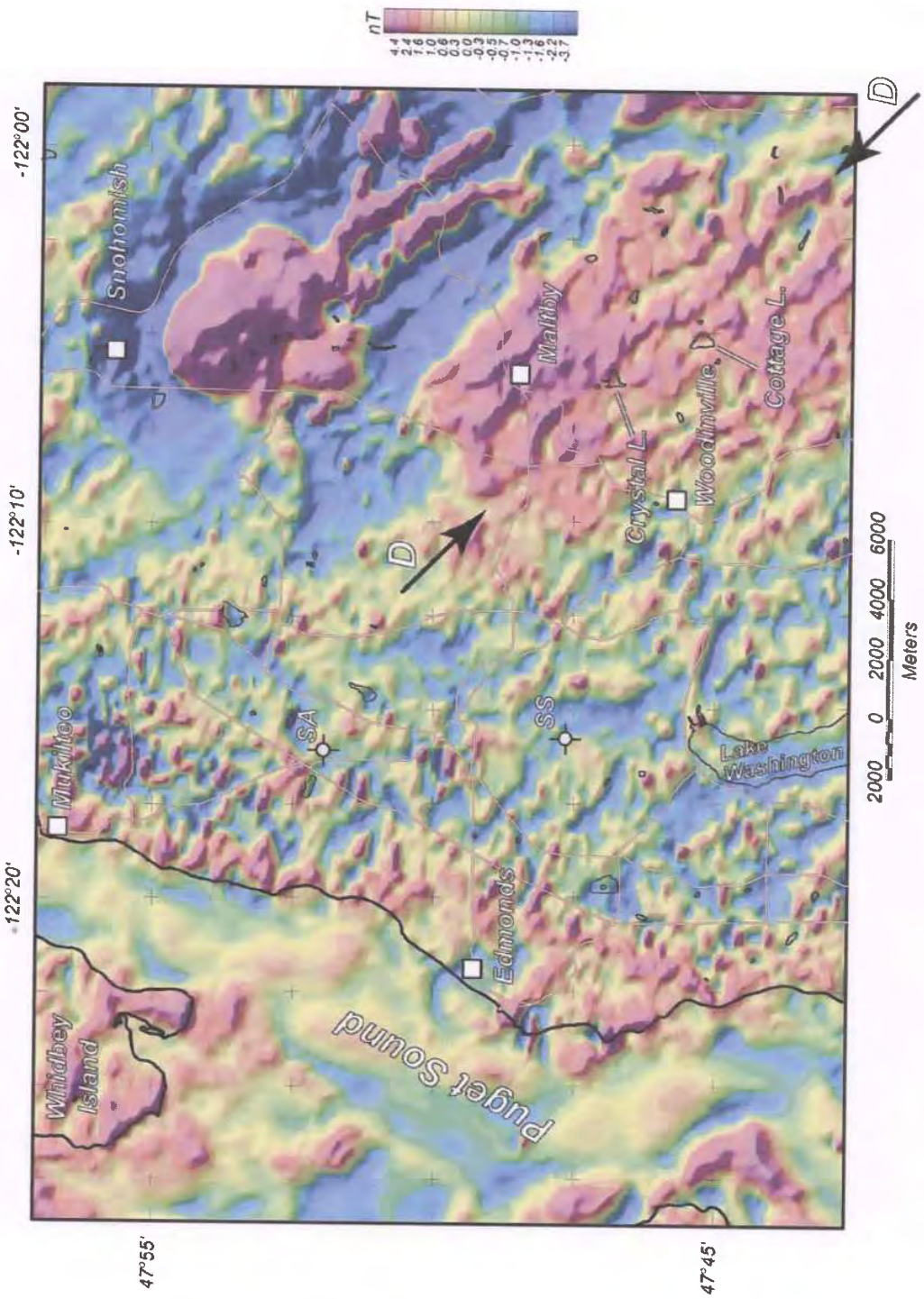

Figure 7.-Residual magnetic anomalies of the study area. Upward-continuation distance 50 m. Major roads indicated by brown lines. See Figure 5 for description of labels and symbols.

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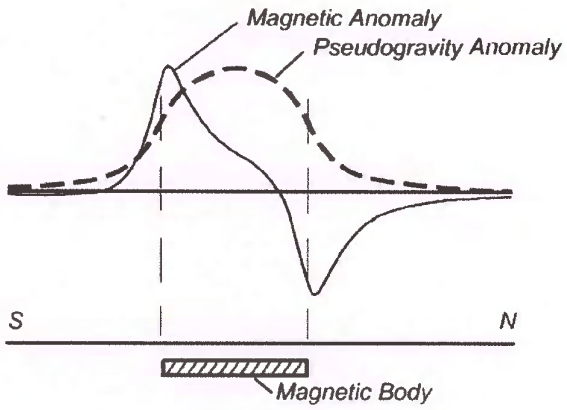

Figure 8.-Schematic illustration of a method to locate magnetic contacts from magnetic anomalies. Three steps are involved: (1) Transform magnetic anomalies to pseudogravity anomalies, (2) calculate maximum horizontal gradient, and (3) plot location of all maxima on a map. Note that the pseudogravity transformation simplifies the "dipolar" nature of the magnetic anomaly, placing steepest gradients over the edges of the causative body.

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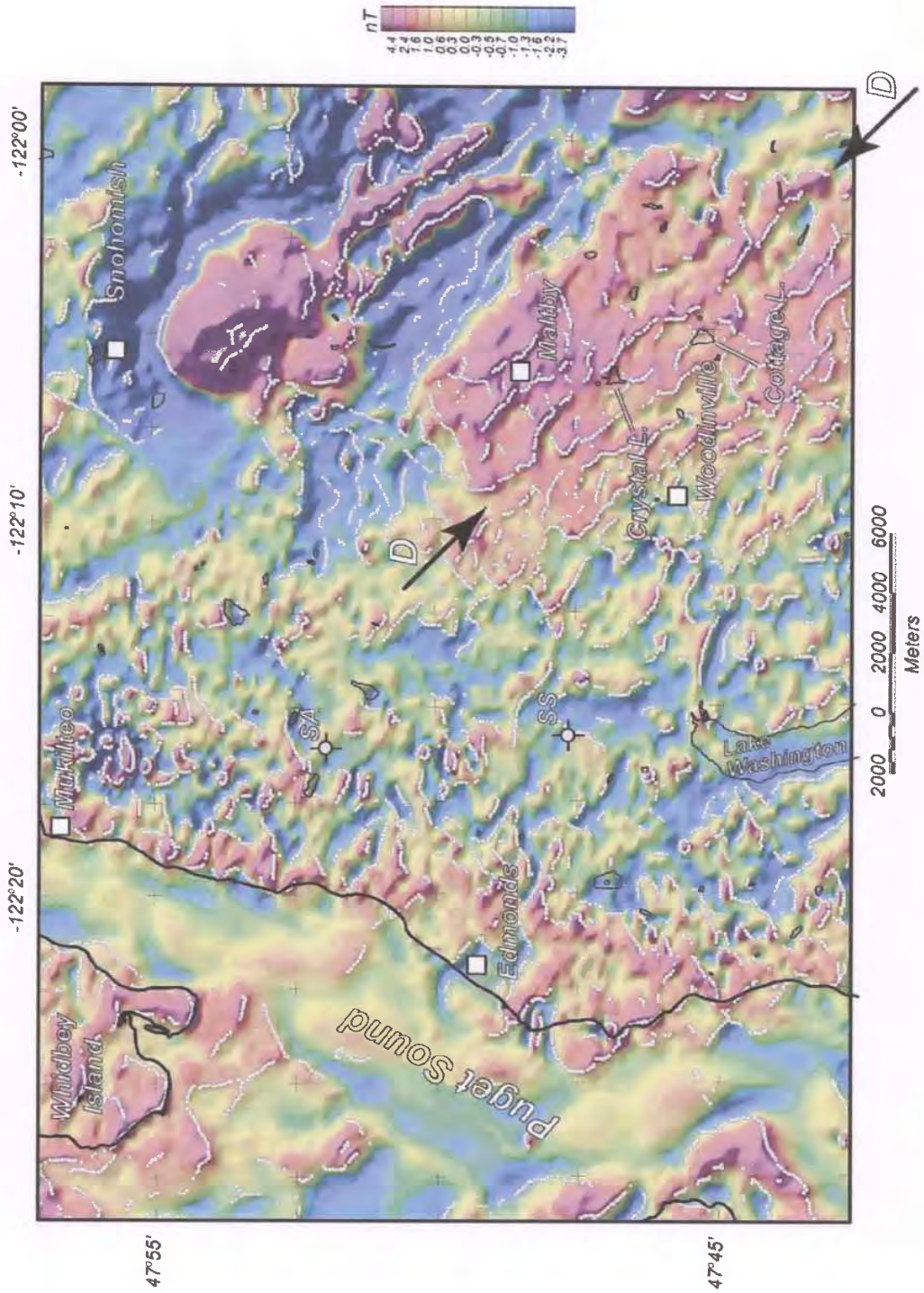

Figure 9.-Boundary analysis of magnetic anomalies of the study area. White dots show the location of magnetic contacts determined automatically with the method of Blakely and Simpson (1986). See Figure 5 for description of labels and symbols.

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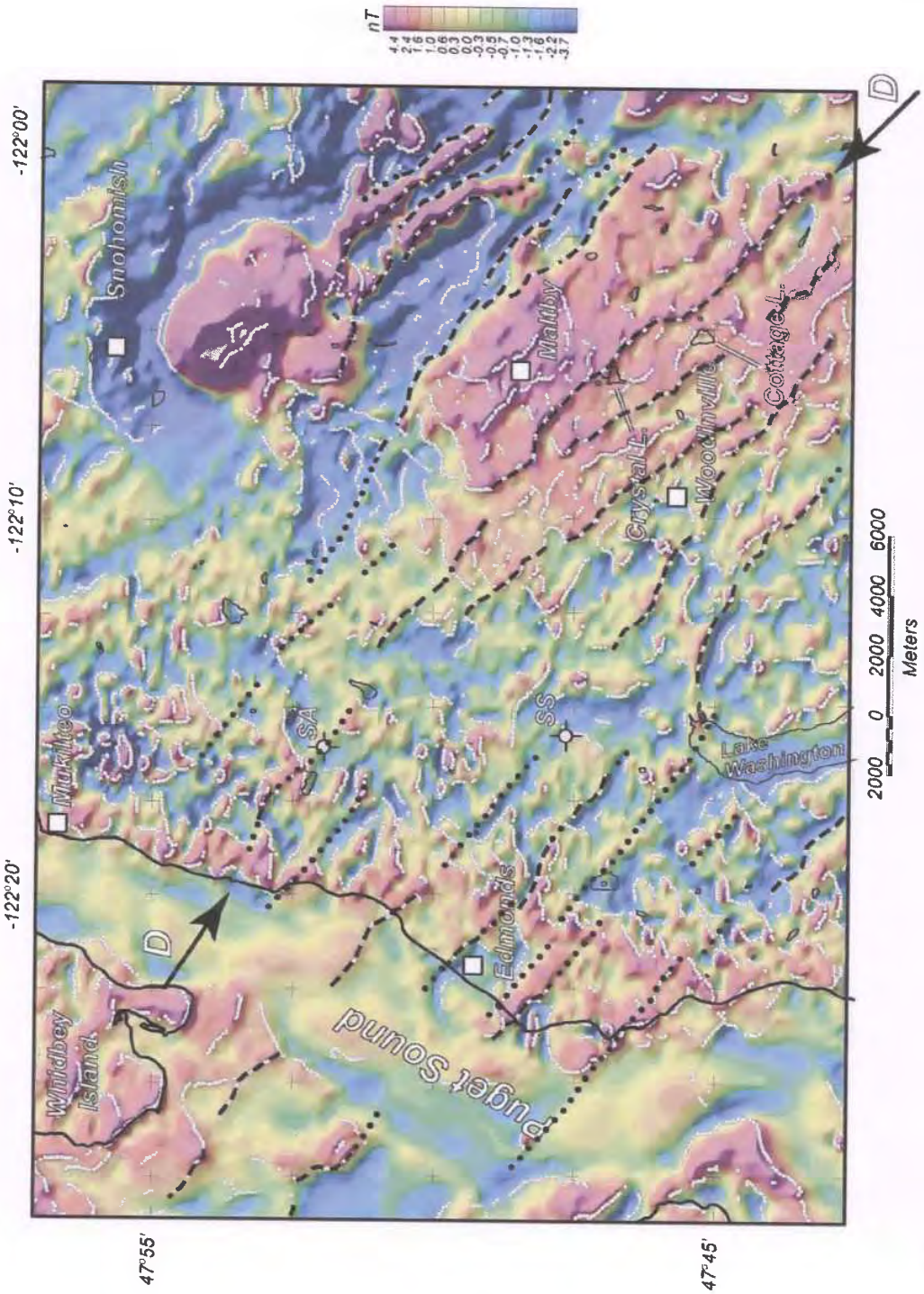

Figure 10.-Interpretation of residual aeromagnetic anomalies of the study area. Black dashed lines indicate lineaments associated with specific magnetic contrasts (white dots of Figure 7); black dotted lines are lineaments identified with lower confidence, as described in text. See label 5 for description of labels and symbols.

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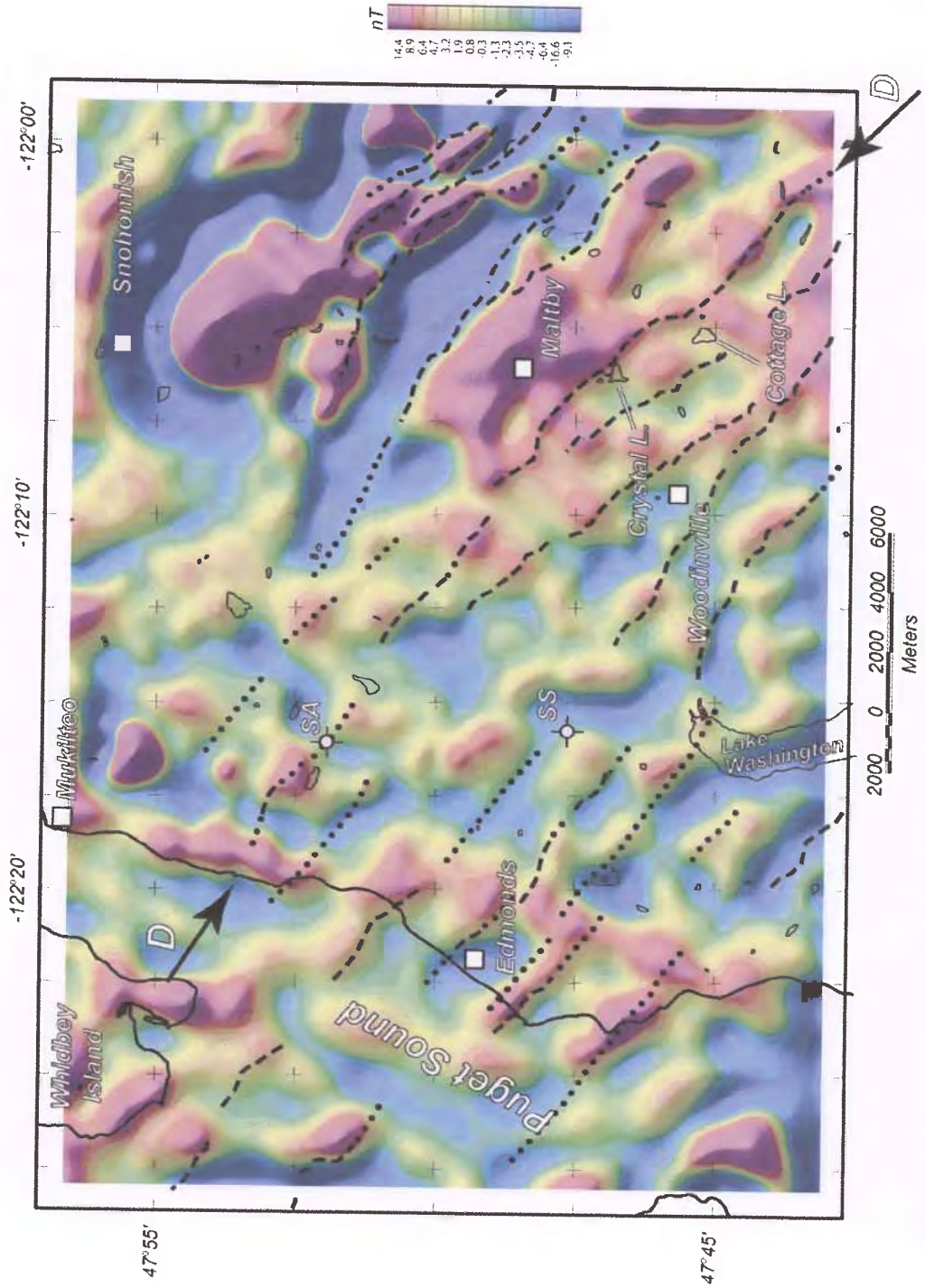

Figure 11.-Matched-filter analysis of aeromagnetic anomalies of the study area. Data shown in Figure 5 were analyzed by the method of Phillips (1997) to determine important source depths (Table 2). Based on those results, matched filters were designed to emphasize the contributions of each layer. The map shown here shows one of the intermediate-depth layers, with top at 1245 m below aircraft altitude. Dashed and dotted black lines taken from Figure 10. See Figure 5 and 10 for description of labels and symbols.

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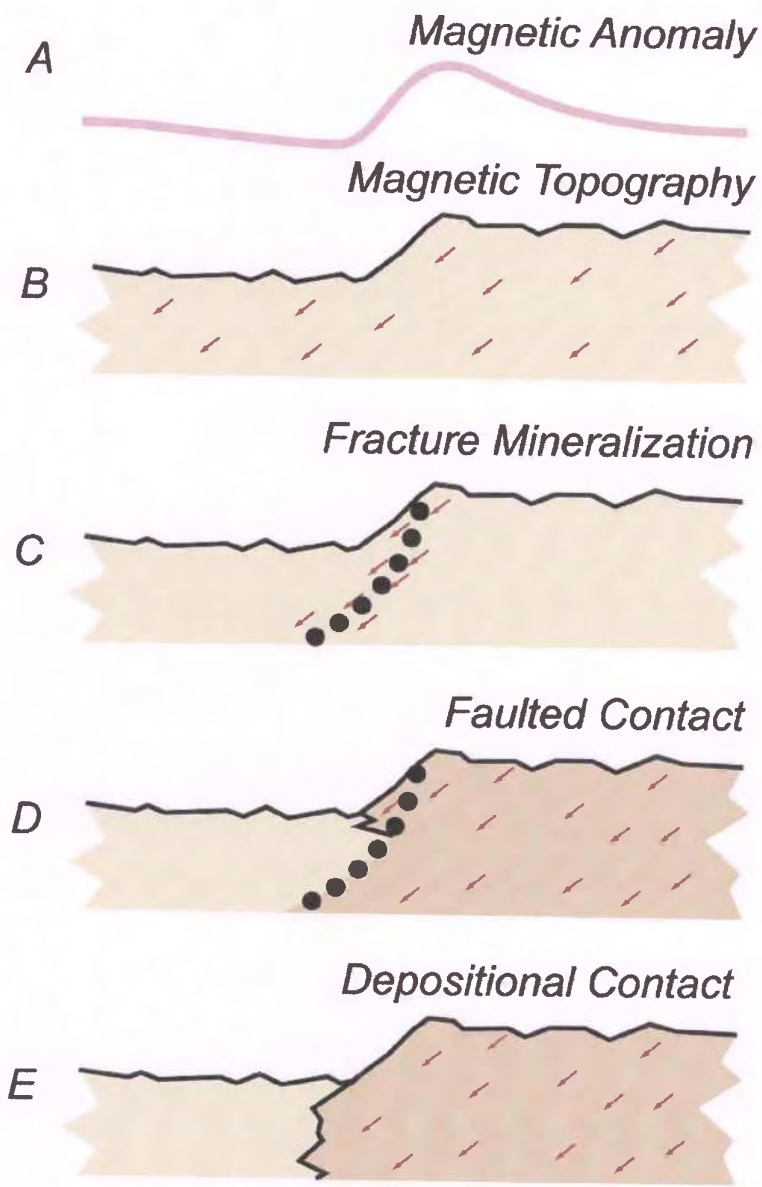

Figure 12.-Four geologic explanations for linear magnetic anomalies associated with terrain. See text for discussion.

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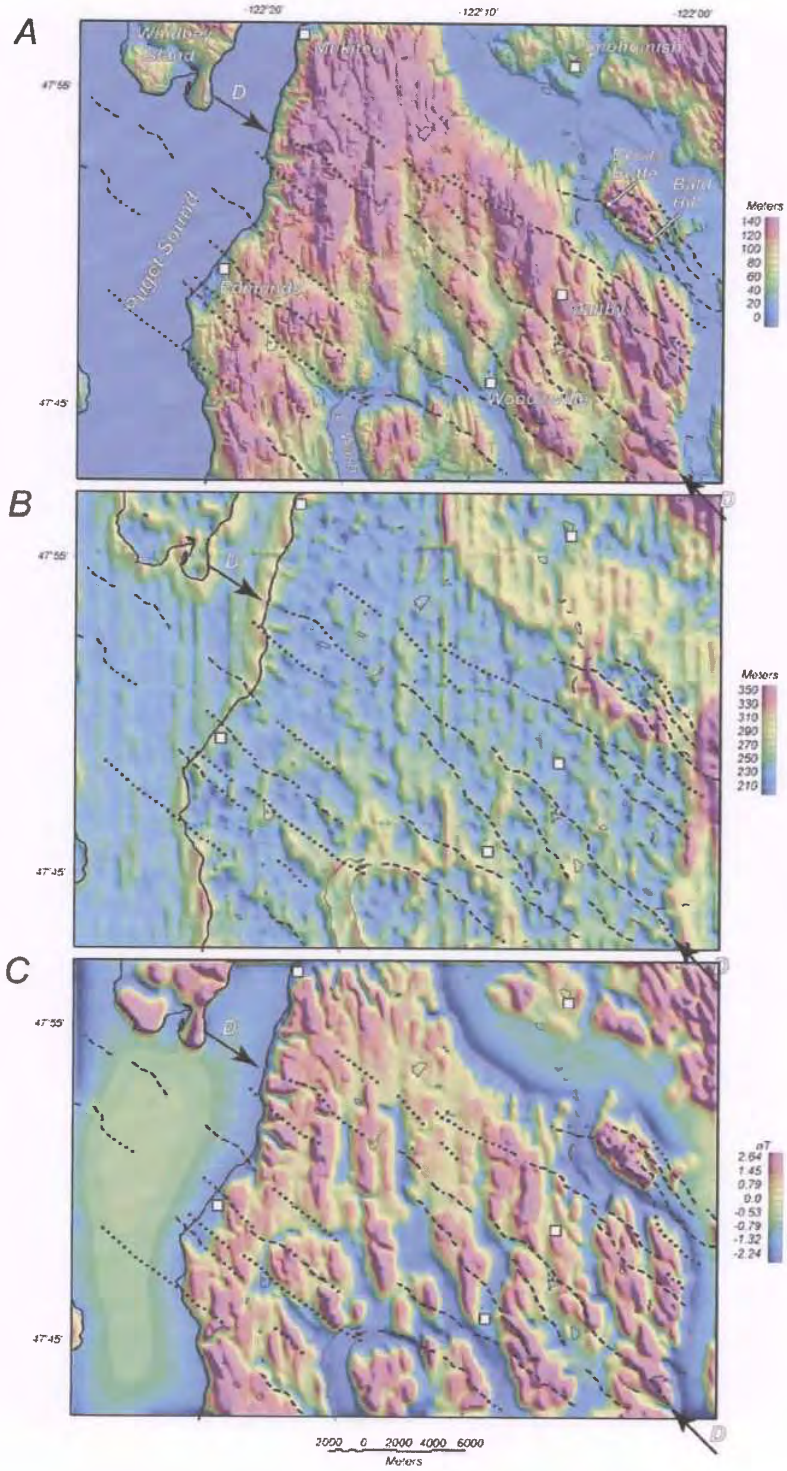

Figure 13.-(A) Topography of the study area derived from 10-m digital elevation model. (B) Altitude of aeromagnetic sensor as determined by onboard radar altimetry. (C) Calculated aeromagnetic anomaly observed on a horizontal surface assuming uniformly magnetized terrain. Flight surface assumed to be 325 m above sea level (mean of terrain clearance plus mean of terrain elevation). Inclination and declination of ambient field and magnetization 70° and 19°, respectively. Magnetization intensity 0.08 A/m. See Figures 5 and 10 for description of labels and symbols.

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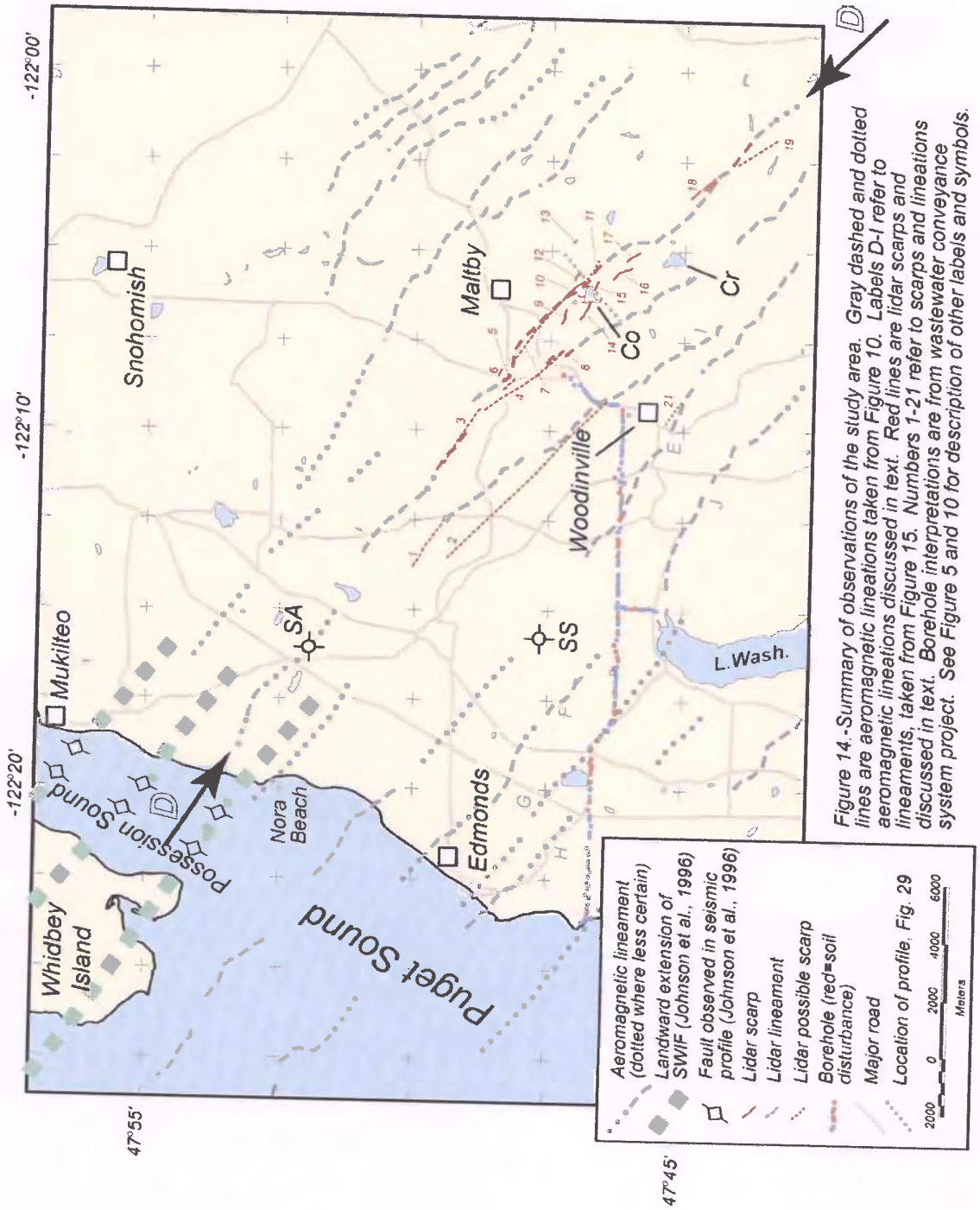

Figure 14.-Summary of observations of the study area. Gray dashed and dotted lines are aeromagnetic lineations taken from Figure 10. Labels D-I refer to aeromagnetic lineations discussed in text. Red lines are lidar scarps and lineaments, taken from Figure 15. Numbers 1-21 refer to scarps and lineations discussed in text. Borehole interpretations are from wastewater conveyance system project. See Figure 5 and 10 for description of other labels and symbols.

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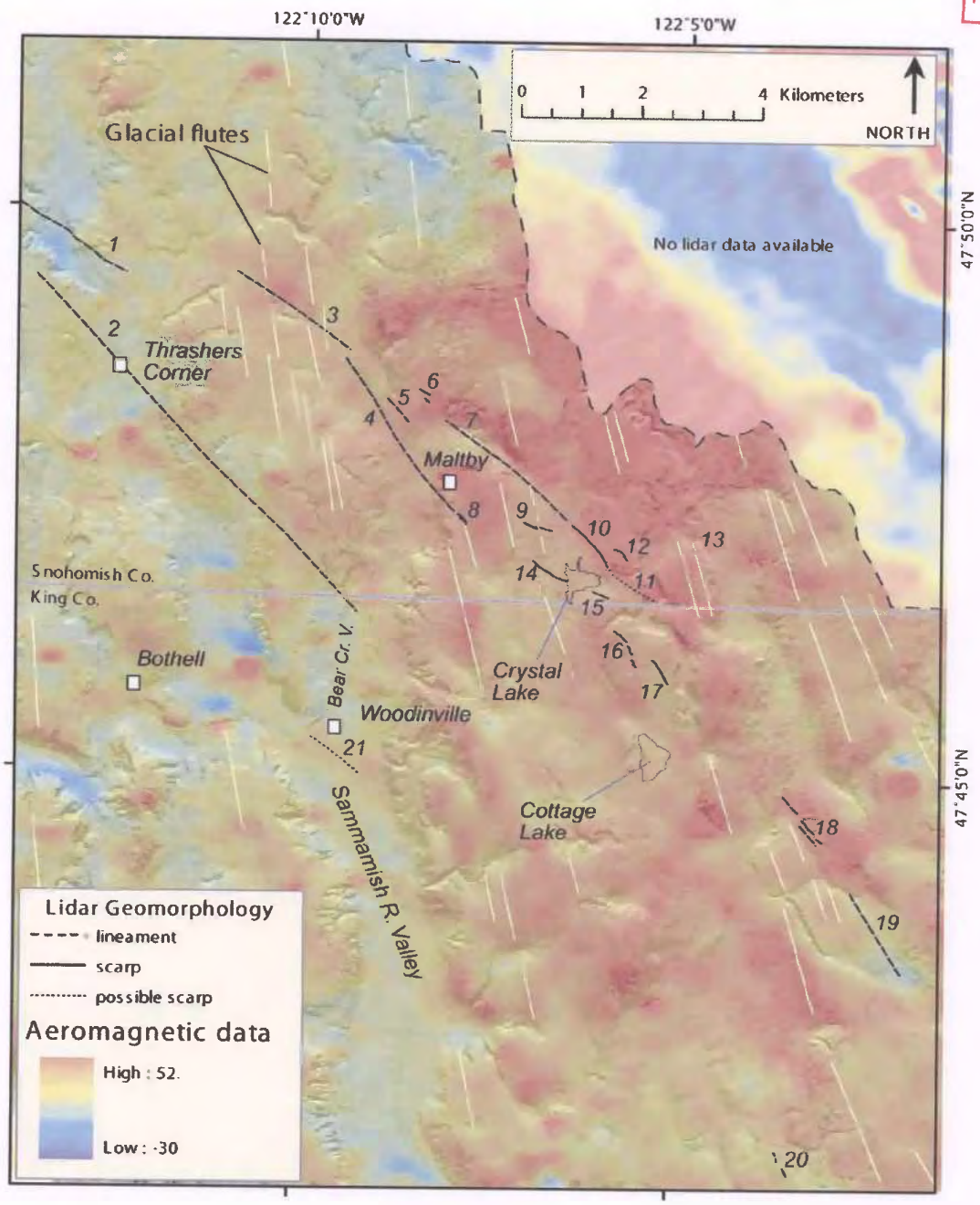

Figure 15.-(A) Lidar map of Cottage Lake aeromagnetic lineament, with a gridded layer of residual aeromagnetic data draped over the lidar data as a transparent colored image. Numbered solid and dashed lines show locations of topographic features identified on the lidar maps and referred to in the text and Table 3. Pale lines indicate glacial flute directions.

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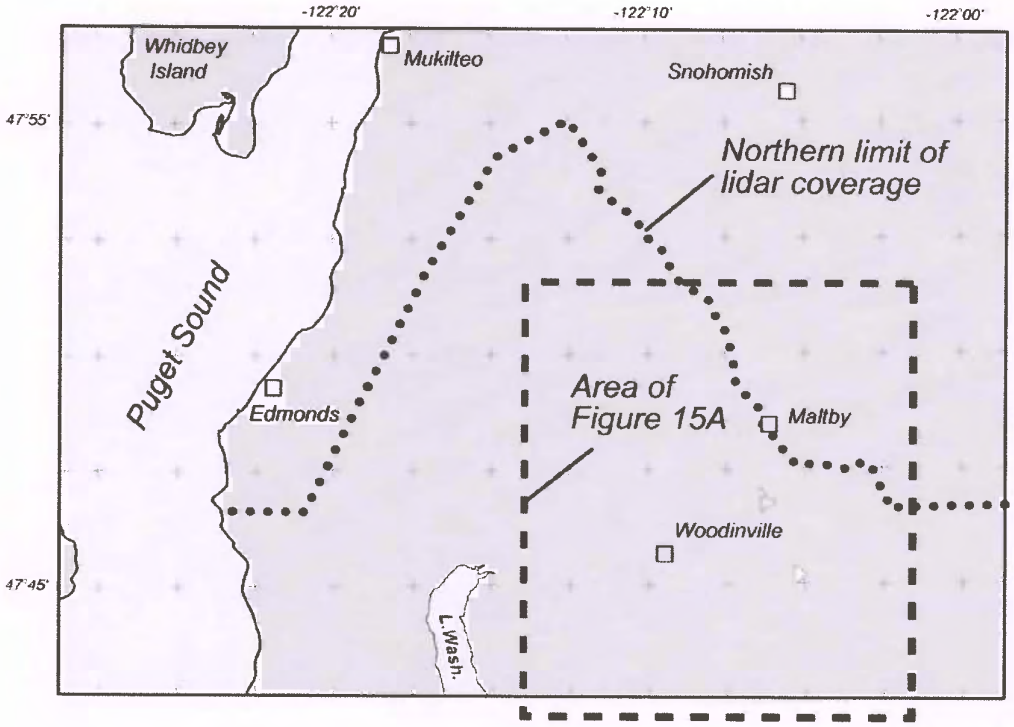

Figure 15B.-Map showing northern limit of lidar coverage and area of Figure 15A.

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Figure 16.-Detailed lidar image showing locations of lineaments 1 through 3. White arrows point towards ends of the lineaments. Numbers refer to features discussed in text and shown in Table 3.

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Figure 17.-Detailed lidar image showing locations of features 4, 5, 6 and 8. White arrows point towards ends of the lineaments. Numbers refer to features discussed in text and shown in Table 3. White boxes show locations of smaller-scaled lidar images in separate figures.

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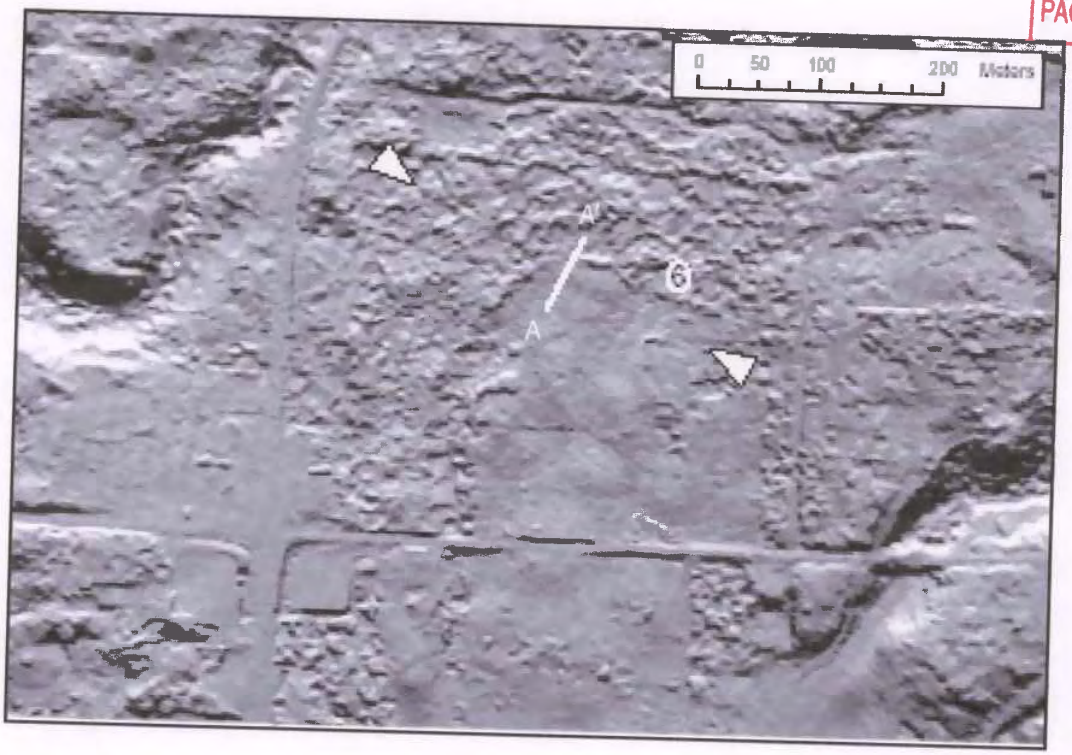

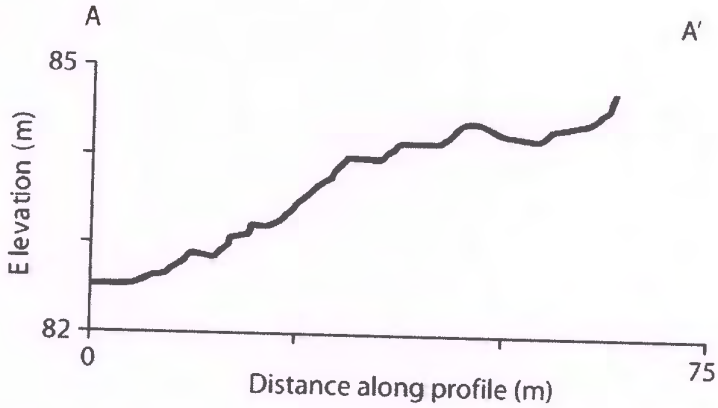

Figure 18.-Detailed lidar image showing locations of feature 6. White arrows point towards ends of the scarp. The location of profile A-A' is shown on the lidar image by a white line.

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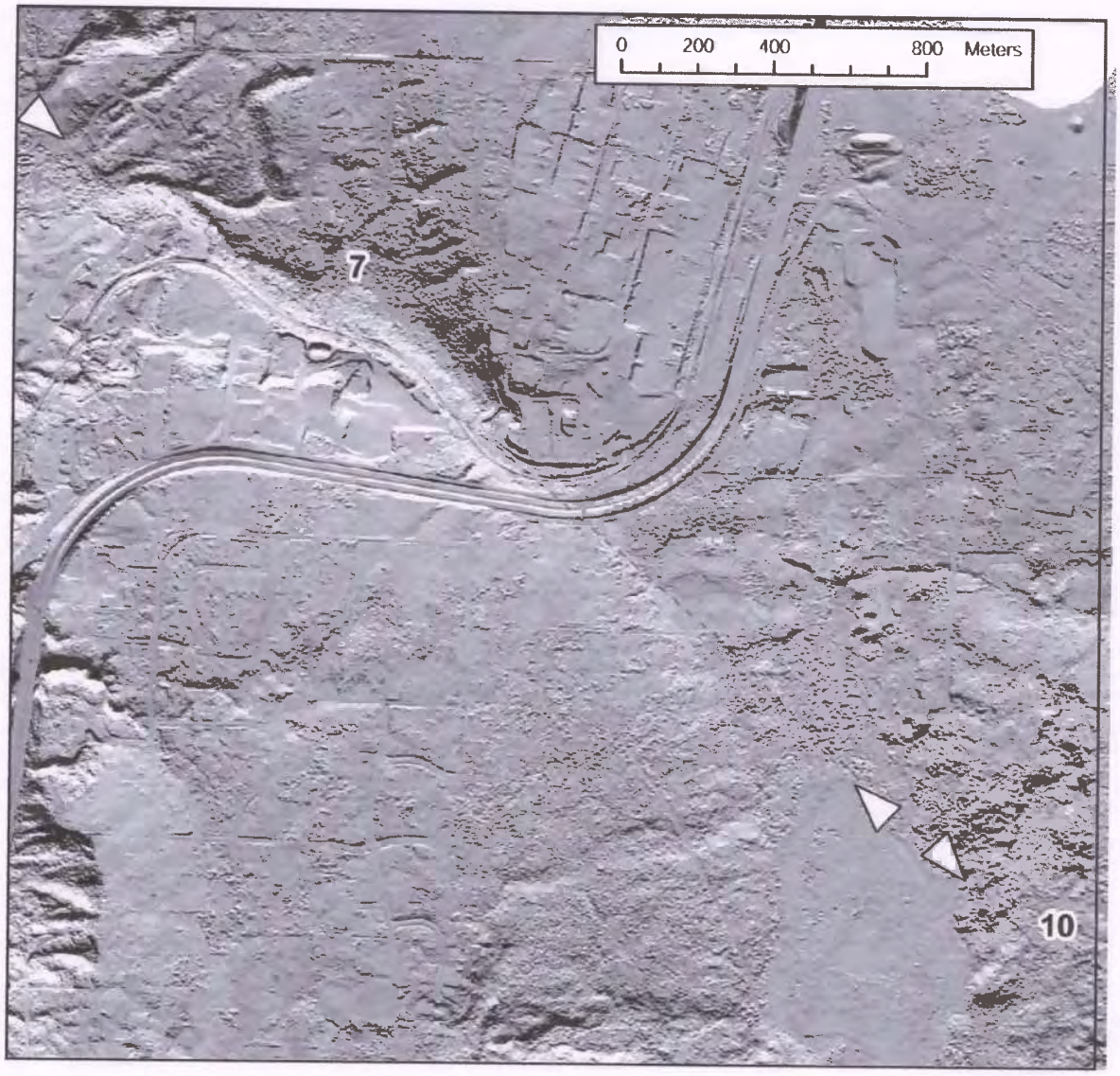

Figure 19.-Detailed lidar image showing location of lineament 7. White arrows point towards ends of lineament. Numbers refer to features discussed in text and shown in Table 3.

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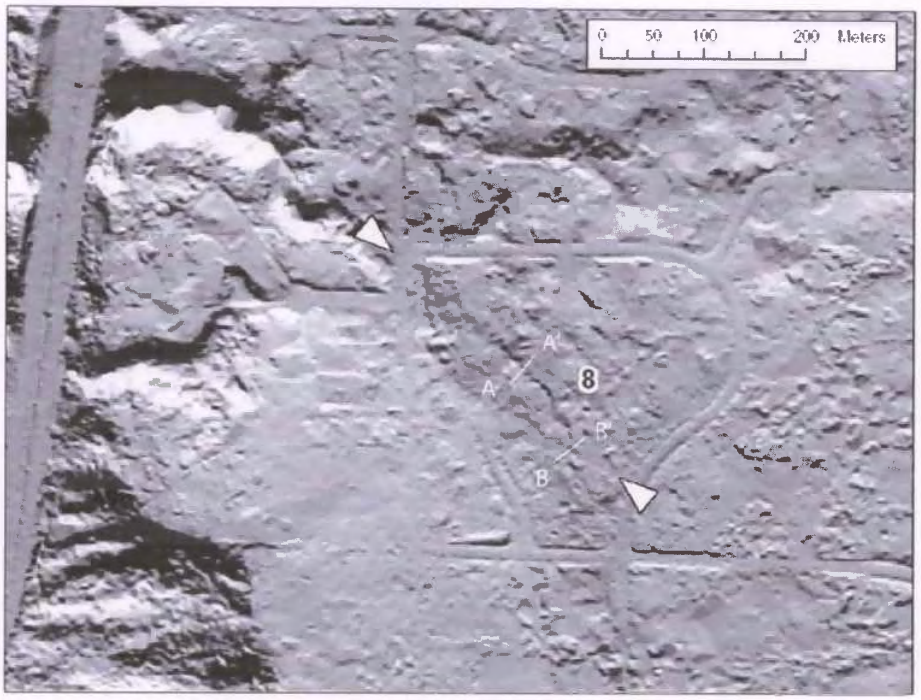

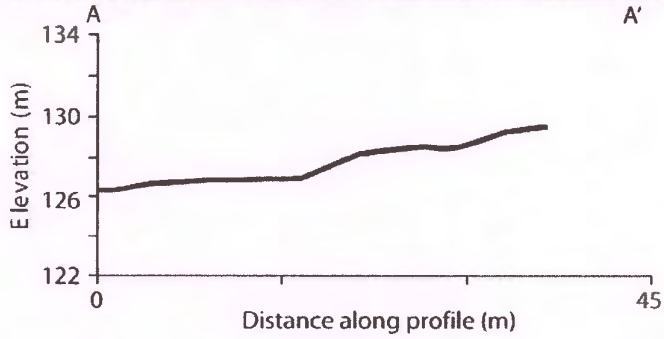

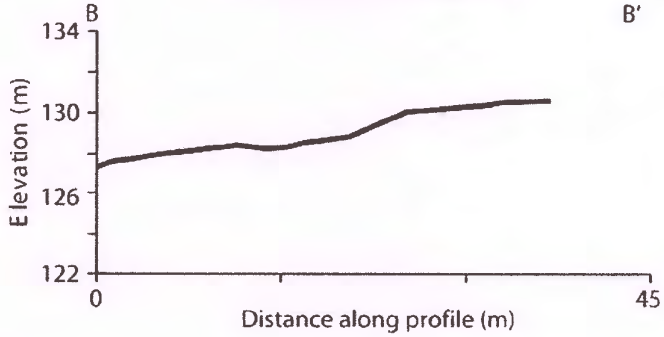

Figure 20.-Detailed lidar image showing locations of feature 8. White arrows point towards ends of the scarp. The location of profile A-A' and B-B' are shown on the lidar image by white lines.

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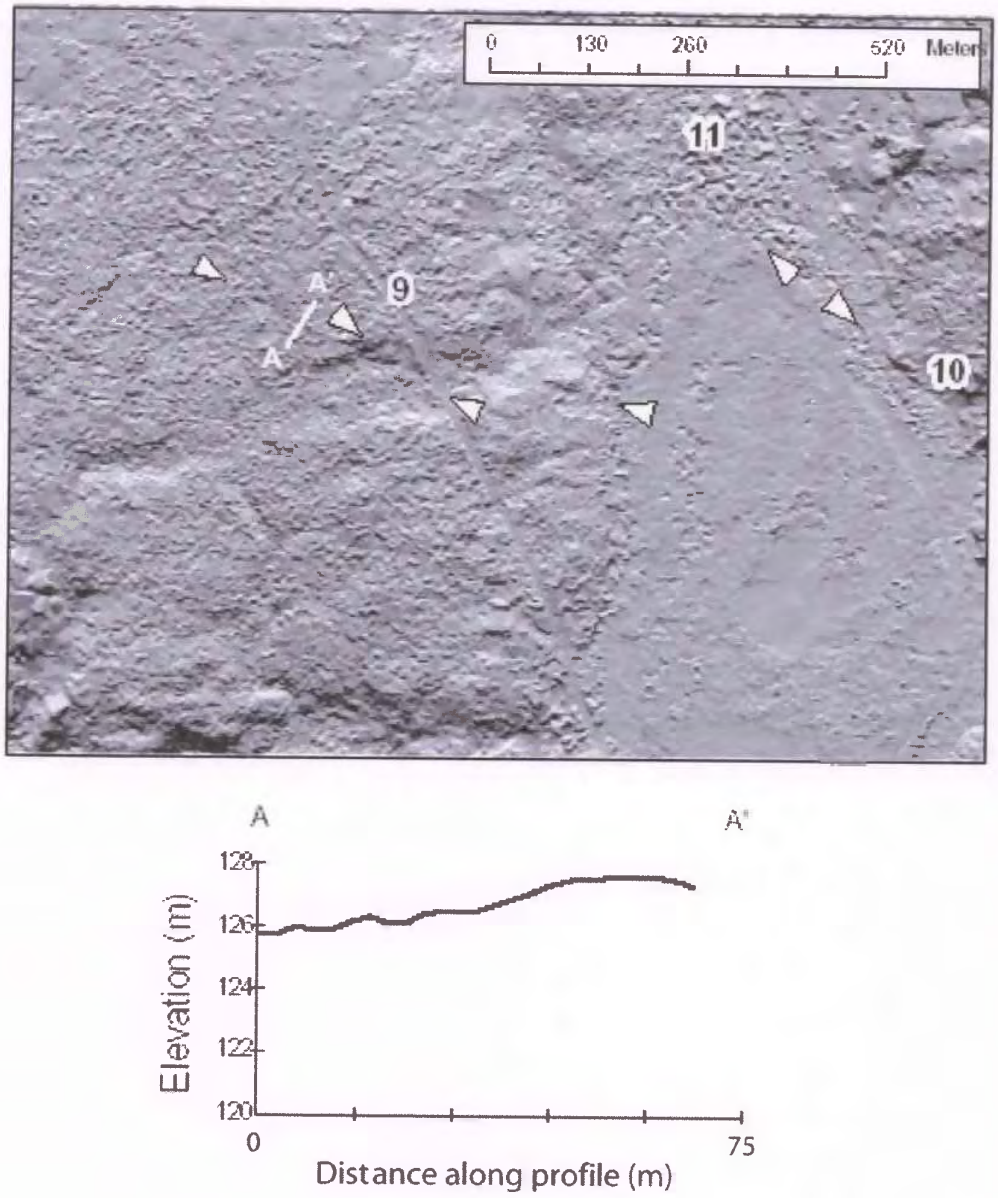

Figure 21.-Detailed lidar image showing locations of feature 9. White arrows point towards ends of the scarp. The location of profile A-A' is shown on the lidar image by a white line.

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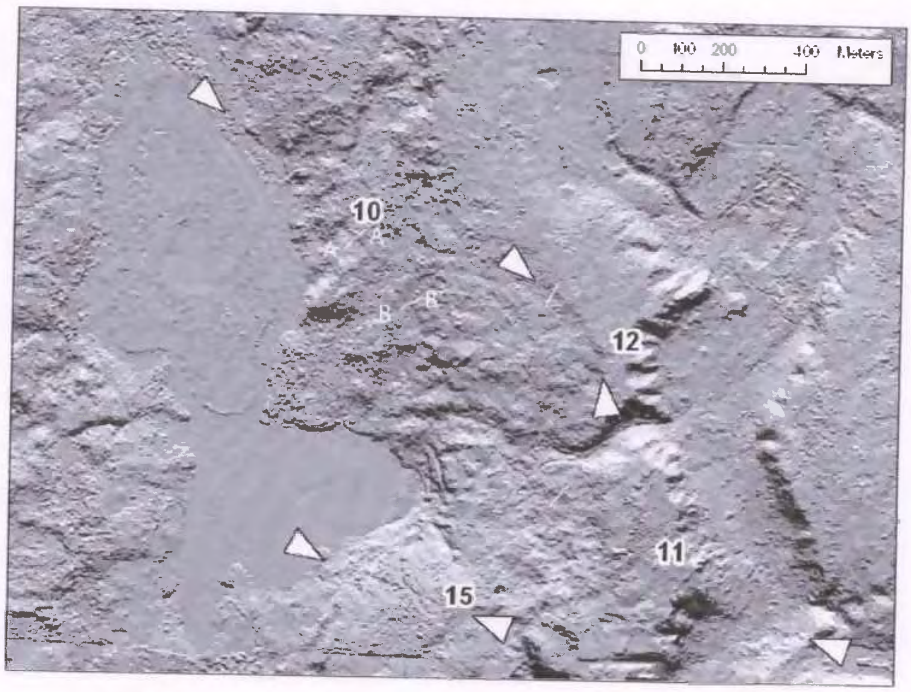

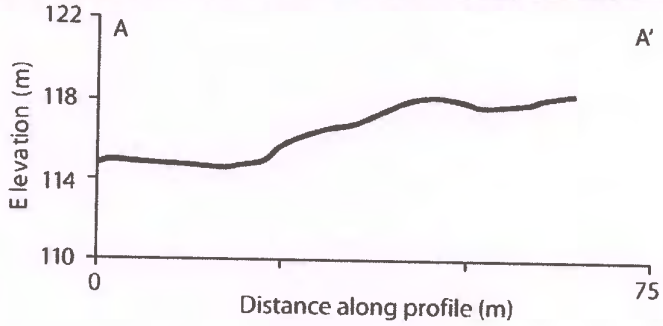

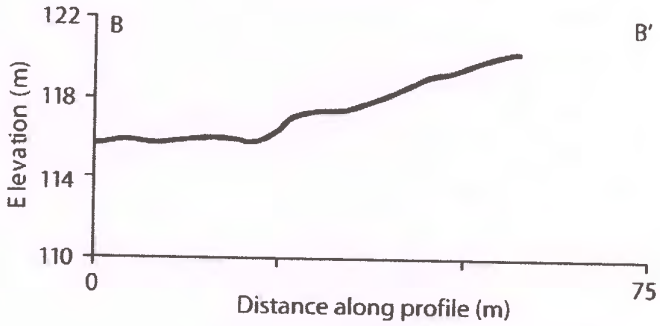

Figure 22.-Detailed lidar image showing locations of feature 10. White arrows point towards ends of the scarp. A-A' and B-B' show location of two profiles across the scarp, bottom of figure.

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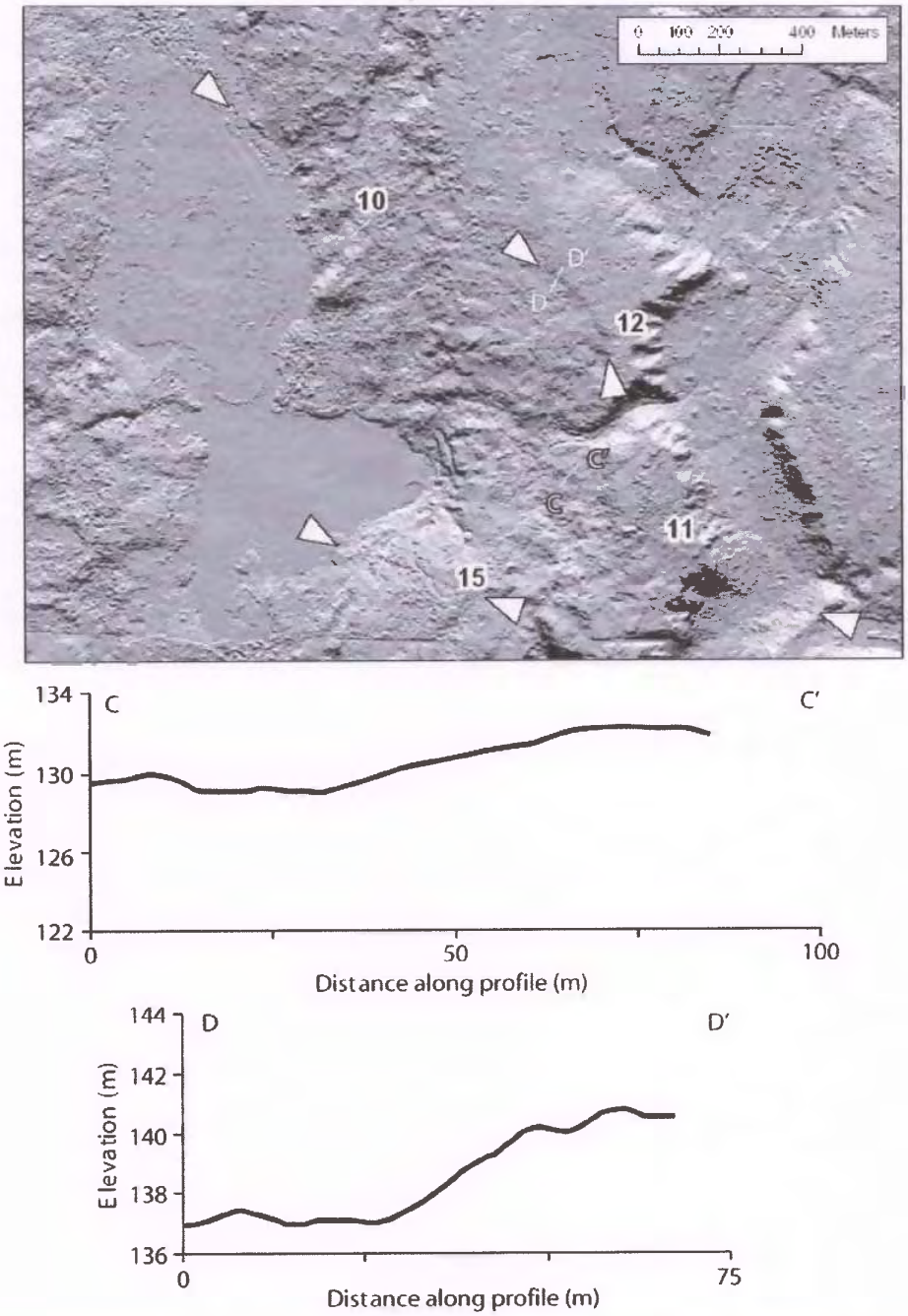

Figure 23.-Detailed lidar image showing locations of feature 11 and 12. White arrows point towards ends of the scarps. A profile across each scarp is shown in the plots below the lidar image. The locations of profile C-C' across feature 11 and profile D-d' across feature 12 are shown on the lidar image by white lines.

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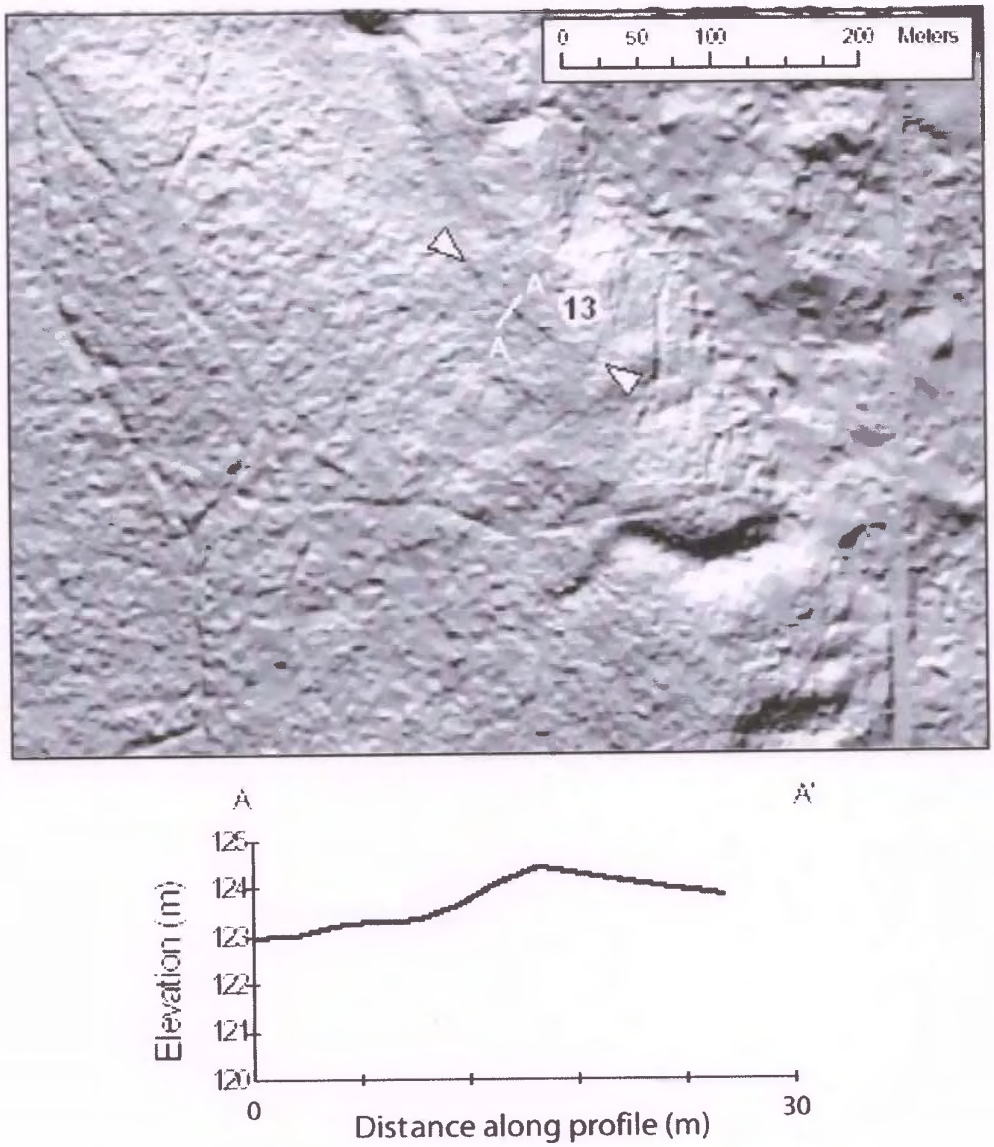

Figure 24.-Detailed lidar image showing locations of feature 13. White arrows point towards ends of the lineament. A profile across the scarp is shown in the plot below the lidar image. The location of profile A-A' is shown on the lidar image by a white line.

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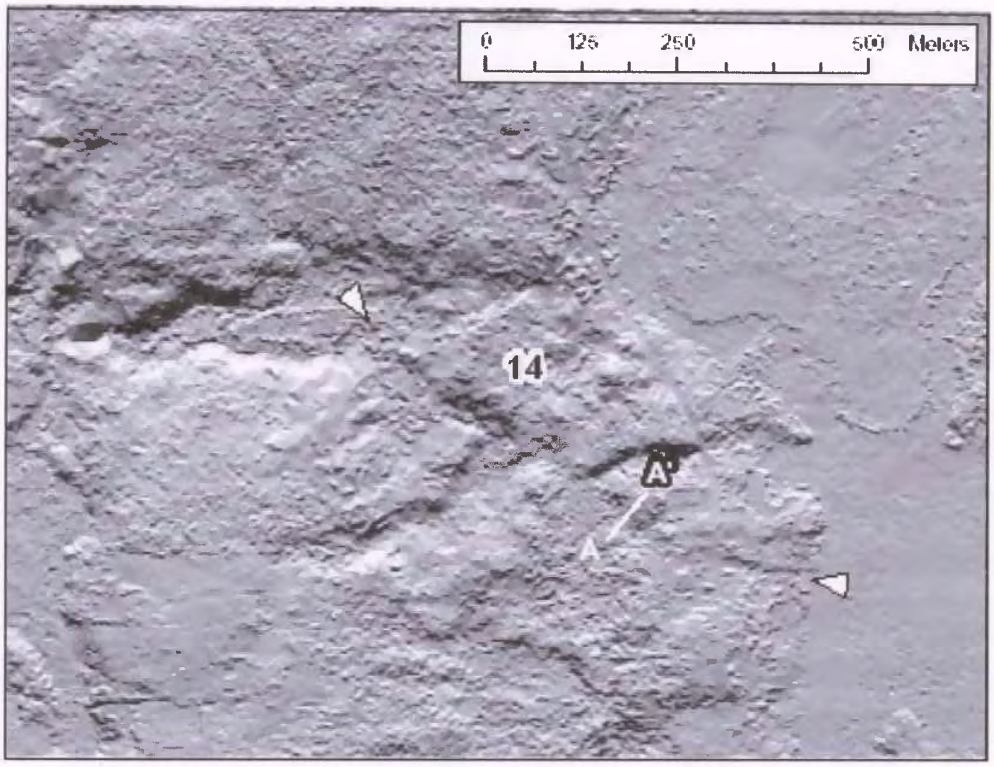

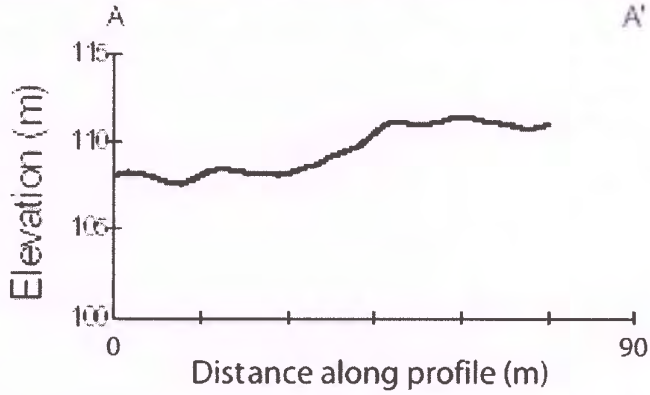

Figure 25.-Detailed lidar image showing locations of feature 14. White arrows point towards ends of the lineament. A profile across the scarp is shown in the plot below the lidar image. The location of profile A-A' is shown on the lidar image by a white line.

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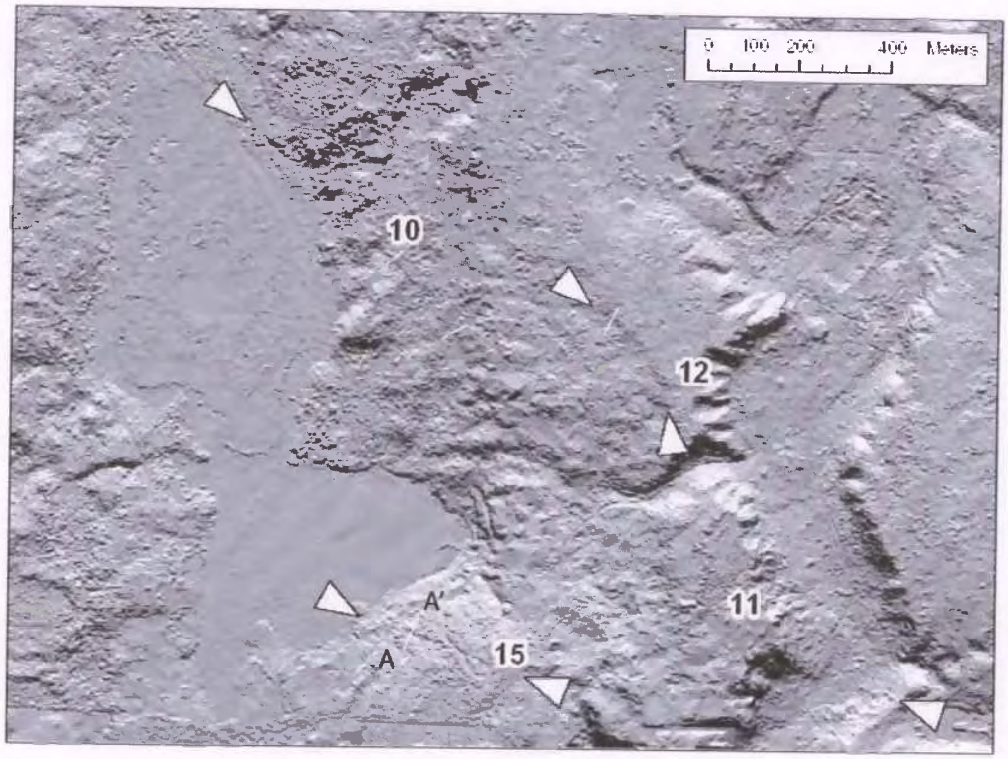

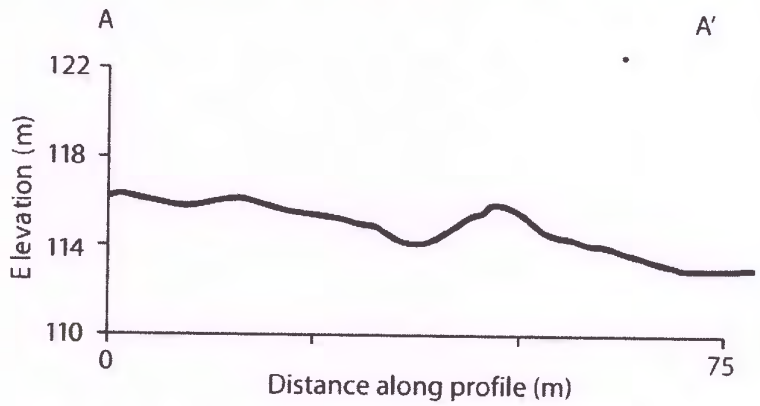

Figure 26.-Detailed lidar image showing locations of scarp 15. White arrows point towards ends of the lineament. A profile across the scarp is shown in the plot below the lidar image. The location of profile A-A' is shown on the lidar image by a white line.

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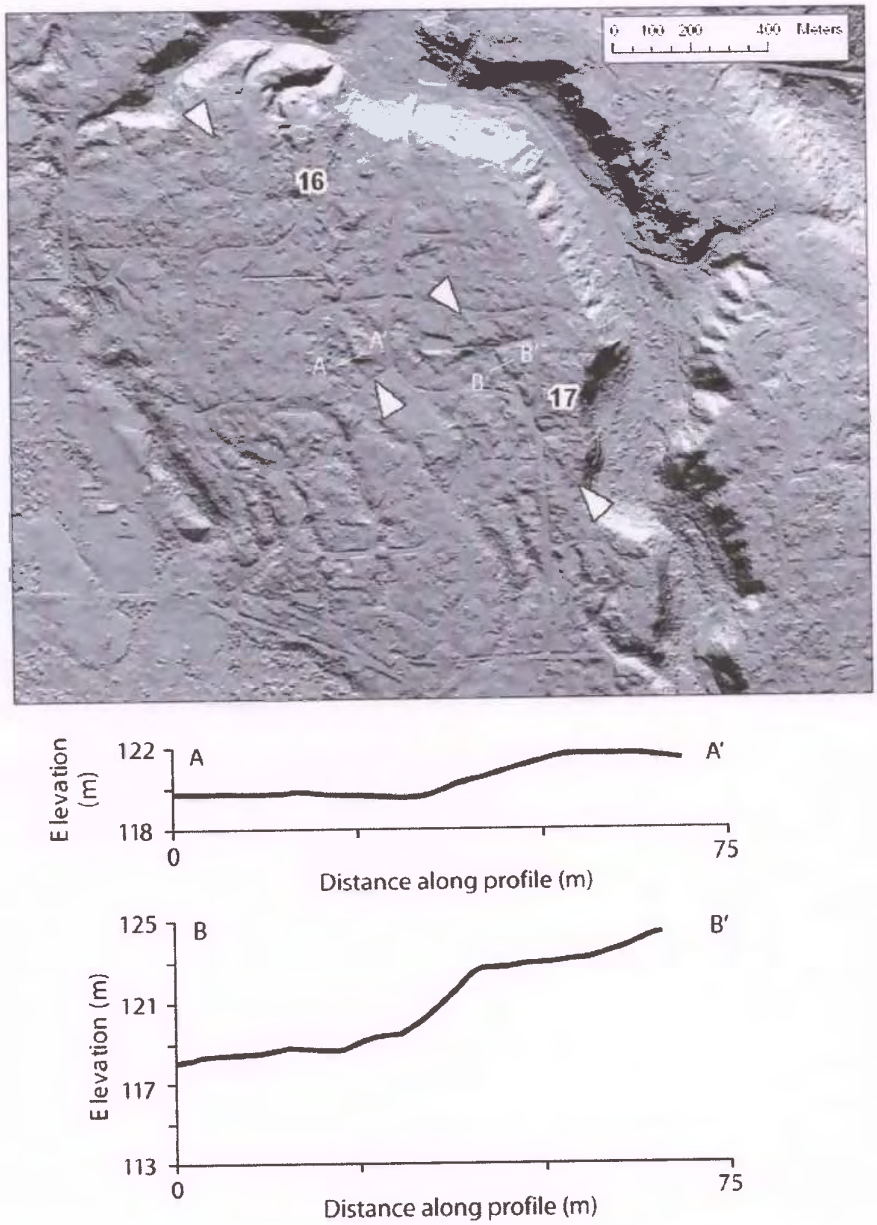

Figure 27.-Detailed lidar image showing locations of scarps 16 and 17. White arrows point towards ends of the scarps. A profile across each scarp is shown in the plots below the lidar image. The locations of profile A-A' across feature 16 and profile B-B' across feature 17 are shown on the lidar image by white lines.

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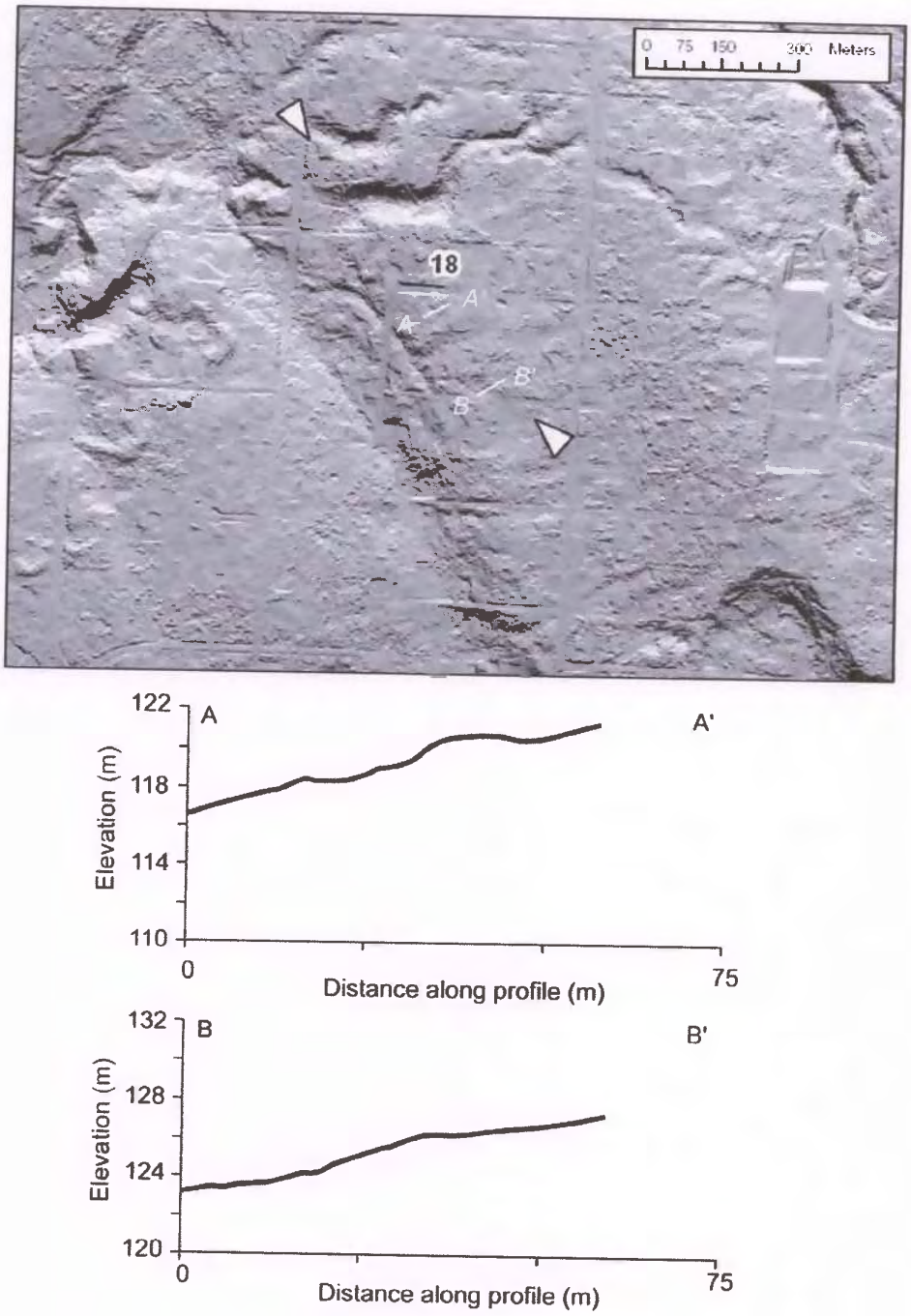

Figure 28.-Detailed lidar image showing locations of scarp 18. White arrows point towards ends of the scarps. Profiles across the scarp are shown in the plots below the lidar image. The locations of profile A-A' and profile B-B' are shown on the lidar image by white lines.

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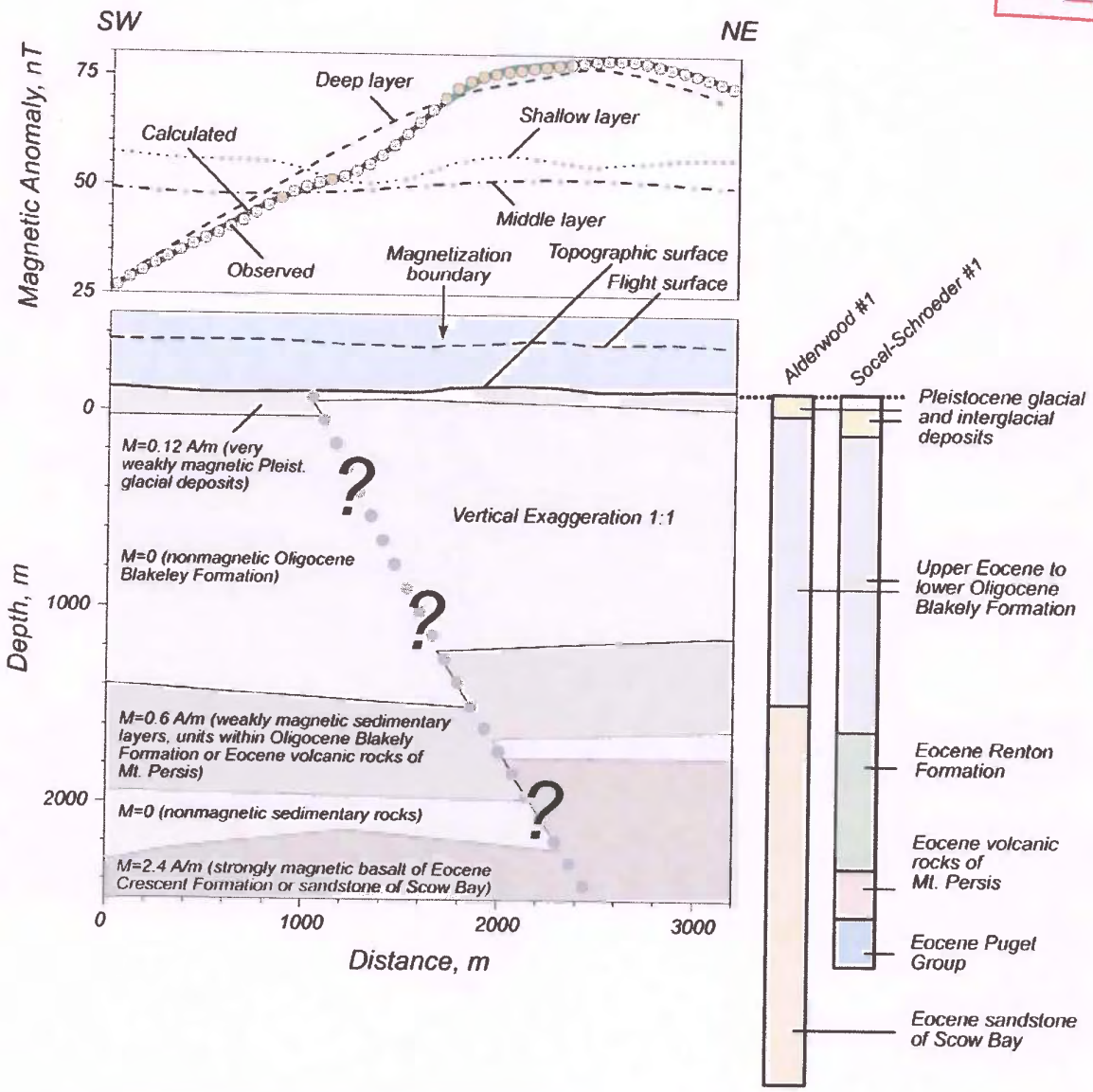

Figure 29.-Possible model for the Cottage Lake aeromagnetic lineament. See Figure 14 for location of profile. Model includes three magnetic units, from top to bottom: very weakly magnetic Pleistocene glacial deposits; a sequence of weakly magnetic sedimentary layers, possibly tuffaceous units within Oligocene Blakeley Formation or Eocene volcanic rocks of Mount Persis; basalts of the Eocene Crescent Formation or Eocene sandstone of Scow Bay. Stratigraphy of Alderwood #1 and Socal-Schroeder #1 wells from (Rau and Johnson, 1999). Bodies assumed infinitely extended perpendicular to profile. Remanent magnetization assumed negligible.

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Finding Active Faults in a Glaciated and Forested Landscape: the Southern Whidbey Island Fault, Washington

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AB The Puget Lowland, Washington, lies within the Cascadia forearc and is underlain by at least six seismically active and regionally significant crustal faults that together accommodate several mm/yr of net north-south shortening. The surface expression of pre-15-ka slip on Puget Lowland faults has been largely scoured away or covered by glacial deposits, and younger fault geomorphology is often concealed by vegetation and urban development. High-resolution aeromagnetic and lidar surveys, followed by geologic site investigations, have identified and confirmed late Holocene deformation on each of these mostly concealed but potentially hazardous faults. Most geomorphic features identified in lidar data are closely associated with linear magnetic anomalies that reflect the underlying basement structure of the fault and help map its full extent. The southern Whidbey Island fault (SWIF) is a case in point. The northwest-striking SWIF was mapped previously using borehole data and potential-field anomalies on Whidbey Island and marine seismic-reflection surveys beneath surrounding waterways. Gravity inversions and aeromagnetic mapping suggest that the SWIF extends at least 50 km southeast, from Vancouver Island to the Washington mainland, and transitions along its length from northeast-side-down beneath Puget Sound to northeast-side-up on the mainland. Abrupt subsidence at a coastal marsh on south-central Whidbey Island suggests that the SWIF experienced a **M_W** 6.5 to 7.0 earthquake about 3 ka. Southeast of Whidbey Island, a hypothesized southeastward projection of

Boundy-Sanders, Faults, Attachment 3

the SWIF makes landfall between the cities of Seattle and Everett. Linear, northwest-striking magnetic anomalies in this mainland region do coincide with this hypothesized projection, are low in amplitude, and are best illuminated in residual magnetic fields. The most prominent of the residual magnetic anomalies extends at least 16 km, lies approximately on strike with the SWIF on Whidbey Island, and passes within about 27 km of downtown Everett. Glacial deposits are slightly magnetic, and, in places, the magnetic anomaly is associated with topographic lineaments. Spectral analysis indicates, however, that the source of the anomaly extends to depths greater than 2 km and into Eocene sedimentary strata. Subtle scarps on Pleistocene surfaces are visible on high-resolution lidar topography at a number of locations along the aeromagnetic lineament. Collectively, the scarps are coincident with the aeromagnetic lineament and extend a total distance of 18 km. In the field, scarps exhibit 1 to 5 m of northeast-side-up offset. Two trenches were excavated across one of the lidar scarps during the summer of 2004. Both trenches showed evidence for folding, presumably above a buried reverse/oblique fault tip with at least 2 m of vertical offset. One trench also exposed a normal fault, although it was not possible to determine whether slip was caused by glacial or tectonic processes. The radiocarbon age of a folded, buried soil indicates that the earthquake occurred after 12 ka. Thus, the SWIF has produced at least two slip events in the Holocene, one occurring $\sim$3 ka on Whidbey Island and the other $\sim$12 ka on the Washington mainland.

DE: 7230 Seismicity and seismotectonics
DE: 8105 Continental margins and sedimentary basins
DE: 1517 Magnetic anomaly modeling
SC: Geodesy [G]
MN: 2004 AGU Fall Meeting

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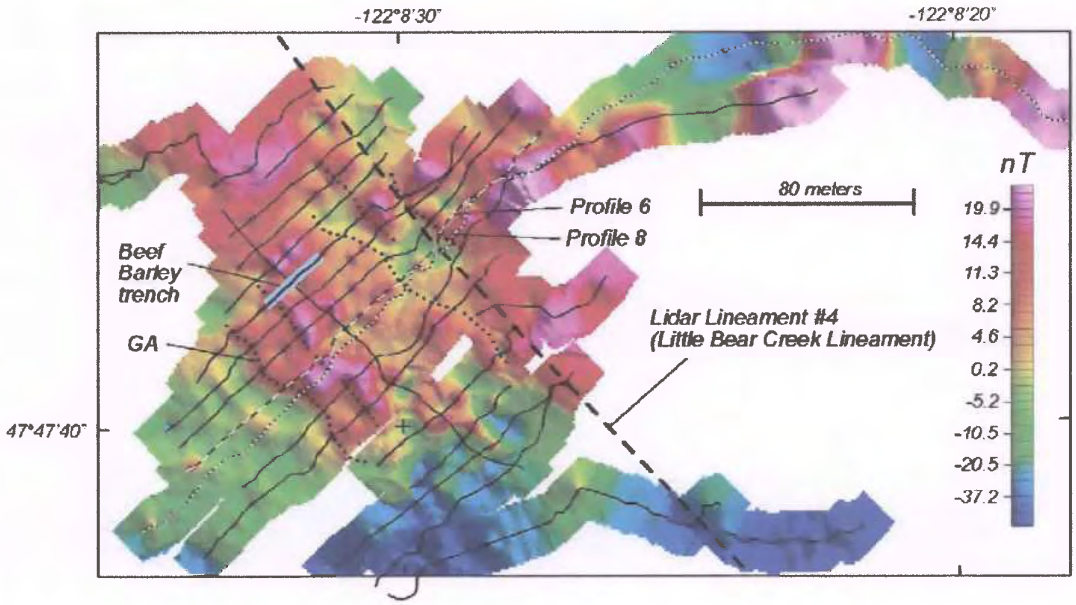
HOLOCENE FAULT SCARPS AND SHALLOW MAGNETIC ANOMALIES ALONG THE SOUTHERN WHIDBEY ISLAND FAULT ZONE NEAR WOODINVILLE, WASHINGTON

By Brian L. Sherrod, Richard J. Blakely, Craig Weaver, Harvey Kelsey, Elizabeth Barnett, and Ray Wells



Open-File Report 2005-1136
March 2005

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U.S. Geological Survey

Boundy-Sanders, faults, Attachment 4

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HOLOCENE FAULT SCARPS AND SHALLOW MAGNETIC ANOMALIES ALONG THE SOUTHERN WHIDBEY ISLAND FAULT ZONE NEAR WOODINVILLE, WASHINGTON

By Brian L. Sherrod[1], Richard J. Blakely[2], Craig Weaver[1], Harvey Kelsey[3], Elizabeth Barnett[1], and Ray Wells[4]

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March 2005

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ABSTRACT

The southern Whidbey Island fault zone (SWIFZ), as previously mapped using borehole data, potential-field anomalies, and marine seismic-reflection surveys, consists of four sub-parallel, northwest-trending fault strands, extending ~100 km from near Vancouver Island to the Washington mainland. The vertical component of displacement changes both across and along the fault, and strike slip motion may be important as well. Abrupt uplift at a coastal marsh on south-central Whidbey Island suggests that the SWIFZ experienced a M_W 6.5 - 7.0 earthquake between 3200 and 2800 years B.P. The SWIFZ has been hypothesized to extend southeastward beneath the mainland, making landfall between the cities of Seattle and Everett. Linear, low-amplitude aeromagnetic anomalies in this mainland region are on strike with the SWIFZ and may facilitate mapping the SWIFZ onshore. The most prominent of the residual aeromagnetic anomalies, the Cottage Lake aeromagnetic lineament, extends at least 16 km, lies approximately on strike with the SWIFZ on Whidbey Island, and passes within about 27 km of downtown Everett. Glacial deposits are slightly magnetic in this region, as indicated by magnetic susceptibility measurements and a ground-magnetic survey, and, in places, the Cottage Lake aeromagnetic lineament is associated with topographic lineaments. Spectral analysis and modeling experiments indicate that the source of the Cottage Lake aeromagnetic lineament extends to depths greater than 2 km and into Eocene sedimentary strata.

Subtle scarps on Pleistocene surfaces are visible on high-resolution lidar topography at a number of locations in the mainland region, often closely associated with aeromagnetic lineaments. In the field, scarps exhibit northeast-side-up vertical relief of 1 to 5 m. One group of scarps extends a total distance of 18 km along the Cottage Lake aeromagnetic lineament, where they defines two strands: One strand lies east of Crystal Lake and is referred to here as the Crystal Lake lidar lineament, another strand follows the Little Bear Creek drainage and is called here the Little Bear Creek lidar lineament. Four excavations across these two lidar lineaments show evidence for multiple folding and faulting events since deglaciation, most likely above buried reverse/oblique faults. One trench exposed a normal fault, although it was not possible to determine whether slip was caused by glacial or tectonic processes. In this same trench, evidence for younger folding suggests that surface deformation during an earthquake formed the scarp seen on lidar maps near Crystal Lake. Subsequent scarp degradation buried a forest soil, from which charcoal samples indicated that the folding event occurred after 11,670 years B.P. Two trenches were also excavated along the Little Bear Creak lineament near Grace, Washington. One of these trenches showed evidence for multiple events, including both folding and faulting, with the youngest event disturbing late Holocene wetland soils. In total, paleoseismological evidence suggests that the SWIFZ produced at four events since deglaciation about 16,400 years ago, the most recent after 2.7 ka. Liquefaction features near Everett indicate that strong shaking has occurred there at least three times in the last 1100 years, although evidence that those earthquakes occurred on the SWIFZ has not yet been found.

INTRODUCTION

The southern Whidbey Island fault zone is imaged by a variety of geophysical methods as a broad, complex, northwest-striking structure extending from southern Whidbey Island to Vancouver Island (Figures 1 and 2). The SWIFZ appears in gravity and seismic tomography inversions as a structural contact between low-velocity, low-density sediments of the Everett basin and high-velocity, high-density Crescent Formation that underlies the Kingston arch

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(Brocher and others, 2001; Gower and others, 1985; Johnson and others, 1996; Ramachandran and others, 2005). The SWIFZ was originally mapped on the basis of regional gravity and magnetic anomalies as a single strand extending northwest from about Murphys Corner on the Washington mainland to Admiralty Inlet west of Whidbey Island (Gower and others, 1985; Yount and Gower, 1991). Johnson and others (1996) showed evidence in seismic-reflection data, exposures in sea cliffs, and nearby boreholes for Quaternary displacement on three separate strands of the SWIFZ and extended the zone northwestward nearly to Vancouver Island. Kelsey and others (2004) interpreted differences in relative sea-level histories at two coastal marshes on opposite sides of one strand of the SWIFZ as evidence for 1-2 m of vertical, north-side-up displacement during a M_W 6.5 to 7.0 earthquake about 3000 years ago.

While other shallow faults in the Puget Lowland show distinct aeromagnetic patterns associated with hanging-wall geology (Blakely and others, 2002), the aeromagnetic expression of the SWIFZ is broad, complex, and diffuse, possibly because strongly magnetic lithologies, like the Crescent Formation, lie at significant depths. The SWIFZ is expressed in aeromagnetic anomalies across Admiralty Inlet, but the southeastward extension of the SWIFZ from southern Whidbey Island onto the Washington mainland is subdued in unprocessed aeromagnetic data. Aeromagnetic anomalies do display a subtle northwest-striking pattern of magnetic lineaments in the Maltby-Woodinville area, particularly evident after application of data enhancement methodologies (Blakely and others, 2004). This pattern is on strike with the SWIFZ offshore and is spatially associated with a narrow, 18-km-long zone of topographic scarps and lineaments identified in a GIS analysis of lidar data. The scarps are typically 1 to 5 m high, have northeast-side up, and lie on Pleistocene and younger surfaces. On the basis of their spatial association with topographic scarps and lineaments, we earlier interpreted some of the northwest-striking aeromagnetic lineaments as onshore splays of the SWIFZ, thereby extending the zone of past deformation approximately 30 km beyond the mainland coast (Blakely and others, 2004).

A detailed description of the aeromagnetic survey and evidence for onshore extension of the SWIFZ were provided by Blakely and others (2004). In their report, Blakely and others (2004) used a numbering scheme to designate lidar features. In particular, they referred to lineament 4 as a set of topographic features that follows the Little Bear Creek drainage and crosses the site of a proposed sewage treatment facility in southern Snohomish County, and they referred to features 10 and 11 as two scarps east of Crystal Lake. In this report, we designate lineament 4 as the Little Bear Creek lineament and the scarps east of Crystal Lake as the Crystal Lake lineament. Both of these topographic features lie along the larger Cottage Lake aeromagnetic lineament. In the following section, we summarize the results of Blakely and others (2004) and their implications for more recent paleoseismic field investigations.

AEROMAGNETIC ANOMALIES

In 1997 the U.S. Geological Survey conducted a high-resolution aeromagnetic survey of the Puget Sound and adjacent areas (Blakely and others, 1999). Flight altitude was targeted at 250 m above ground or as low as permitted by safety considerations; over the Maltby-Woodinville area, flight altitude was nominally 262 m above terrain. North-directed flight lines were spaced 400 m apart over the Puget Lowland; east-directed tie lines were spaced at 8 km intervals. Two base magnetometers operated continuously during the survey in order to subsequently correct for time-varying fields. Subtraction of the International Geomagnetic Reference Field provided total-field aeromagnetic anomalies. Taking all sources of error into account, we estimate the overall precision of individual measurements to be 0.5 nT or better

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(Blakely and others, 2004). [nT is an abbreviation for nanotesla, a unit of measure for magnetic flux density, or the "strength" of the magnetic field.. 1 nT = 10^{-9} Tesla. See Blakely (1995) for additional information.]

Figure 3A shows unprocessed aeromagnetic anomalies over the study area. Most anomalies in Figure 3A, especially those of regional extent, are caused by variations in magnetization of subsurface lithologies, and the evidence for and implications of these anomalies are discussed below. A "dimpled" pattern is also evident in some parts of Figure 3A, especially along the mainland coast. This short-wavelength pattern originates from large buildings and other manmade structures. For example, the anomaly southeast of Mukilteo (label C, Figure 3A) is situated over a Boeing facility and probably is caused by associated buildings and other infrastructure.

Magnetic anomalies and possible source lithologies

The onshore portion of the study area is dominated by two broad, high-amplitude anomalies (anomalies A and B, Figure 3A). Anomaly A south of Snohomish extends over Bald Hill and Devils Butte, which are underlain by Tertiary volcanic rocks of Mount Persis (Johnson and others, 1996; Minard, 1985; Tabor and others, 1993; Yount and Gower, 1991). These locally exposed Tertiary volcanic rocks probably extend in the subsurface throughout the region beneath anomaly A.

A second broad, high-amplitude magnetic anomaly (anomaly B, Figure 3A) is situated over the Maltby-Woodinville area. The high amplitude of anomaly B requires highly magnetic rocks, and its broad gradients indicate that the source lies at depths of several kilometers. Potential sources include Tertiary volcanic rocks of Mount Persis and basaltic rocks of the Eocene Crescent Formation.

A subtle pattern of aeromagnetic anomalies is superimposed on anomaly B and adjacent areas. The pattern is characterized by northwest-striking lineaments, each extending more or less continuously for distances of 2 to 16 km. The narrow gradient across each lineament indicates that they originate from the shallow subsurface, and we can highlight their expression by computationally emphasizing anomalies caused by shallow sources in Figure 3A. Figure 3B shows one such method, known as "residual magnetic anomalies". Residual anomalies are calculated by transforming observed anomalies into those anomalies that would be observed at a slightly higher elevation (50 m higher in this case), a process known as upward continuation, then subtracting that result from the observed anomalies (Blakely and others, 2004).

The northwest-striking pattern of residual magnetic anomalies appears throughout the onshore portion of the study area but is best represented in the Maltby-Woodinville area. The pattern is bounded to the northeast by a pronounced northwest-striking lineament (lineament E, Figure 3B) that also forms the northeastern margin of anomaly B. South of magnetic lineament E, the lineaments each separate positive regions to the northeast from less positive regions to the southwest. The lineaments are not associated with manmade structures and must be caused by subsurface lithologies. The longest and most pronounced of these lineaments (lineament D, Figure 3B), referred to as the Cottage Lake aeromagnetic lineament in Blakely and others (2004), is spatially associated with scarps identified in lidar terrain mapping. Without exception, the sense of offset on these topographic scarps when observed in the field is northeast-side-up. Similarly, the sense of each magnetic gradient (northeast-side more positive than the southwest side) is consistent with northeast-side-up offset on a normally magnetized body. Blakely and others (2004) concluded that lineament D (the Cottage Lake aeromagnetic lineament) and other linear aeromagnetic anomalies in the Maltby-Woodinville area are caused by strands of the

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SWIFZ.

The lithologic source of the magnetic lineaments is of considerable interest. The sharp gradients of the lineaments indicate that they originate in part from relatively shallow depths, within the upper 1 to 2 km, and thus linear magnetic sources extend structurally higher than the source of anomaly B. Two nearby exploratory wells provide insights into possible magnetic lithologies at these depths. The Standard Oil Company of California Alderwood #1 well (label SA, Figure 3A) encountered unconsolidated Pleistocene glacial and interglacial deposits to a depth of 110 m; penetrated mudstone, siltstone, and sandstone of the upper Eocene to lower Oligocene Blakeley Formation to a depth of 1591 m; and bottomed in sedimentary and volcanic rocks interpreted by Rau and Johnson (1999) as Eocene sandstone of Scow Bay. The Standard Oil Company of California Socal-Schroeder #1 well (label SS, Figure 3A) passed through 207 m of unconsolidated Pleistocene glacial and interglacial deposits; penetrated Blakeley Formation and Renton Formation to a depth of 2438 m; then encountered Tertiary volcanic rocks interpreted by Rau and Johnson (1999) as volcanic rocks of Mount Persis. The volcanic-derived lithologies encountered near the bottom of each of these wells are clearly potential sources for the aeromagnetic lineaments, if those lithologies lie at shallow enough depths. Magnetic susceptibility measurements in the Maltby-Snohomish area (Blakely and others, 2004) found that even Pleistocene glacial deposits and coarse-grained units within the Blakeley Formation are sometimes weakly magnetic.

GROUND-MAGNETIC SURVEY

An open field traversed by the Little Bear Creek lidar lineament (lineament 4 on Fig. 4) afforded an excellent opportunity to conduct a ground-magnetic survey in a region of linear aeromagnetic anomalies. The motivation for this investigation was to help determine the lithologic source of aeromagnetic lineaments throughout the Maltby-Woodinville area. The open field was also the site of the "Beef Barley" trench excavation (Fig. 4), discussed subsequently, and the ground-magnetic survey provided an opportunity to characterize surrounding and underlying lithologies. The open field was ideal for this type of investigation: First, it contained no significant metallic objects (buildings, metal fences, pipes, culverts, etc.) to contaminate the magnetic field. A small amount of wire was uncovered during the trench excavation (see following), but its volume was too small to significantly affect the magnetic measurements. Second, the lack of tree cover facilitated accurate GPS determinations.

Survey Specifications

The survey was conducted prior to the Beef Barley trench excavation. Profiles were conducted on foot while carrying a Geometrics 858 magnetometer system. The 858 system includes a cesium-vapor magnetic sensor, real-time GPS navigational equipment, and a small breast-pack computer. Seventeen profiles were directed northeast and spaced nominally 9 m apart; a single profile was directed northwestward through the future trench site. Measurements were made at 1-second intervals while walking at a normal pace. According to the manufacturer, the Geometrics 858 magnetometer has a sensitivity of 0.01 nT when operated at 1.0-second intervals. A stationary base station was established within the open field and operated simultaneously with the ground-magnetic survey in order to subsequently correct for diurnal variations of the earth's magnetic field and external field fluctuations. The base-station sensor was a Geometrics 856 proton-precession magnetometer. According to the manufacturer, this magnetometer has a resolution of 0.1 nT and an accuracy of 0.5 nT.

Ground Magnetic Anomalies

Figure 4 shows the ground-magnetic survey. Magnetic field values measured along each profile were corrected for time-varying magnetic fields as recorded at the base station, and then interpolated to a projected rectangular grid using a standard minimum-curvature algorithm. No other processing was applied to the data shown in Figure 4. Individual anomalies typically range between -40 and +20 nT and have gradient widths on the order of a few tens of meters. Individual anomalies measured at ground level with these characteristics would not appear at aeromagnetic altitudes (262 m).

The ground-magnetic anomalies are small in amplitude, considering that they were measured 2 m above ground, but we are struck by the linear nature of the anomalies and their dominantly northwest-strike parallel to the Little Bear Creek topographic lineament (lidar lineament 4 of Blakely and others (2004)) and on strike with the SWIFZ. Several pronounced northwest-striking lineaments are evident, shown by the hand-drawn dotted lines on Figure 4; one passes through the Beef Barley trench site, three lie near lidar lineament 4 (Blakely and others, 2004), and a fifth (ground-magnetic lineament GA, Figure 4) lies southwest of the trench. The trench could not be extended to this southwestern-most lineament because of environmental restrictions.

Depth and lithology of likely sources

The sharp gradients of these linear anomalies indicate that their sources lie at shallow depth. To confirm that assertion, we applied a graphical approach to estimate the depth to the magnetic sources of ground-magnetic lineament GA (Figure 4) beneath profiles 6 and 8. The technique, known as "Peters' method" (Blakely, 1995; Peters, 1949), is based on an important property of magnetic anomalies: The horizontal gradient at the margins of a magnetic anomaly depends on the depth to source; i.e., a shallow magnetic body produces a sharper magnetic anomaly relative to an anomaly caused by the same body at deeper depth. Peters' method is graphical in nature: Draw two parallel lines (dotted lines in Figure 5) with slope equal to one half of the maximum gradient of the anomaly (dashed lines in Figure 5), one line tangent to the peak of the anomaly and the other line tangent to the minimum part of the anomaly. The horizontal separation of the two lines is proportional to the depth to the top of the body. The proportionality constant is 1.2 for very thin bodies and 2.0 for very thick bodies. We chose a value of 1.2, assuming that glacial strata are relatively thin in this region. Peters' method assumes that the magnetic anomaly is caused by a two-dimensional body with vertical sides and uniform and nearly vertical magnetization. Although the magnetic sources under investigation here are two-dimensional in nature, the other underlying assumptions are less likely to be realized. Therefore, our estimates should be treated as only approximate.

Based on Peters' method, we estimate that the top of the magnetic source of lineament GA lies in the upper 8 to 20 m (Figure 5). Geo-technical boreholes indicate that Pleistocene glacial deposits extend to depths of about 100 m in this area (AspectConsulting, 2005). Thus, Pleistocene glacial deposits are apparently the lithologic source of the linear anomalies seen in ground-magnetic profiles. In the area of the Beef Barley trench specifically, boreholes encountered glacial till, overlain by outwash, at depths increasing west-southwestward across the trench site (Aspect Consulting, 2005). Extrapolating from these boreholes, we estimate the glacial till to lie approximately 10 m below ground level at ground-magnetic anomaly GA, roughly equivalent to the magnetic source depth (8.6 m) estimated from Peter's method. Several explanations for the ground-magnetic anomalies are possible. (1) The anomalies may originate from lateral variations in magnetic properties caused by contrasting depositional

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processes within the Pleistocene section, such as contacts between outwash and channel deposits. (2) The anomalies may be caused by concentrations of secondary magnetic minerals, possibly related to persistent elevated ground-water levels. (3) The anomalies may be caused by faulted offsets of Pleistocene strata. We favor the third interpretation because of the linear nature of the anomalies and their orientation relative to the Little Bear Creek lidar lineament, linear aeromagnetic anomalies, and the onshore extension of the SWIFZ.

Magnetic susceptibility measurements of deposits exposed in the trench wall ranged from 0.62×10^{-3} to 10.30×10^{-3} SIU, with an average of 2.25×10^{-3} SIU. [SIU is an abbreviation for Système Internationale unit. Magnetic susceptibility is proportional to induced magnetization; it is a dimensionless quantity, but its numerical value depends on the units of measure. See Blakely (1995) for additional information.] This average susceptibility would produce an induced magnetization of about 0.10 A/m. [A/m, or ampere per meter, is the unit of magnetization. See Blakely (1995) for additional information.] Susceptibility measurements of glacial till recovered from geo-technical boreholes in the area had similar magnetic susceptibilities (average 2.75x10-3 SIU).

The range of magnetic susceptibilities observed in the Beef Barley trench is marginally sufficient to explain the ground-magnetic anomalies. We verified this assertion with a simple forward model (Blakely, 1995): a horizontal layer with magnetic susceptibility of 7×10^{-3} SIU relative to overlying strata, a value near the high end of the measured range, and with a northwest-striking, 5-m vertical offset of its upper surface located directly beneath ground-magnetic anomaly GA. If the depth to the layer is 13 m on the southwest side of the vertical offset and 8 m on the northeast side, the calculated anomaly has approximately the same amplitude and wavelength as observed in ground-magnetic anomaly GA.

Relationship between ground-magnetic and aeromagnetic anomalies

We suggest that the linear anomalies in Figure 4 are caused by linear offsets in magnetic glacial deposits in the upper 8 to 20 m. It is important to recognize, however, that glacial deposits alone cannot also account for the aeromagnetic lineaments. Individual ground-level anomalies with characteristics described here would not be detectable at aeromagnetic altitudes (approximately 262 m), yet the ground-magnetic anomalies do lie near and parallel to the Little Bear Creak aeromagnetic lineament (Figure 3B). As suggested by Blakely and others (2004), the aeromagnetic anomalies may be caused by faults that intersect both the Pleistocene section and deeper, more magnetic lithologies.

PALEOSEISMOLOGY OF THE SWIFZ

Geophysical studies of the SWIFZ suggest that several offshore splays project onto the mainland between Edmonds and Mukilteo (Figure 6). Lidar images reveal several post-glacial scarps that sit astride magnetic anomalies and topographic lineaments. Although scarps may be formed by a variety of surficial processes, the correlation of scarps with deeper geophysical structure suggests that the scarps may be related to faulting on strands of the SWIFZ. To test this hypothesis, we excavated trenches across scarps at four sites to look for earthquake-related deformation of surficial deposits. The potential for recent earthquakes in this area is also suggested by evidence for a recent earthquake along the SWIFZ on Whidbey Island (Kelsey and others, 2004).

Summary of Whidbey Island paleoseismology

Relative sea level (RSL) histories at two coastal marshes straddling the SWIFZ on Whidbey Island show evidence for abrupt uplift between 3200 and 2800 cal yr B.P. (Figures 2

and 7). Sea level curves for Crockett and Hancock marshes, developed using radiocarbon ages from sand/peat contacts beneath each marsh, should be nearly identical if the sites experienced no past deformation. However, combined RSL curves show that the Crockett marsh curve is displaced about 2 m relative to the Hancock marsh curve (Figure 7). Kelsey et al. (2004) inferred that an earthquake caused the changes they observed in the RSL histories from the two marshes. The earthquake, caused by reverse offset on a fault tip concealed beneath a fold on central Whidbey Island, occurred between 3200 and 2800 cal yr B.P. (Kelsey and others, 2004). The fold and fault, imaged on high-resolution seismic reflection profiles in Admiralty Inlet and Holmes Harbor, lies hidden beneath a mantle of deformed late Quaternary glacial deposits. The seismic data show an asymmetrical syncline, with a steeper limb on the north side, developed in Quaternary glacial deposits. Kelsey et al. (2004) inferred that the syncline is cut by a steep reverse fault, possibly dipping 60°.

Prehistoric liquefaction at the Snohomish River delta

Bourgeois and Johnson (2001) found evidence for several events at the Snohomish River delta near Everett, Washington. Outcrops along tidal channels, exposed at low tide, revealed evidence for several episodes of strong shaking. This evidence consists mainly of upward terminating sand dikes and sand-filled cracks, some up to 1 meter wide. The dikes and cracks cut layers containing organic materials usable for radiocarbon dating. The radiocarbon ages and stratigraphic relationships show that strong shaking events occurred 1205-1025 years B.P., 1095-1015 years B.P., and 575-365 years B.P. Because the evidence for these events consists of liquefaction features, Bourgeois and Johnson (2001) could not attribute the strong shaking to a specific source. Shaking may have been caused by a Cascadia subduction zone earthquake, intraslab earthquake, or shallow earthquake in the Puget Lowland.

Evidence for past surface rupture from lidar and historical aerial photographs

Lidar mapping and historical aerial photographs of northern King County and southern Snohomish County reveal several features along the mainland trace of the SWIFZ (Figures 6, 8 and 9). The extent of lidar coverage from King County is shown on Figure 6 and only covers part of the area traversed by the mainland projection of the SWIFZ. Poor quality and artifacts in the King County lidar data limited the resolution of our lidar analysis (Blakely and others, 2004). We identified several lidar scarps in the area near Crystal Lake and Cottage Lake (Figure 9). These features consist mainly of short (<1 km), north-side-up scarps and longer topographic lineaments (~0.5 - ~4 km long). No lidar data exists for most of Snohomish County. Therefore, we relied on historical aerial photographs to search for features possibly related to past surface rupture in southern Snohomish County. Features mapped from historical aerial photographs near Devil's Butte in Snohomish County (Figure 8) appear on both the 1933 and 1938 Army Corps of Engineers photographs (Collins and others, 2005). These features consist of short scarps and longer topographic lineaments paralleling the Snohomish River near Devil's Butte.

The lidar and aerial photograph features fall close to, or directly on, previously identified low-amplitude magnetic anomalies (Figure 6). Some of these anomalies are thought to represent strands of the SWIFZ in the shallow subsurface. The largest and most continuous aeromagnetic anomaly is the Cottage Lake aeromagnetic lineament. Two topographic lineaments that lie on top of and southwest of the larger Cottage Lake aeromagnetic lineament – the 'Crystal Lake lineament' and the 'Little Bear Creek lineament' – were selected for field study in the summer of 2004. To test the hypothesis that the topographic lineaments coincided with active faults, we mapped excavations placed across scarps at four sites.

SELECTION OF STUDY SITES AND FIELD METHODS

Between June and October, 2004, the USGS opened and mapped four excavations across scarps lying along the onshore extension of the SWIFZ. The excavation sites lay along discrete topographic lineaments, found using lidar maps, within the larger Cottage Lake aeromagnetic lineament. Specifically, two of the excavations cross scarps along a 3-km-long topographic feature known as the Little Bear Creek lineament, and two lie along a 3-km-long scarp near Crystal Lake (Figures 6 and 9). The excavations were placed perpendicular to the scarps to depths between 1.2 and 2.4 m. Excavation walls higher than 1.2 m were sloped at about 1:1 for safety. After establishing a 1-m by 1-m grid system in each excavation, field teams flagged stratigraphic contacts and structural features using colored surveyor's tape and nails, and mapped selected excavation walls on rectified digital photomosaics.

EXCAVATIONS ACROSS THE CRYSTAL LAKE LINEAMENT

A north-side-up scarp lying along the Cottage Lake aeromagnetic lineament is the most prominent scarp observed in the lidar data (Figure 9). The scarp, previously identified as Feature 10 and Lineament 11 in Blakely et al. (2004) and herein called the Crystal Lake lineament, is about 3 km long, and is sub-parallel to the eastern shoreline of Crystal Lake. Profiles across the scarp using the lidar data show a broad, north-side-up scarp between 2.5 and 4 m in height. Field observations confirm the scarp location and approximate height. The scarp is not clear on the lidar map at its southeast end due to poor lidar returns in dense vegetation.

Two sites along the Crystal Lake lineament were selected for excavation on the basis of lidar data and field reconnaissance (Figure 9). The two excavation sites, named Mountain Beaver and Flying Squirrel, lie 100 to 200 m east of Crystal Lake in a mature Douglas-fir forest.

Mountain Beaver site

The Mountain Beaver site consists of a 16-m long excavation with sloping walls (about a 1:1 slope). This excavation exposed deposits from the last glacial advance into the Puget Lowland (Figure 10). This glacial advance, regionally called Vashon, culminated around 16,400 cal yr B.P. when the glacier disintegrated, leaving behind outwash deposits and glacial drift (Porter and Swanson, 1998). Glacial drift exposed in the excavation consisted of dense gray sandy silt with faceted pebbles and cobbles (Qvt). Overlying the drift is a thin layer of dense silt that is laminated in places (Qste). The silt is in turn overlain by a pebbly drift consisting of dense sandy silt with abundant faceted pebbles and cobbles, and discontinuous stratified sand layers (Qd).

A fault separates the pebbly drift (Qd) from overlying sand and pebbly silty sands (Qrs) that contain large intact blocks of Qd (Figure 10 and 11). The fault truncates and deforms sand and silt layers in the pebbly drift (Qd) such that a normal sense of movement on the fault is clearly observed. Photographs of the fault show truncated and deformed beds, and show a shear fabric parallel to the fault (Figure 11). Overlying the fault is a sequence of massive to interbedded sand and pebbly silty sands that pinch out towards the middle of the trench wall (Qrs). A clast of charcoal from a silty fine sand layer (sample MB001 from Qrs) yielded an AMS radiocarbon age of 31,330±340 C14 yr B.P. Overlying Qrs is a buried A-horizon (Hab). A charcoal clast collected from the stratigraphic middle of Hab in the west wall (not shown in Figure 10) of the excavation yielded an AMS radiocarbon age of 10,190±40 C14 yr B.P. (12,090 – 11,670 cal yr B.P.). Gravel lenses (not shown in Figure 10) and a silty colluvial deposit (Hc and Hcs) bury the former A-horizon and underlying deposits. The loose character of unit Hc

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makes it an ideal habitat for mountain beaver (*Aplodontia ruppia*). Several filled and open *Aplodontia* burrows were noted during field work, and several live *Aplodontia* were observed in the excavations. The tops of the excavation walls are mantled with surface accumulations of modern forest litter (Ha), with thicker accumulations near the base of the scarp.

Flying Squirrel site

The Flying Squirrel site is a 20-m long excavation across a 3.5–m high, north-side-up scarp (Figure 12). Eight lithologic units mapped in the excavation provide a stratigraphic section spanning from the Vashon advance to the present. Vashon till is exposed at the base of the stratigraphic section and consists of a gray sandy loam with faceted pebbles and cobbles of mainly felsic and intermediate rocks (unit Qvt on Figure 12). An erosional unconformity separates the till from overlying Vashon recessional outwash deposits.

The Vashon recessional outwash deposits consist of four mappable units. The oldest unit is a gray, gravelly, fine to coarse sand to sandy gravel (Qrg). Interbedded with unit Qrg are two similar units - a gray, pebbly, fine to coarse sand with crossbedding (Qrgs), and a gray, fine to coarse, crossbedded sand (Qrs). A thin silt layer with laminations (Qste) caps the recessional outwash deposits. Unit Qste is assumed to be a good indicator of paleohorizontal; however, dips of Qste range from an average of about 10° to almost 40° below the foot of the scarp (between 6 and 10 m).

Unit Qste is overlain by a gray, pebbly sandy loam (unit Qd) with planar and cross stratification observed in several places. A thick, reddish-brown sandy loam to loam, with weak sub-blocky pedogenic structures and scattered pebbles and cobbles (Hc) overlies the entire section. Tree roots and burrows of *Aplodontia ruppia* extend downward from ground surface into Hc. Former burrows and filled cavities from rotted tree roots occur in several unmapped sections of the excavation. A thin layer of organic detritus (unit Ha) overlies unit Hc and mantles the ground surface.

EXCAVATIONS ACROSS THE LITTLE BEAR CREEK LINEAMENT

The Little Bear Creek lineament follows the Little Bear Creek drainage and lies parallel to and along an aeromagnetic anomaly about 1.5 km southwest of the Cottage Lake aeromagnetic lineament (Figures 6 and 9). The southeastern part of the lineament is aligned along a deep ravine and several scarps. To investigate whether the lineament is a strand of an active fault, we selected two sites with degraded scarps for further study based on field reconnaissance. Detailed logs of the sites, named French Onion and Beef Barley after the pervasive aroma of soups produced in a nearby facility, are shown in Sherrod and others (2005).

French Onion site

The French Onion site is an excavation across a small scarp on the south side of a narrow ridge (Figure 13). The ridge is oriented northeast-southwest and bordered on the southeast and northwest by deep ravines eroded into late Quaternary glacial deposits. A small scarp lying along the Little Bear Creek lineament crosses the southwest end of the ridge. A shallow excavation across the scarp revealed eight stratigraphic units composed of glacial lake deposits, till, and Holocene soils.

The oldest units found in the French Onion excavation are glacial lake deposits, presumably of Late Pleistocene age (Figure 13). A brown to gray, laminated claystone (Qscl) and a brown mudstone (Qmud) lie at the base of the exposed section. Overlying Qscl is a massive to laminated, gray claystone (Qmcl). A small lens of glacial drift, probably a till (Qt), is located between 12 and 15 m and is nearly surrounded by Qmud. All of these units were slightly

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indurated, possibly as a result of overconsolidation below the bed of a thick glacier. No materials for radiometric dating were observed in the glacial deposits, but the overconsolidation is consistent with these units being deposits from an earlier glacial advance that were subsequently overridden by glacial ice during the Vashon advance.

Overlying the glacial deposits in the French Onion trench is a series of Holocene soils and colluvial deposits. A thick layer of buried organic-rich sandy loam to loam lies directly on the Qmud unit (unit Hab between 6 and 9 m on Figure 13). Immediately overlying Hab are two colluvial units – Hcol and Hpcol on Figure 11. Hcol is a brown sandy loam to loam and contains scattered charcoal clasts. Hpcol is similar to Hcol but has abundant pebble-sized clasts of mudstone. The mudstone pebbles were likely derived upslope from weathering of units Qscl, Qmud, and Qmcl. Hpcol overlies Hcol between 4 and 6 meters on Figure 11. A dark brown organic detritus layer (Ha) caps the stratigraphic section.

Beef Barley site

The Beef Barley site consists of an excavation ~30 meters long and ~2.4 meters deep, oriented N55°E (Figures 14 and 15). Approximately the upper meter of exposed soil consisted of fill containing shards of colored glass, a small amount of fence wire, and machine-cut lumber. The soils below the fill appeared undisturbed and likely span the time interval from Vashon recessional outwash to development of the Little Bear Creek drainage and historic settlement.

The oldest stratigraphic units found in the Beef Barley excavation were two discrete sequences of recessional outwash deposits (Figure 14). Neither sequence is overconsolidated, indicating that neither was overridden by glacial ice. The lack of overconsolidation suggests that the sequences are Vashon recessional outwash deposits. The first sequence (sequence Q1; units Q1a to Q1g on Figure 14) consists of yellowish brown to olive brown pebbly sand, loamy sand, and sandy loam. Locally, gravel beds within sequence Q1 dip ~36° to the SSW while thin silts and clay layers in sequence Q1 dip as much as 22° to the SSW. An angular unconformity (Q1-Q2 unconformity; yellow line on Figure 14) separates sequence Q1 from an overlying sequence of recessional outwash deposits (sequence Q2). Sequence Q2 consists of yellow brown to olive gray gravelly sandy loam, sandy loam, sandy clay, and clay (Figure 14). All of sequence Q2 is essentially flat-lying to very gently south-dipping.

A second unconformity separates sequence Q2 from an overlying gravelly deposit (Q2-H/Q3 unconformity; green line on Figure 14). This unconformity is flat-lying between 8 and 16 meters (see Figure 14) and rises slightly between 2 and 6 m. This slight rise could result either from a tectonic origin for the unconformity or from normal erosional processes that created the unconformity. Three conformable units lie above the Q2-H/Q3 unconformity.

Unit H/Q3 is an olive brown sandy loam that lies directly over the Q2-H/Q3 unconformity. This unit extends the length of the excavation but thins considerably in the northeastern part of the excavation. Dark brown organic-rich sandy loams (unit H4 and H4.1) overlie unit H/Q3 and most likely represent prehistoric and historic surface soils developed at the site. Charcoal samples collected at the base of unit H4 yielded AMS ages of 2450±40 C14 yr B.P. (BETA-200523; 2730 to 2350 cal yr B.P.) and 2660±50 C14 yr B.P. (BETA- 200524; 2850 to 2740 cal yr B.P.). Unit H4.1 is slightly disturbed in places, most likely by equipment used to place fill over the site in the early part of the 20th century.

EVIDENCE FOR PREHISTORIC DEFORMATION

Stratigraphic and structural observations collected from the four excavations yield insights into past earthquakes along the SWIFZ (Figure 16). We mapped each excavation in

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detail, looking for evidence of surface deformation from folding and faulting and establishing criteria to distinguish tectonic from glacial deformation. Evidence for strong shaking at each site, in the form of liquefaction features, was also mapped. At sites along the Crystal Lake lineament, we observed evidence for past folding and faulting, and at sites along the Little Bear Creek lineament we observed evidence for past folding, faulting, and liquefaction. These past folding, faulting, and liquefaction events were each assigned a unique identifier and are discussed below.

Crystal Lake lineament

The clearest indication of prehistoric deformation along the Crystal Lake lineament is post-glacial folding (Event C) and a normal fault that offsets glacial deposits (Event B). Event B is interpreted from deformed drift and outwash cut by a low-angle normal fault (Figure 11). A low-angle fault observed in the Mountain Beaver excavation (dip is ~20° on Figures 9 and 11) separates Vashon drift/ablation till (Qd) from Vashon recessional outwash deposits (Qrs channel fill). The fault truncates interbeds within Qd. Drag folds in Qd and Qrs suggest a normal sense of movement on the fault (Figure 11). Stratigraphic observations suggest that the last episode of movement on the fault could be as old as late Pleistocene, and was possibly caused by syn- or post-depositional slumping or tectonic movement. The sediments cut by the normal fault are strongly deformed and are associated with features of soft-sediment deformation. Therefore, it is likely that Event B and the normal fault are the result of slumping or landsliding in a saturated, recessional-outwash environment rather than tectonic deformation. However, a tectonic origin for the normal fault cannot be ruled out completely.

After Event B, the entire section, including the fault, was warped by several meters of north-side-up folding. If the normal fault was created by landsliding during Event B, then the original dip of the fault plane may have been quite low or even flat, accounting for the ~20° post-folding dip of the fault plane. Post-glacial folding (Event C) along the Crystal lake lineament is indicated by dipping laminated silt layers, deformed recessional outwash deposits, and a buried soil. Laminated silts observed in the Flying Squirrel and Mountain Beaver excavations had dips averaging about 10° in both excavations, but higher dips in parts of both excavations suggest post-depositional warping. Below the scarps at both excavations, dips of the silt layer increase, reaching a maximum of almost 40° in the Flying Squirrel excavation and ~30° in the Mountain Beaver excavation (Figures 10 and 11). While 10° dips may be common in glacial deposits, dips of laminated silts exceeding 30° are not common; suggesting that the higher dips resulted from post-depositional deformation. Folding in the Mountain Beaver excavation is mirrored by dips of units Qvt, Qste, Qd, and Qrs, and the normal fault described above – suggesting that the entire section was warped during a single event. Geometry of stratigraphic sections in the Mountain Beaver excavation indicates that warping was greater than 2 m during Event 2. Thus, the original scarp at the Mountain Beaver site likely was at least 2 m high. It is possible that the Mountains Beaver excavation records only Event C. Lidar profiles across the scarp show that the present-day scarp height is between 2.5 to 4 m, suggesting that folding during Event C could have been 4 m high. Over time, the original scarp at the Mountain Beaver site degraded and colluvium buried the former soil at the base of the scarp (unit Hab on Figure 10).

Unit Hab at the Mountain Beaver site is a buried A-horizon. Filled root cavities extend from the bottom of the former soil horizon into the underlying units. The surface of the buried soil rises slightly towards the scarp, suggesting that parts of the former soil were eroded over time. Colluvium from the scarp (units Hc and Hcs) buried the remaining soil after the event. Thus, radiocarbon ages from charcoal in the buried soil horizon provide a maximum age for the

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timing of the folding event described above. A single radiocarbon age from a sample collected near the middle of unit Hab yielded an age of 12,090 – 11,670 cal yr B.P. This single age indicates that Event C occurred after 11,670 cal yr B.P.

Little Bear Creek lineament

Observations of fractures, faults, and shear zones in the French Onion excavation suggest a complex deformation history. We observed at least three structural fabrics in the excavation, one dipping to the south, one to the north, and a subhorizontal fabric. When viewed in outcrop, these fabrics give the older glacial units (Qscl, Qmud, Qmcl) a shattered appearance. We observed each fabric in the older glacial units and traced only a few faults into the overlying Holocene units. However, it was not possible to determine if the faults actually offset the Holocene units or if the Holocene units were simply weathering into one of the older faulted units. With few exceptions, we could not determine the sense of motion of any of the faults. We infer that the south and north-dipping fabrics are older than the subhorizontal fabric (discussed below). We did not assign any events to these fabrics because it is likely that none of the faults observed in the French Onion excavation moved after Vashon deglaciation. It is possible that fault-line erosion created the scarp at the French Onion site rather than movement on a fault.

The south-dipping fabric in the French Onion excavation is concentrated in the southern part of the excavation (Figure 13). We observed reverse motion on at least three of the south-dipping faults. One of the south-dipping reverse faults cuts a late Quaternary till (Qt between 13 and 14.5 m on Figure 13). Several south-dipping faults appear to push Qscl against Qmud (between 7 and 10 m on Figure 13), suggesting a reverse sense of motion on this set of faults. These south-dipping reverse faults are difficult to explain with movement of glacial ice across the region. Glacial flutes indicate that ice flowed approximately north to south across the region in the last glacial advance, and we assume that previous glaciers flowed in similar directions. If these faults are glaciotectonic, then the hanging wall was thrust upwards into the bed of the glacier – an unlikely scenario. More likely, the south-dipping faults are tectonic and were later cut by north-dipping and subhorizontal faults produced by movement of glacial ice.

The north-dipping fabric is concentrated in the northern part of the excavation. The largest of the faults observed in this set of features appear to merge between grid points 9 and 10 m on Figure 13. Bedding truncations and displacements on the largest of the north-dipping faults were not observed so it is not possible to indicate a sense of slip for this set of features.

A subhorizontal shear fabric cuts across the north-dipping and south-dipping faults in the French Onion excavation. Microfaults observed in the subhorizontal fabric had both reverse and normal displacements, but were dominated by normal displacement. In general, the sense of net tectonic transport was to the south. A south-directed tectonic transport is consistent with the subhorizontal fabric resulting from simple shear at the base of a glacier. Nelson at al. (2003) observed similar shear fabrics developed in weathered bedrock immediately below Vashon till and attributed the shears to movement of glacial ice across the weathered bedrock surface.

The Beef Barley excavation has a rich history of deformation and strong ground shaking. One or possibly two angular unconformities and reverse faulting suggest multiple episodes of surface deformation. Liquefaction features observed throughout the excavation disturb recent soils and indicate strong ground shaking in the late Holocene.

The oldest period of deformation (Event D) in the Beef Barley excavation is marked by the angular unconformity between sequences Q1 and Q2 (Figures 14 and 15). Although no material was found to provide ages for either sequence, lithologic comparisons to other exposures and the lack of overconsolidation suggest that the unconformity separates two

sequences of Vashon recessional outwash. We speculate that the unconformity was created when an earthquake on the Little Bear Creek lineament caused folding of sequence Q1 (Event D). Following Event D, the folded units were beveled off by flowing water and sequence Q2 was deposited. Thus, Event D likely occurred between deglaciation and establishment of non-glacial environments, or roughly between 16,400 and ~12,000 cal yr B.P. A limiting minimum age of 12,000 years B.P. was selected because non-glacial environments were established in many areas of the Puget Lowland by ~12,000 years B.P. (Nelson and others, 2003; Sherrod, 2002). Non-glacial environments inferred at the Mountain Beaver site at the time of Event C suggest that Event C postdates Event D by hundreds to thousands of years (Figure 16).

A possible earthquake (Event E) occurred in either the latest Pleistocene or early Holocene, marked in the Beef Barley excavation by the unconformity between sequence Q2 and unit H/Q3. This unconformity could be the result of folding on the Little Bear Creek lineament, or, alternatively, the unconformity could be the result of normal fluvial processes acting at the site at the time unit H/Q3 was deposited. Neither alternative can be dismissed based on the data collected in the excavation. If the unconformity is the result of folding on the Little Bear Creek lineament, no age data exist to constrain the age of the event beyond being younger than ~12,000 yr B.P and older than ~2850 cal yr B.P., the maximum age of unit H4.

The youngest event (Event F) recorded in the Beef Barley excavation included folding, reverse faulting, and liquefaction. Evidence for folding is best seen between 14 and 20 m on the excavation logs (Sherrod et al. (2005), and Figure 15). Reverse faulting is best seen between 13.5 and 15 m on the excavation logs. Good piercing points to measure displacement during this youngest event are lacking but the folding probably did not exceed 1 meter and the faulting is likely limited to only a few decimeters (less than 30 cm). However, none of these estimates account for out-of-plane movement (lateral displacement), and actual slip could have been quite a bit larger.

Liquefaction accompanied the folding and faulting of the youngest event, evidenced by numerous liquefaction features observed throughout the excavation (Figures 14 and 15). These features include sand-filled dikes injected upwards through fine-grained facies of sequences Q1 and Q2. Pieces of Q1 and Q2 were entrained by the flow of sand, including blocks of silt in a large liquefaction feature between 13.5 and 16 meters on the log (Figure 15). The liquefaction is associated with and may have taken advantage of the reverse faults observed between 14 and 15 meters, suggesting that the faulting and liquefaction occurred during the same event. Alternatively, it is possible that the faults created during an older event were places of weakness followed by younger liquefaction features. That the liquefaction is young is also evidenced by the degree to which unit H4 is disturbed by the liquefaction. Units H/Q3 and H4 were deformed into hummocks and swales above the liquefaction features, and one sand dike was observed cutting through units H4 and H4.1 to the former land surface. Since the liquefaction disturbs unit H4, the events that caused the shaking had to postdate the youngest charcoal collected from H4, or about 2730 cal yr B.P. It is possible that multiple events in the late Holocene caused strong ground shaking at the Beef Barley site. Bourgeois and Johnson (2001) documented at least three episodes of liquefaction in the late Holocene at the Snohomish River delta, about 26 km N/NW of the site. Any of these events could also have shaken the ground hard enough at the Beef Barley site to generate the liquefaction features observed in the excavation.

In this study, liquefaction is unique to the Beef Barley site. Site conditions explain why the Beef Barley site liquefied while the other sites did not. Saturated soils and groundwater are located near the ground surface at the Beef Barley site. Near surface soils at the Beef Barley site

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include fine-grained sediments likely to act as a barrier to upwards flow of liquefied materials. None of the other excavation sites contained the unique set of conditions conducive to liquefaction that are found at the Beef Barley site.

STRUCTURE AND PREHISTORIC EARTHQUAKES ON THE SWIFZ

Offshore marine seismic surveys indicate that several strands of the SWIFZ traverse Admiralty Inlet and Whidbey Island before making landfall between the cities of Edmonds and Mukilteo (Figure 17). The magnetic survey data presented in Blakely et al. (2004) and in this report show that after making landfall, strands of the SWIFZ continue to the southeast and cross through southern Snohomish County and northern King County near Maltby and Woodinville. Lidar mapping shows that scarps on the ground surface lie on or near several magnetic anomalies, suggesting that the shallow subsurface anomalies are strands of an active fault zone. Excavations across two scarps confirm that the Crystal Lake and Little Bear Creek lineaments are active strands of the SWIFZ.

We envision one model of the SWIFZ as a set of anastomosing faults, two of which are the Crystal Lake and the Little Bear Creek lineaments. These strands have lidar scarps and paleoseismological evidence that suggests earthquakes have ruptured the ground surface at least once in the Holocene. Other strands may be active as well, including Lineament "X" (Figure 9), the "GA anomaly" (Figure 4), and possible strands associated with scarp-like features identified on historical aerial photographs. However, poor quality of existing lidar coverage in King County and lack of lidar in southern Snohomish County preclude making any statements as to surface ruptures associated with these features. Based on the aeromagnetic mapping in southern Snohomish and King Counties, the SWIFZ could exceed 12 km in width, but at present, active strands are only known between Woodinville and Maltby (Figures 6 and 17).

Prehistoric earthquake activity on at least two strands of the SWIFZ is based on excavations across scarps identified on lidar maps. These excavations, combined with published data from Whidbey Island (Kelsey and others, 2004), indicate that at least four earthquakes struck the SWIFZ in the last 16,400 years (labeled as events C, D, W, and F on Figure 16). An additional earthquake and at least three ground shaking events have occurred along the SWIFZ when additional excavation information and events from the Snohomish River delta are considered (Bourgeois and Johnson, 2001). The liquefaction events could have sources other than the SWIFZ, such as a large Seattle fault event about 1100 years ago and intraslab events (Bucknam and others, 1992). However, if we included the liquefaction events and other evidence as indicators of possible SWIFZ events, then the number of events in the last 16,400 years increases to nine (Figure 16).

FUTURE RESAERCH DIRECTIONS

We now have strong evidence that two fault strands in the Maltby-Woodinville area, presumably part of the SWIFZ, slipped multiple times in the Holocene, yet questions remain regarding the overall hazards posed by the SWIFZ. The focus of our present study and that of a previous report (Blakely and others, 2004) was controlled partly by available lidar coverage. As shown in Figure 6, that lidar survey did not include mainland regions along the Puget Sound, nor areas northeast of Maltby. Thus, we do not have a clear view of the length and width of the active deformation zone. This uncertainty could be addressed with new, high-quality lidar surveys and follow-on trench excavations. The region between Maltby and Snohomish is of particular interest because of lineaments noted in airborne photography, many of which

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correspond to aeromagnetic anomalies.

The region between the Little Bear Creek lineament and Lake Washington is also an important concern. Numerous northwest-striking aeromagnetic lineaments have been interpreted in this region, but corresponding scarps have not been identified. Several explanations are possible: (1) The aeromagnetic lineaments may reflect sub-surface faults that have no topographic expression, either because slip surfaces did not intersect the ground or because the ground surface has been altered by human development or by geologic processes occurring subsequent to latest slip. (2) The lidar data may have been of insufficient quality to detect small scarps. (3) The aeromagnetic lineaments may be caused by geologic processes other than faulting and thus pose no hazard. An experimental trench across a well-defined aeromagnetic lineament, one without topographic expression, might determine which explanation is most plausible.

Questions also remain regarding the vertical extent and three-dimensional aspects of individual fault strands. High-resolution seismic-reflection profiles conducted across selected lineaments might define the configuration of deformed strata and the amounts of vertical offset on faults at depth. Additional ground-magnetic surveys, analyzed jointly with existing aeromagnetic anomalies, might help determine the vertical extent of identified faults. Ground magnetic surveys are impractical throughout much of the study region, however, because of the proximity of manmade structures. A helicopter-borne magnetic survey, flown as low as safely possible and along closely spaced flight lines, would serve as an excellent alternative.

ACKNOWLEDGEMENTS

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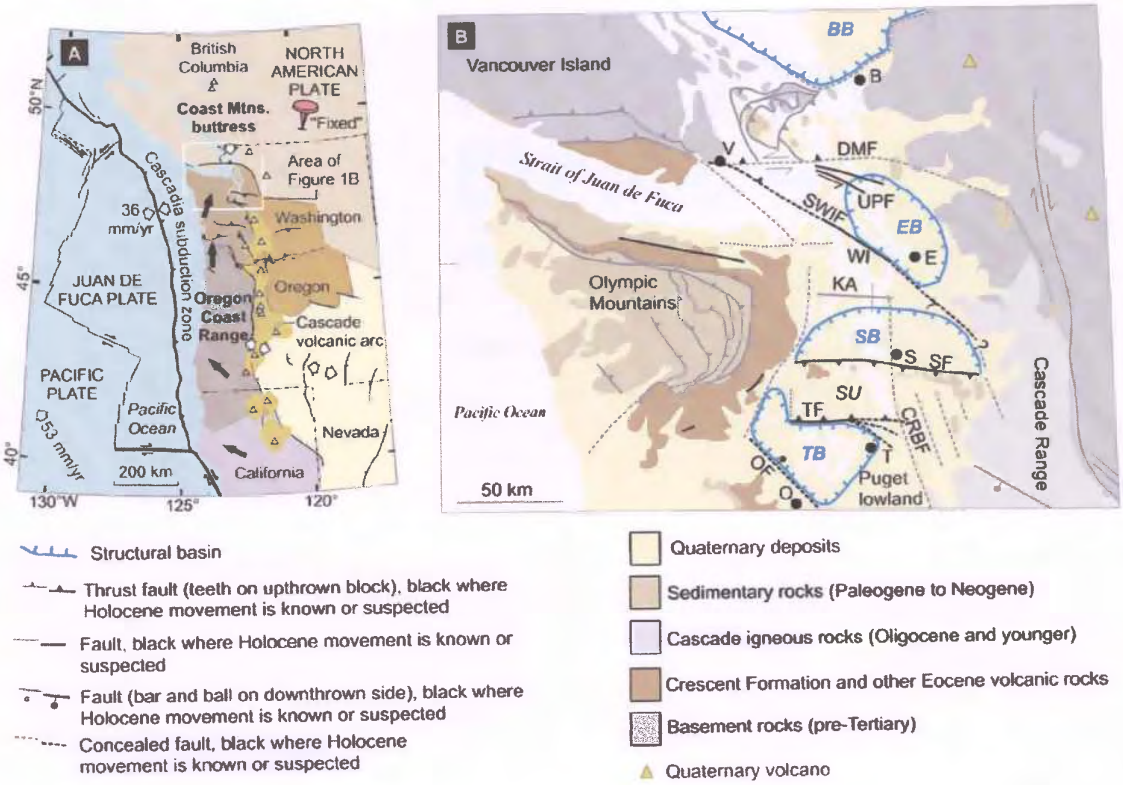

Figure 1—(A) Kinematic model of Cascadia forearc, simplified from Wells and others (Wells and others, 1998) and Wells and Simpson (2001). Northward migration of the Oregon Coast Range squeezes western Washington against North America, producing faults and earthquakes in the Puget Lowland. (B) Generallized map of the Puget Lowland and surrounding regions. BB, Bellingham basin; EB, Everett basin; SB, Seattle basin; TB, Tacoma basin; DMF, Devils Mountain fault; UPF, Utsalady Point fault; SWIF, southern Whidbey Island fault; SF, Seattle fault; TF, Tacoma fault; OF, Olympia fault; V, Vancouver; B, Bellingham; E, Everett; S, Seattle; T, Tacoma; O, Olympia; WI, Whidbey Island; KA, Kingston arch; SU, Seattle uplift. Redrawn from Brocher and others (2001).

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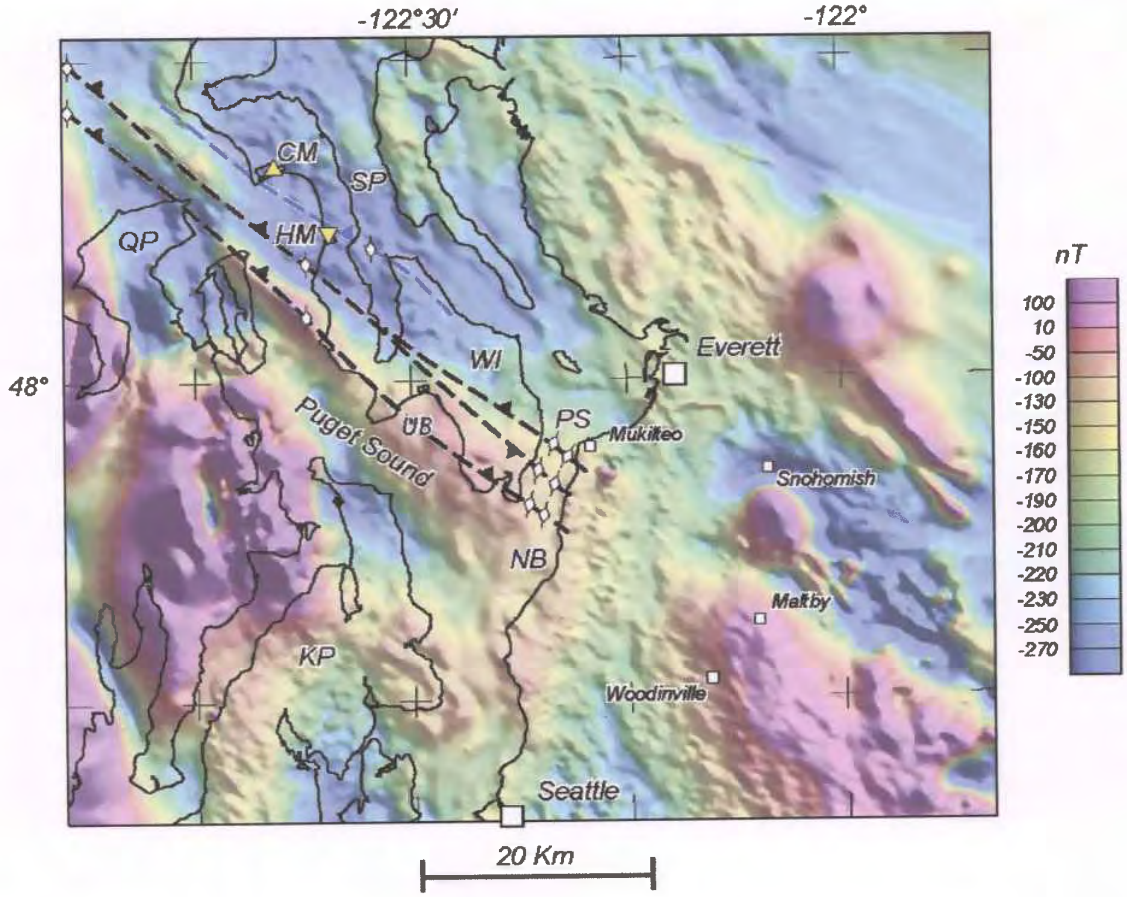

Figure 2—Evidence for the SWIFZ. Color-shaded relief map indicates intensity of the magnetic field observed in a high-resolution aeromagnetic survey (Blakely and others, 1999). Dashed lines show faults from published reports: black lines from Johnson and others (1996) and blue lines from Kelsey and others (2004). White diamonds show approximate location of faults identified using marine seismic-reflection surveys. Yellow triangles indicate relative sea-level study sites (Kelsey and others, 2004); northern triangle (Crockett marsh) is up relative to the southern triangle (Hancock marsh). CM, Crockett marsh; HM, Hancock marsh; WI, Whidbey Island; SP, Saratoga Passage; PS, Possession Sound; QP, Quimper Peninsula; KP, Kitsap Peninsula; NB, Nora Beach, UB – Useless Bay.

Figure 3 (on following page)—(A) Aeromagnetic anomalies of the study area. Major roads indicated by brown lines. Labels A, B, C, D, and E refer to anomalies and lineaments discussed in text. GMS shows location of ground-magnetic survey. SA, Standard Oil Company of California Alderwood #1 well; SS, Standard Oil Company of California Socal-Schroeder #1 well. (B) Residual magnetic anomalies of study area. Upward-continuation distance 50 m. White dots show the location of magnetic contacts determined automatically with the method of Blakely and Simpson (1986). Black dashed lines indicate lineaments associated with specific magnetic contacts; black dotted lines are lineaments identified with lower confidence. Color interval for both maps determined by an equal histogram algorithm.

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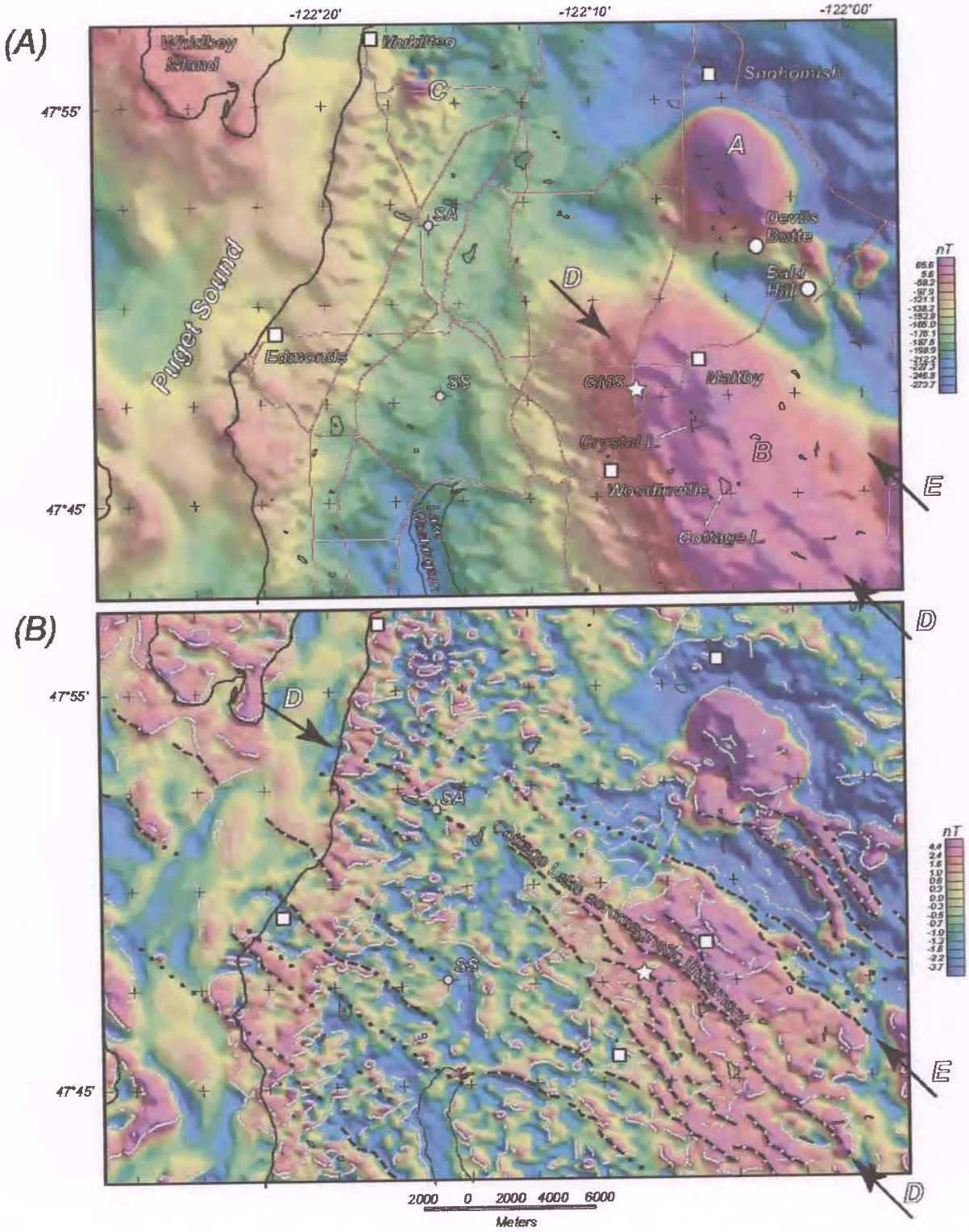

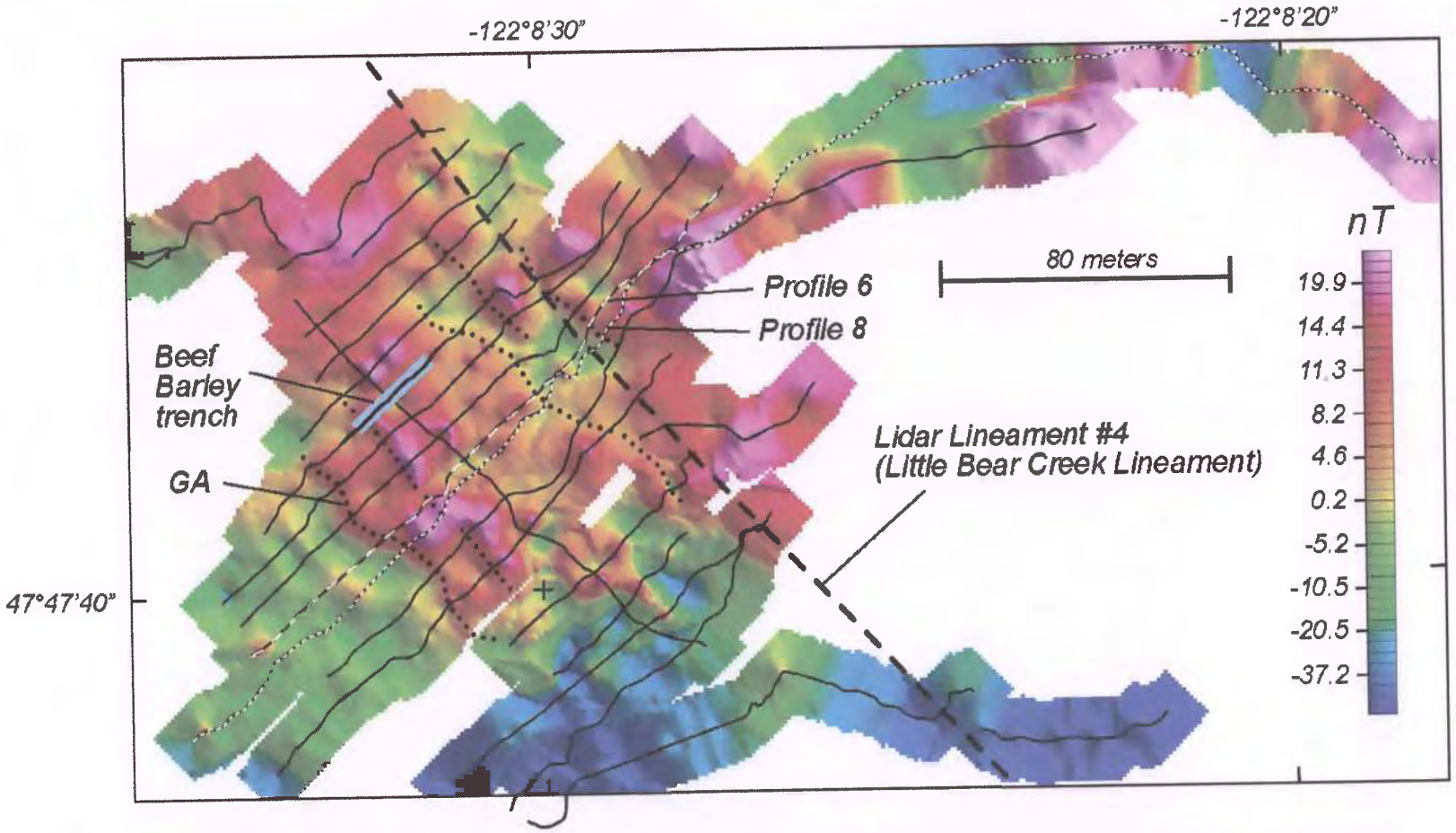

Figure 4—Ground-magnetic survey of the Beef Barley trench site. Thin black lines show location of profiles; profiles 6 and 8 (shown in Figure 5) highlighted with white dashes. Bold blue line is location of Beef Barley trench, and black dashed line is lidar lineament 4 from Blakely and others (2004). Black dotted lines indicate northwest-striking lineaments discussed in text; label GA is lineament referred to in text and identified in Figure 5.

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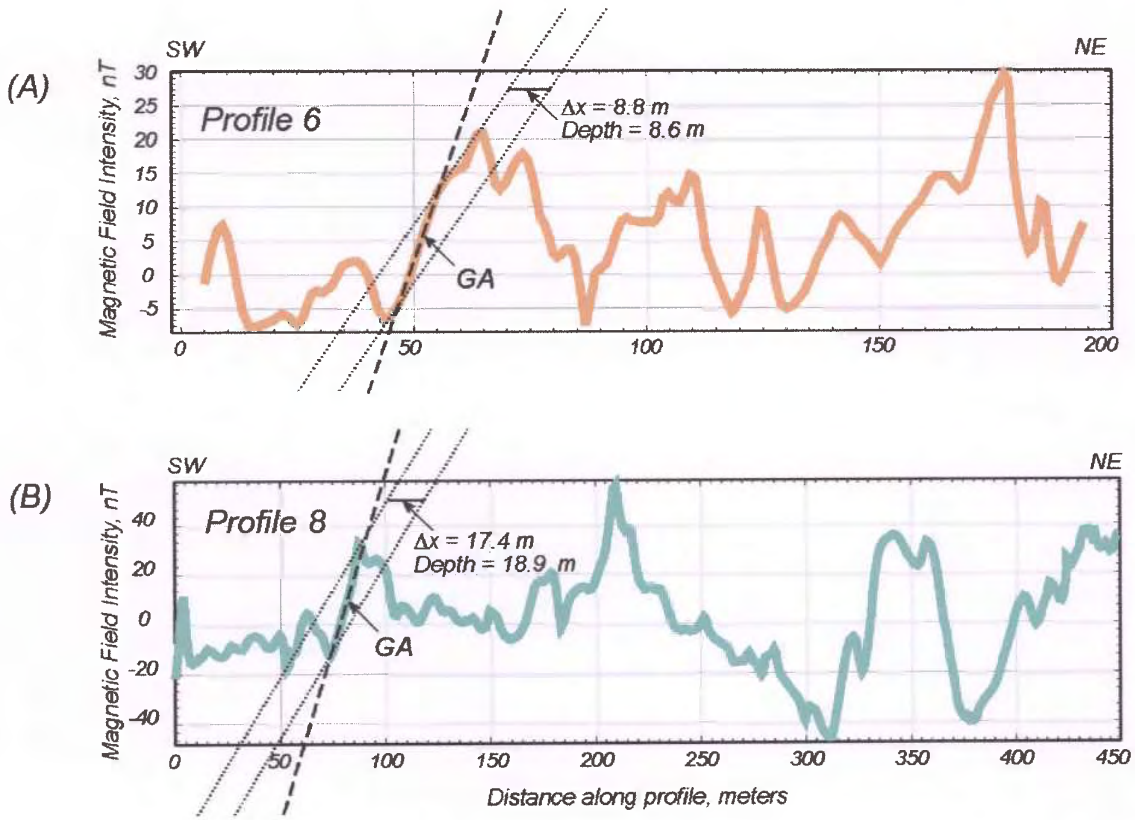
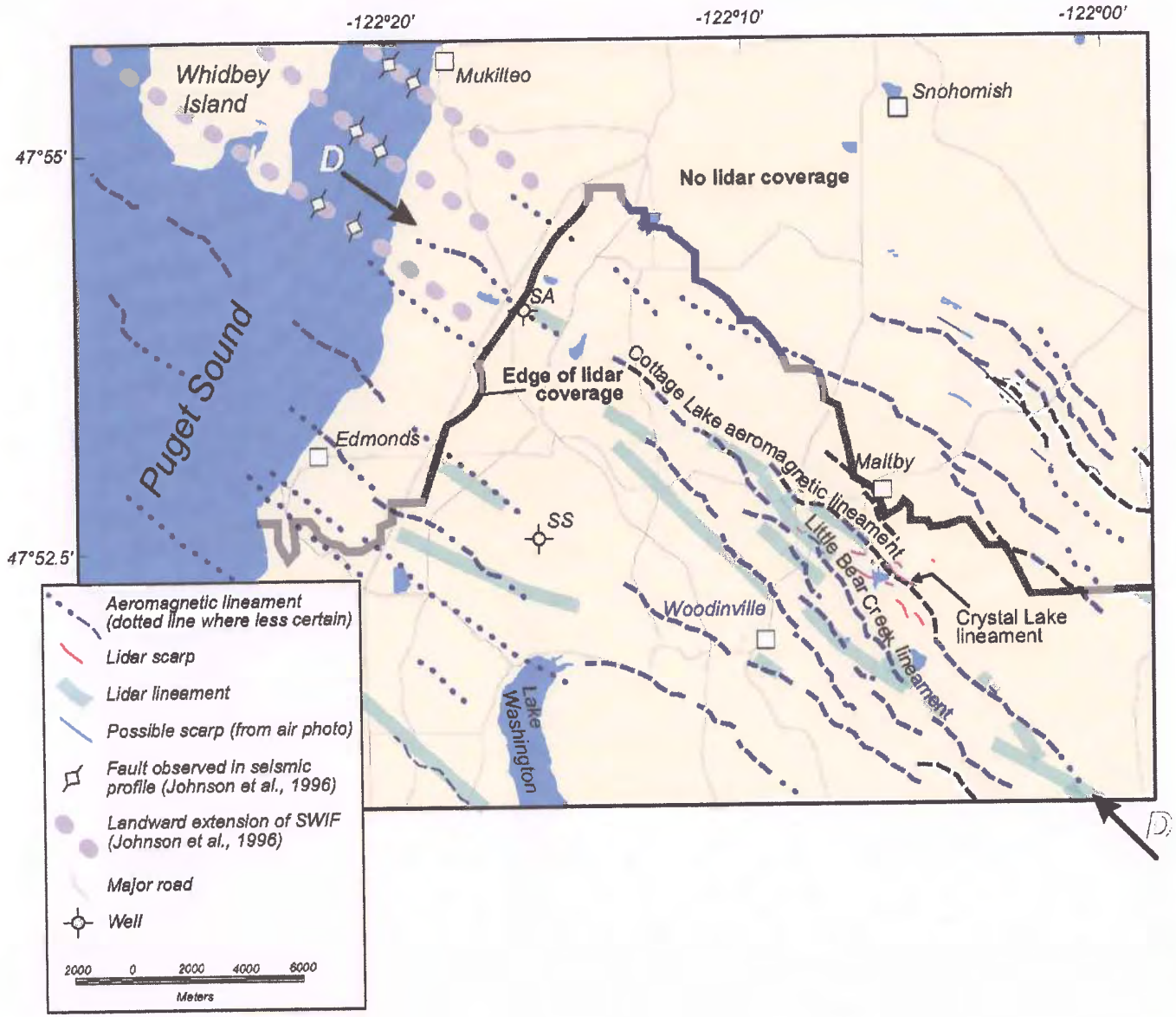


Figure 5—Profiles 6 and 8 of ground-magnetic survey (shown in Figure 4). See Figure 2 for location. Dotted and dashed lines show gradient analyzed using Peters' method (Peters, 1949; Blakely, 1995, p. 238), as discussed in text. Depth is relative to ground level.

Figure 6 (on following page)—Summary diagram showing locations of aeromagnetic anomalies, faults from marine seismic reflections data, lidar scarps, and lidar lineaments. SA, Standard Oil Alderwood#1 well; SS; Standard Oil Socal-Schroeder #1 well.



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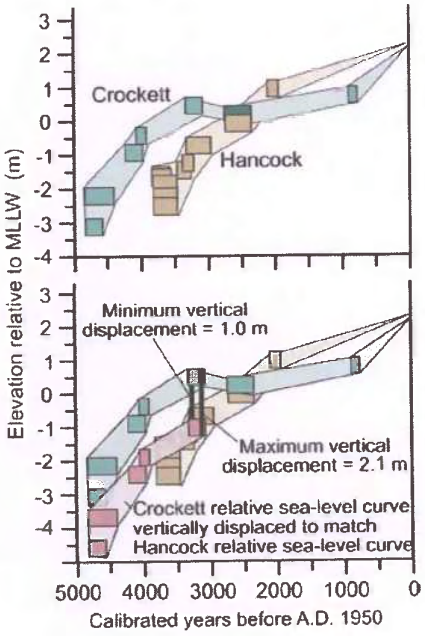

Figure 7—Relative sea-level histories from Crockett and Hancock marshes, Whidbey Island (Kelsey and others, 2004). The upper plot shows the actual sea level data, composed or radiocarbon ages from samples collected from the interface between marine and freshwater deposits beneath each marsh. The lower plot shows how much vertical displacement on the SWIFZ is required to offset the curves.

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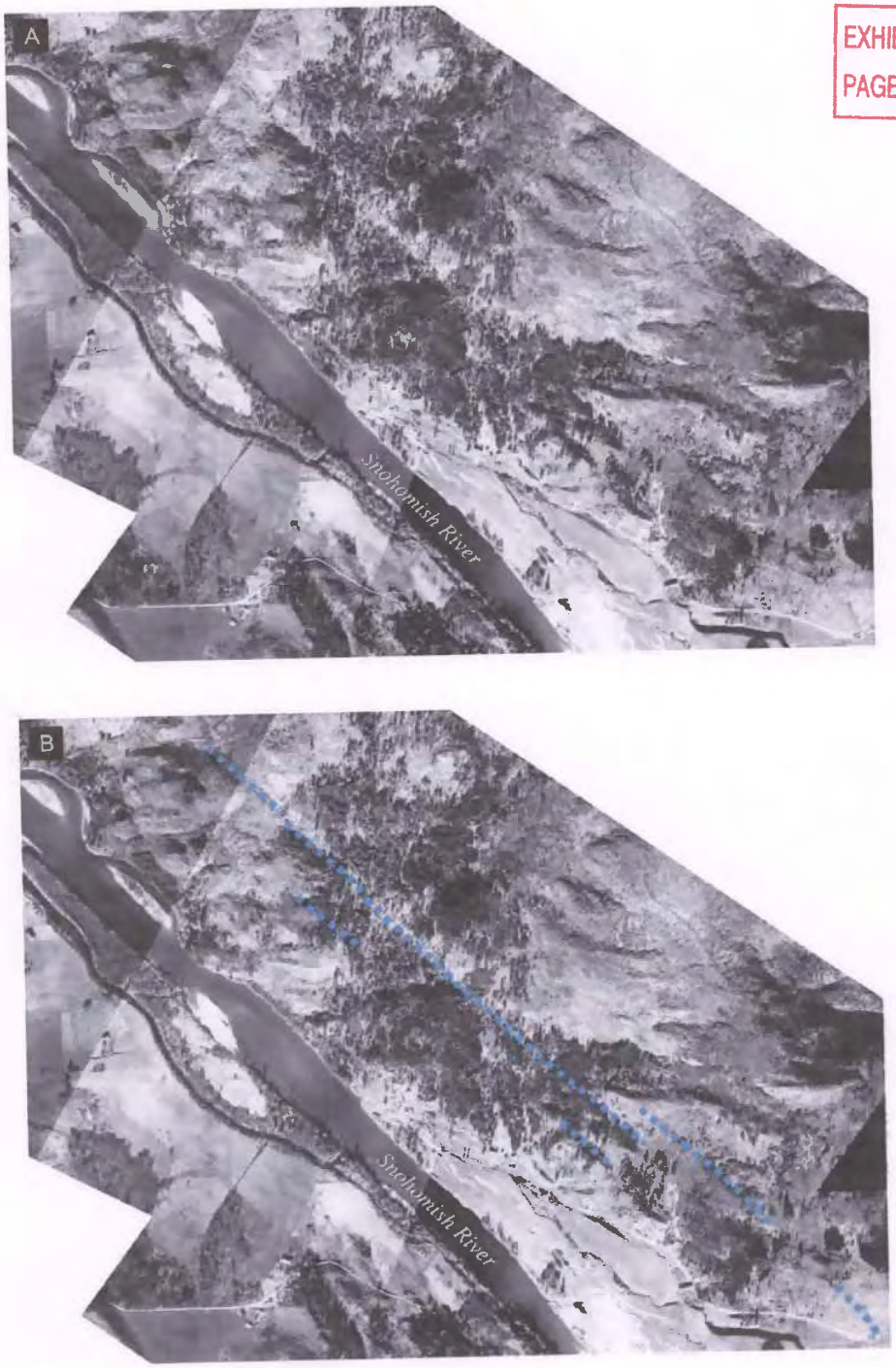

Figure 8—Historical aerial photographs along the Snohomish River near Devil's Butte. (A) Uninterpreted aerial photograph. (B) Interpreted aerial photograph. These photographs illustrate the types of features observed on the aerial photographs. In general, the scarps and lineaments have the same approximate trend as the SWIFZ and the aeromagnetic anomalies located nearby.

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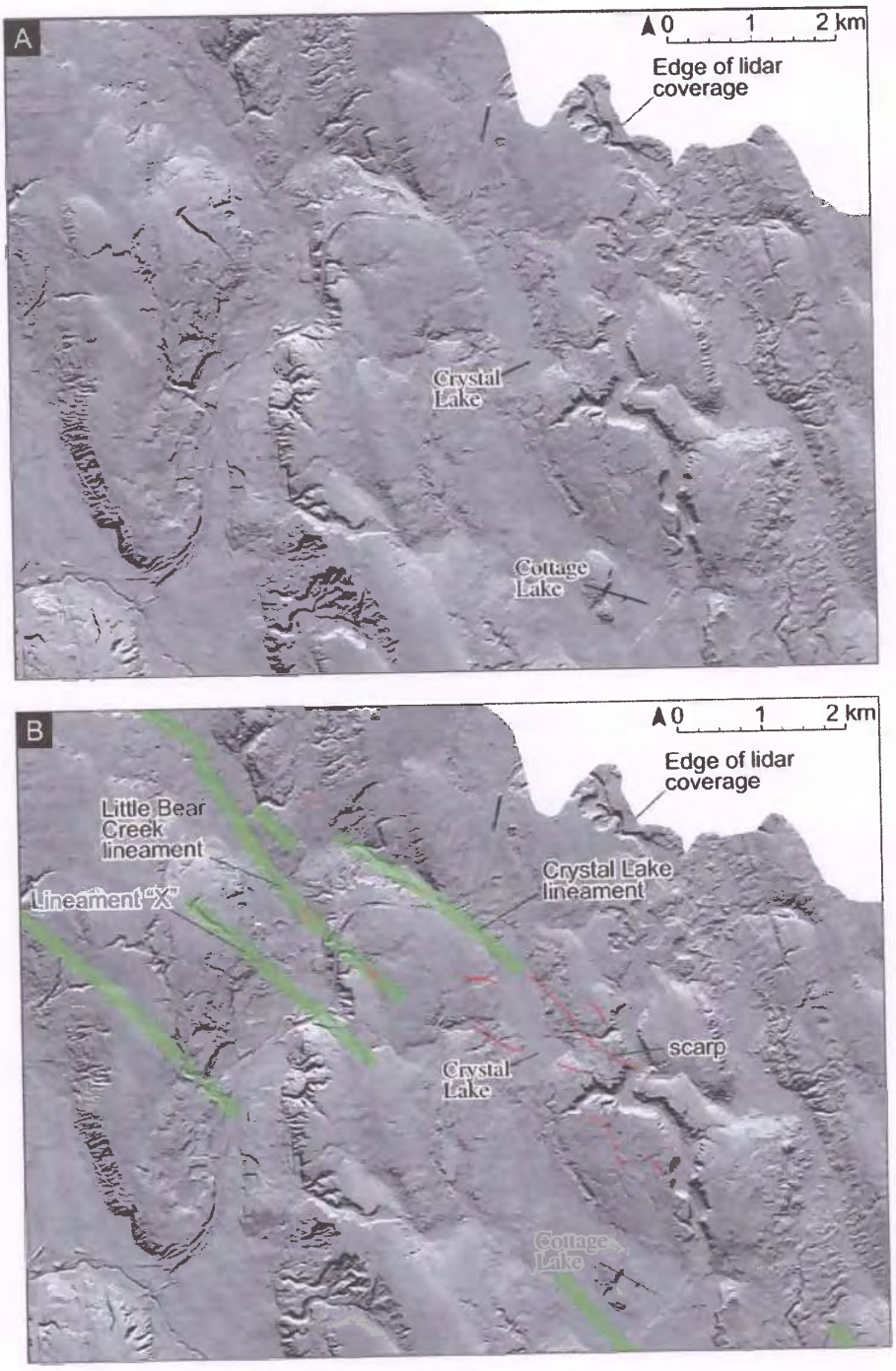

Figure 9—(A) Uninterpreted lidar image of the Crystal Lake and Little Bear Creek lineaments. (B) Interpreted lidar image of the Crystal Lake and Little Bear Creek lineaments. Thick green lines are lidar lineaments and thin red lines are lidar scarps. The scarp east of Crystal Lake is marked as 'scarp'.

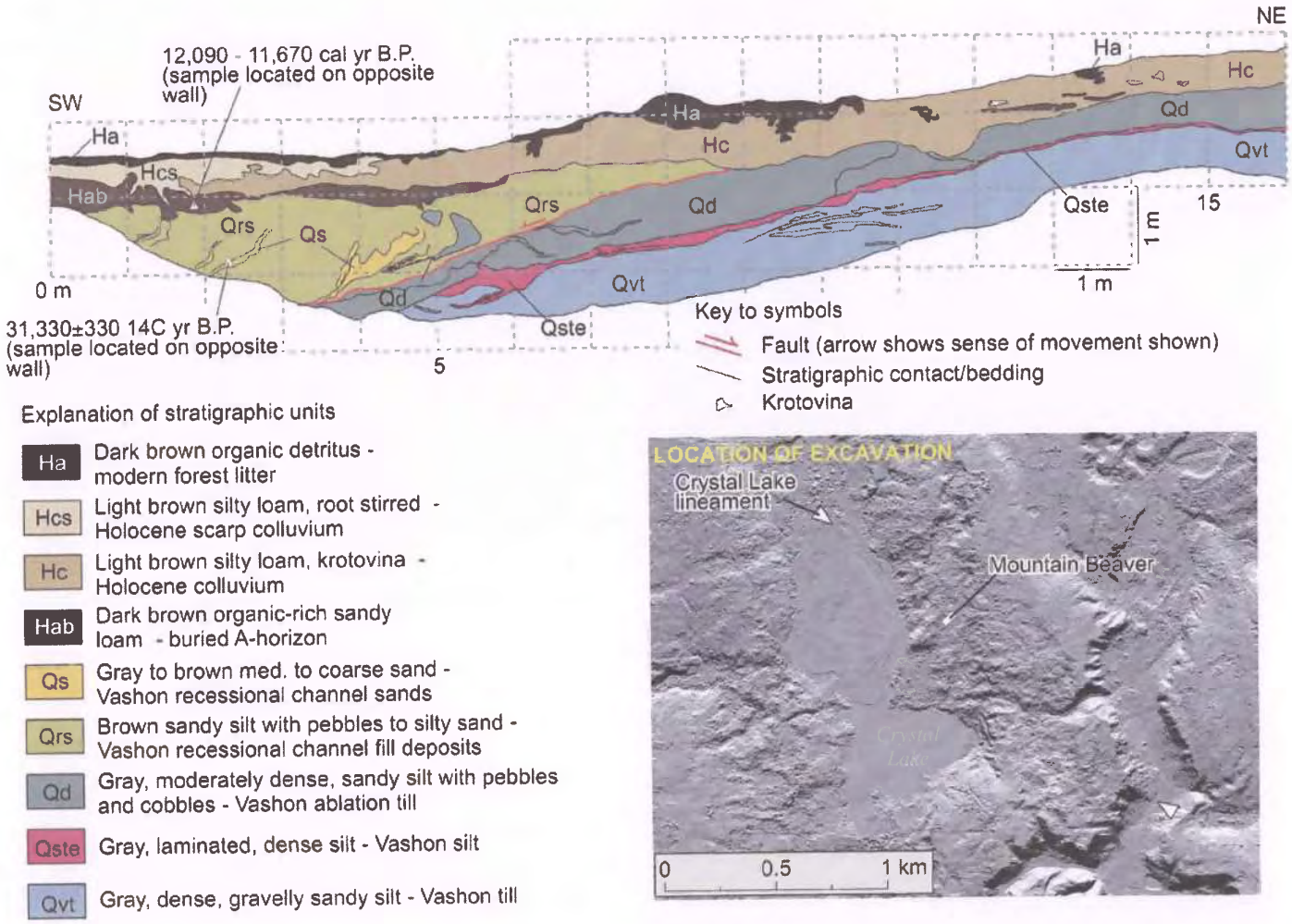

Figure 10—Simplified excavation log of the Mountain Beaver trench (east wall). (Inset) Lidar image showing the excavation site. Log is flipped relative to actual mapped log to aid intercomparison of excavation logs in this report.

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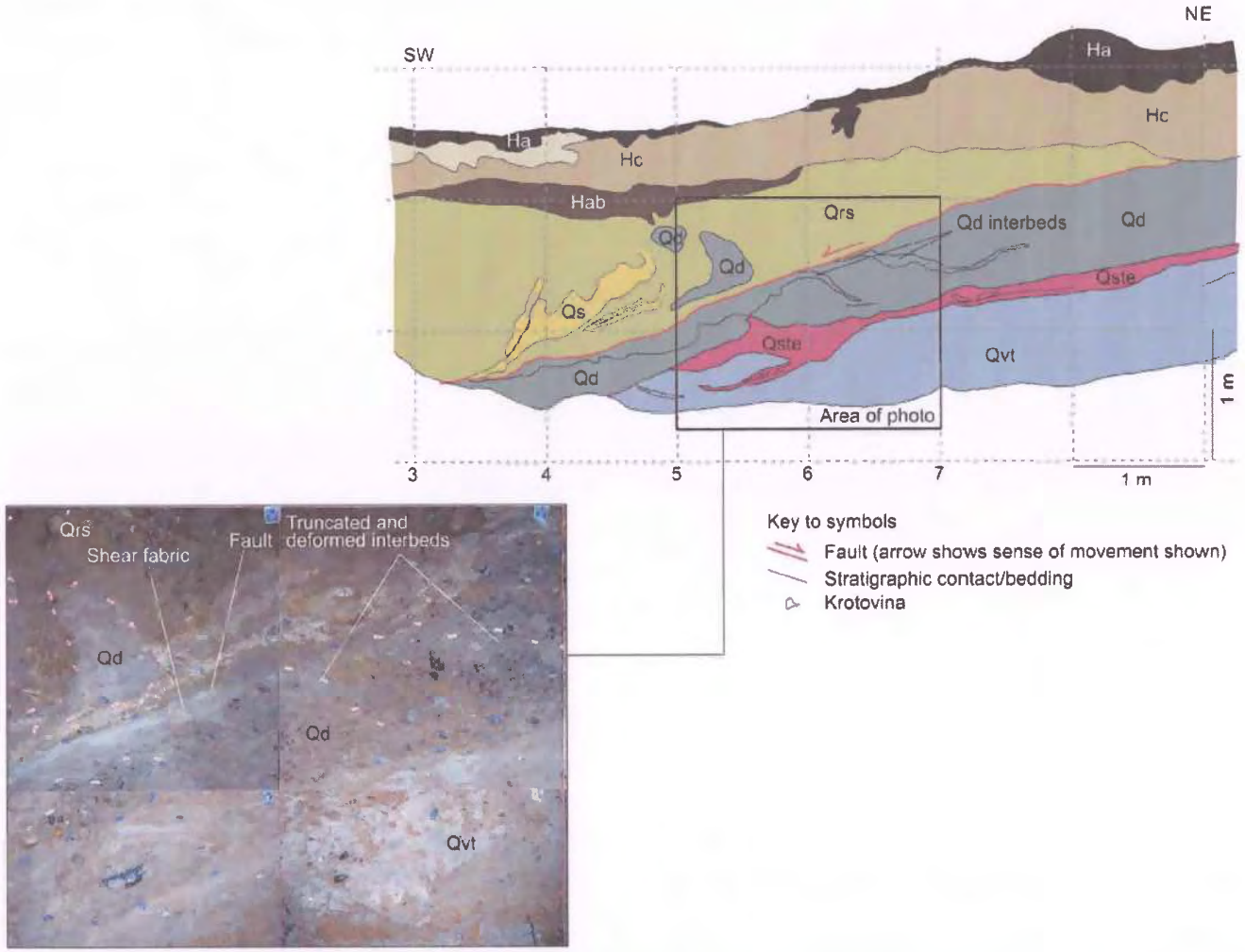

Figure 11—Enlarged excavation diagram showing the normal fault in the Mountain Beaver excavation. The photomosaic at the lower right shows an enlargement of the fault and truncated beds (photomosaic shows an area 2 meters wide). Log and photo are flipped relative to actual mapped log to aid intercomparison of excavation logs in this report.

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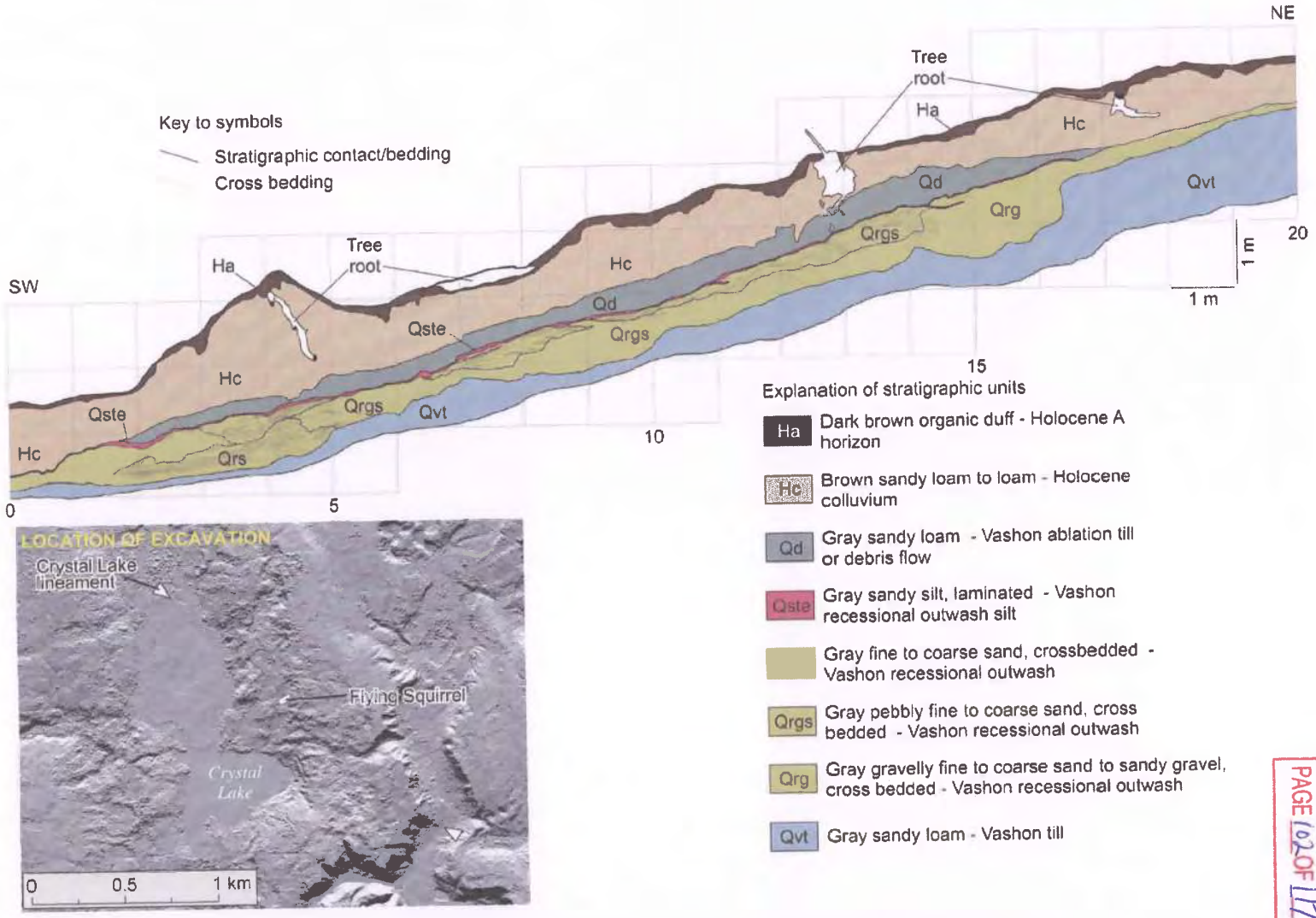

Figure 12— Simplified excavation log of the Flying Squirrel trench (west wall). (Inset) Lidar image showing the excavation site.

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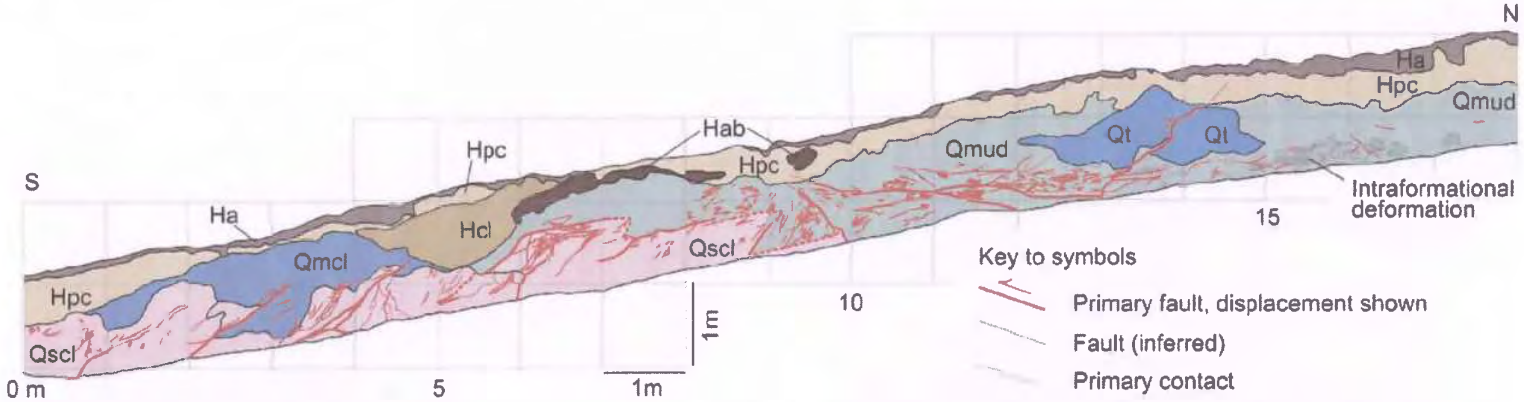

Explanation of stratigraphic units

- **Ha** — Dark brown organic duff - Holocene A horizon
- Brown organic-rich, sandy loam to loam - buried Holocene A horizon
- **Hpc** — Brown pebbly sandy loam to loam - Holocene pebbly colluvium
- **Hc** — Brown sandy loam to loam - Holocene colluvium
- **Qt** — Brownish gray sandy loam to loam - Quaternary till
- **Qmcl** — Gray massive to laminated claystone - Quaternary glacial lake depositl
- **Qmud** — Brown shattered mudstone - Quaternary glacial lake deposits
- **Qscl** — Brown to gray shattered, laminated claystone - Quaternary glacial lake deposits

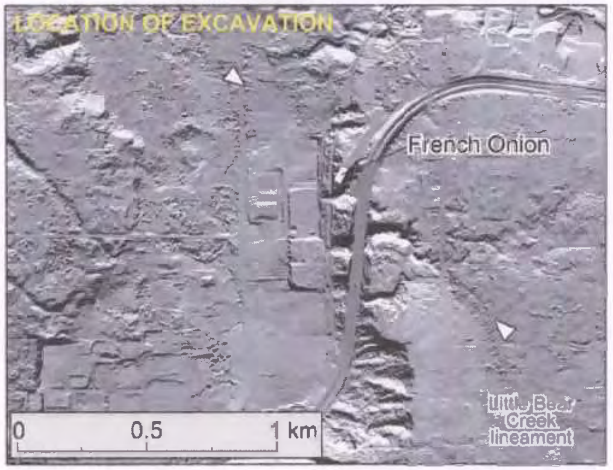

Figure 13— Simplified excavation log of the French Onion trench (east wall). (Inset) Lidar image showing the excavation site. Log is flipped relative to actual mapped log to aid intercomparison of excavation logs in this report.

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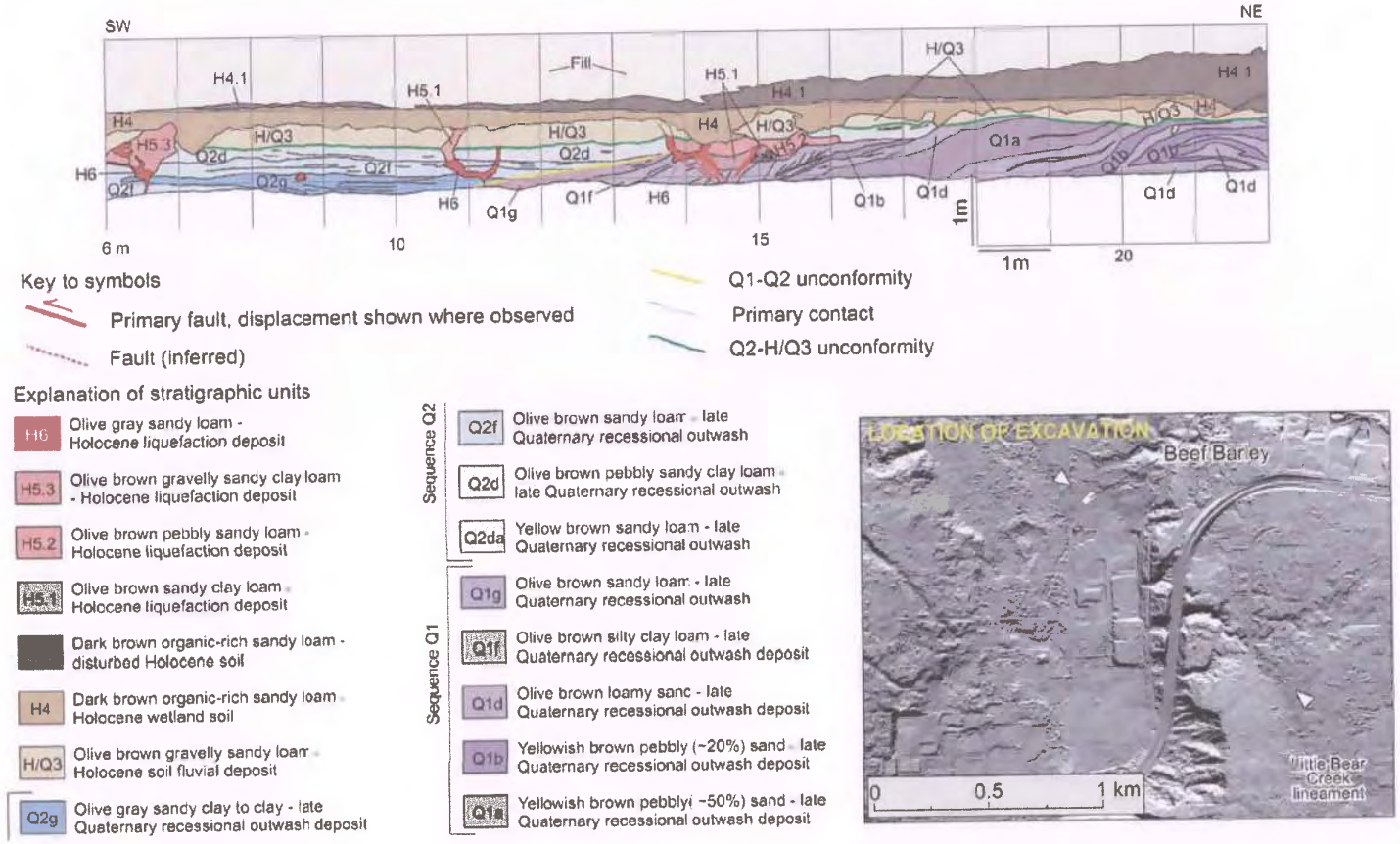

Figure 14— Simplified excavation log of the Beef Barley trench (west wall). (Inset) Lidar image showing the excavation site.

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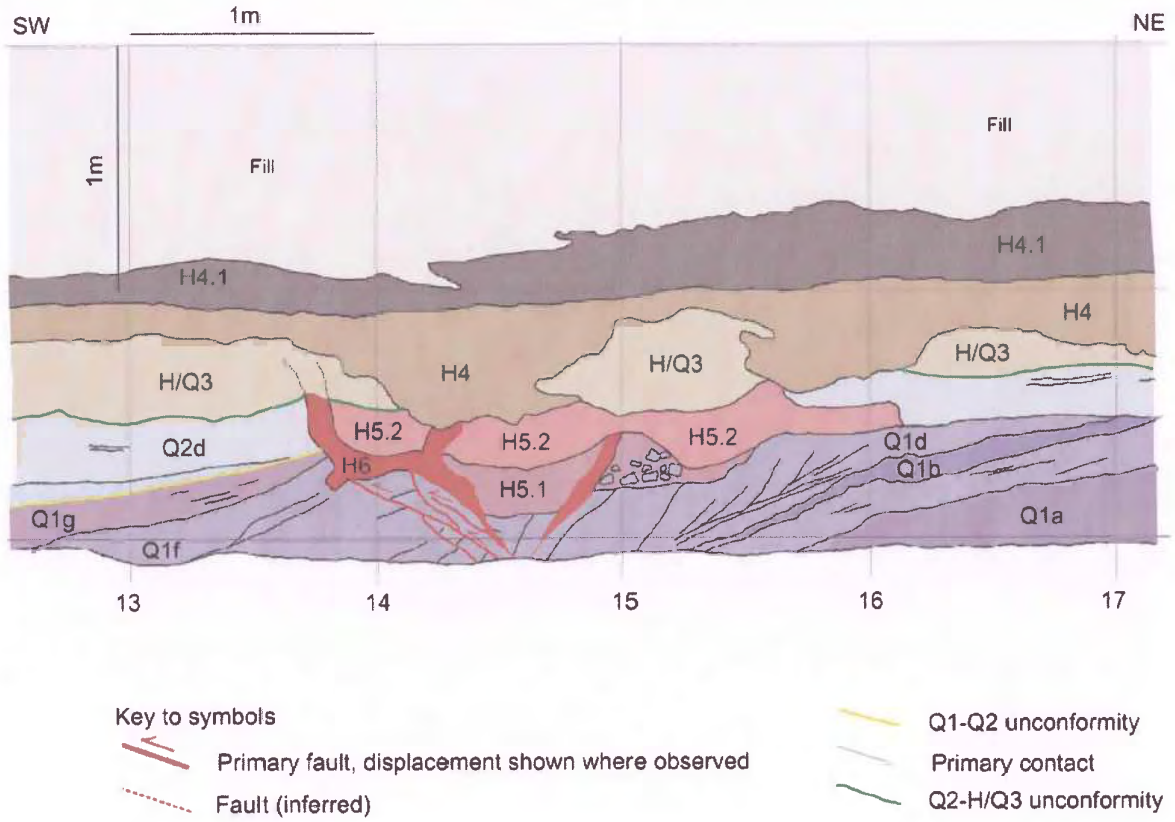

Figure 15— Enlarged excavation diagram showing the area where several small reverse faults, the unconformities, and a large liquefaction feature were observed in the Beef Barley excavation.

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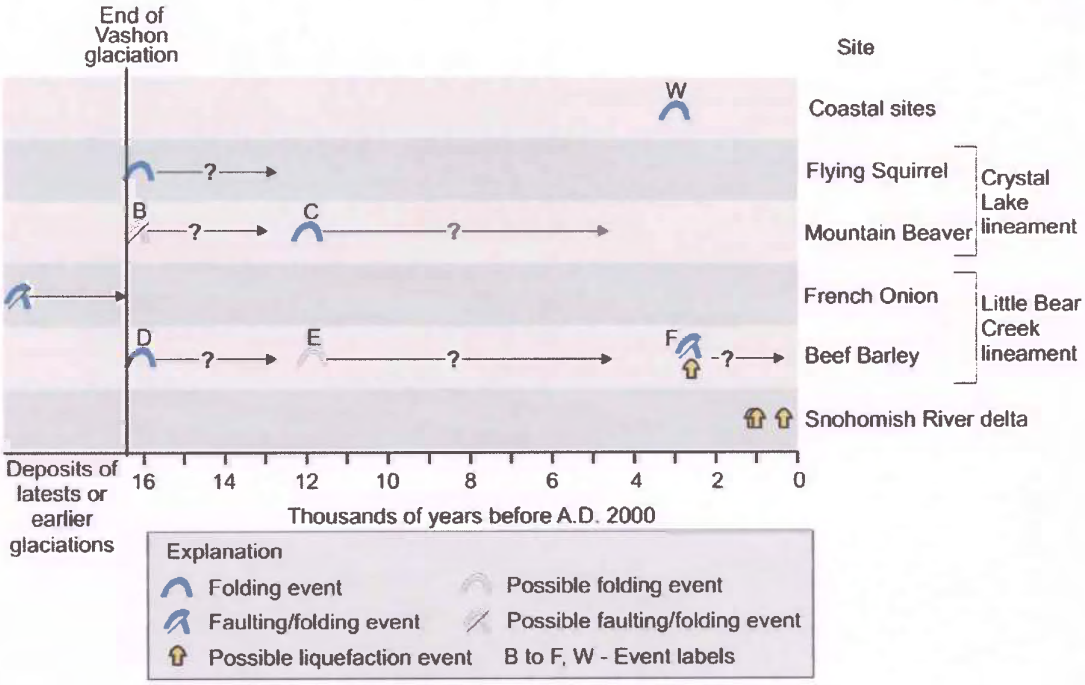

LIST OF EVENTS

Event	Age (yr B.P.)	Strand/Location
Pre-Vashon faulting	pre-16,400	Little Bear Creek
Normal faulting (B)	16,400 to ~12,000	Crystal Lake
Folding (D)	16,400 to ~12,000	Little Bear Creek
Folding (C)	post-11,670 to ~mid-Holocene	Crystal Lake
Folding/coastal uplift (W)	3200 to 2800	Whidbey Island
Faulting/folding (F)	post-2730	Little Bear Creek
Liquefaction	1150 to 1020	Bourgeois and Johnson (2001)
Liquefaction	1090 to 1010	Bourgeois and Johnson (2001)
Liquefaction	570 to 360	Bourgeois and Johnson (2001)

Figure 16—Summary diagram of paleoseismological evidence along the SWIFZ. The text below the plot lists each the approximate age and strand of each event. Event labels are the same as those mentioned in the text.

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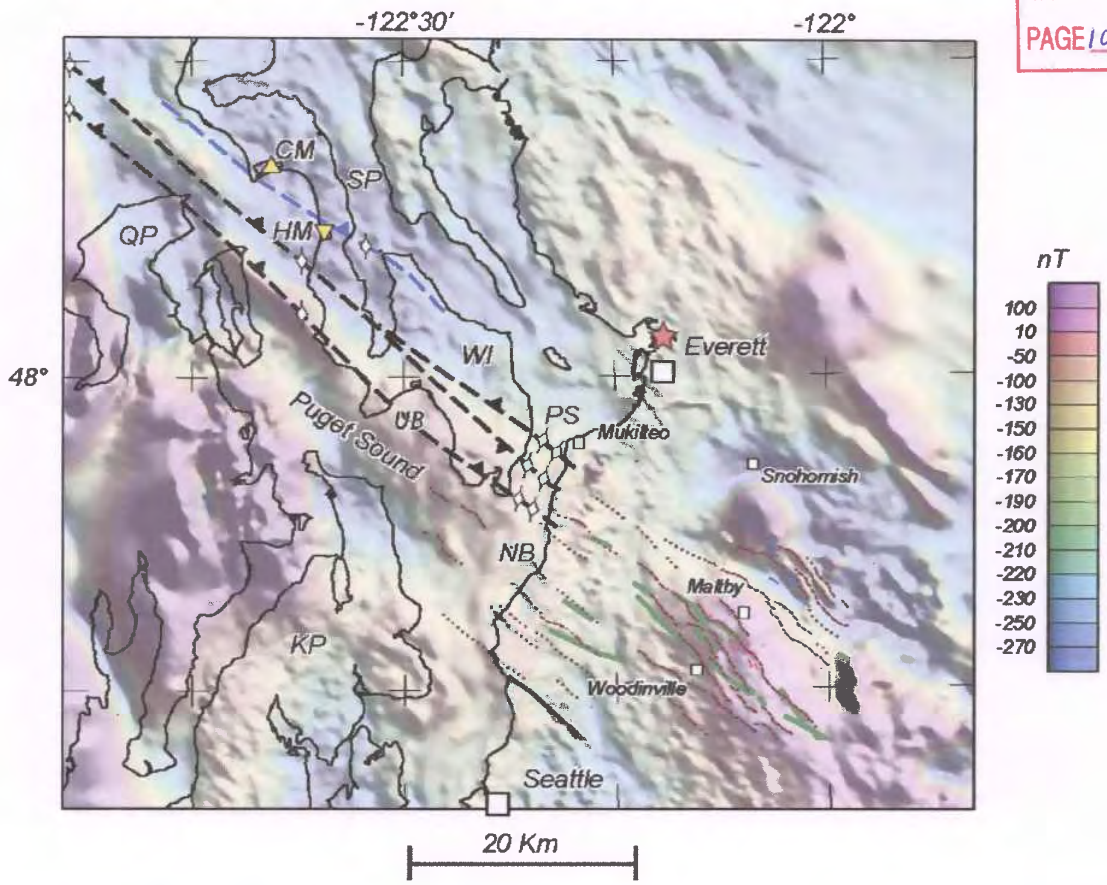

Figure 17—Map showing newly identified geologic features on the mainland with previously published evidence for the SWIFZ west of the mainland shore. Color-shaded relief map shows intensity of the magnetic field. Bold dashed lines west of the mainland shore are faults reported by Johnson and others (1996) and Kelsey and others (2004). White diamonds show locations of faulted Quaternary strata identified in marine seismic-reflection data (Johnson and others, 1996). Yellow triangles are sites of relative differences in Holocene sea-level changes (Kelsey and others, 2004). Red star is location of liquefaction evidence for multiple Holocene ground-shaking (Bourgeois and Johnson, 2001). Various dotted and dashed lines between Everett and Seattle are aeromagnetic, lidar, and airphoto lineaments. See Figures 2 and 6 for description of lines and labels.

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REBUTTAL

Paleoseismology of Surface Ruptures:

Research Tool or Standard of Practice?

Robert S. Yeats and Eldon M. Gath, Earth Consultants International

In the AEG News (Vol. 47, No. 4, p19), Jeffrey R. Keaton and David H. McCormack (here abbreviated KM) argue that "it is ... not reasonable for guidelines to require that developers determine recency of faulting and recurrence of prehistoric earthquakes as part of the process of demonstrating that their buildings do not straddle active fault traces" and "it is ... not reasonable for guidelines to require that developers investigate off-site locations as part of the process of demonstrating that these buildings do not straddle active fault traces. ." We disagree, in part.

The discussion that KM have started is significant because of the evolving importance of fault rupture hazards in site development in the Pacific Northwest. The increasingly common recognition that Washington and Oregon face surface fault rupture threats is a new paradigm that is only just beginning to face the consulting community (Yeats and Weaver, 2004).

This conversation is important because the State of Washington, faced with the presence of active faults with potential for surface rupture, must develop guidelines influencing development, as the States of California and Utah have done. The new paradigm is a result of a campaign led by the U.S. Geological Survey (USGS) to identify surface fault traces using aeromagnetic surveys followed by a new system of laser swath aerial mapping (LiDAR) providing a bare-earth digital elevation model of areas covered by forest (Haugerud et al., 2003; Yeats and Weaver, 2004). This program has identified several faults impacting development in urban areas in the Puget Sound region. Some of the LiDAR scarps have been excavated, yielding evidence for multiple earthquakes during the Holocene. The most recent documentation of Holocene coseismic deformation was found in two trenches on the site of a proposed regional wastewater treatment plant in southern Snohomish County (Sherrod et al., 2005). It was this site that the KM paper referred to in the conclusions section, and which appears to have served as the basis for their opinion that paleoseismological studies are unreasonable for a development project. In the case of this project, we disagree.

Paleoseismology is defined as "...the investigation of individual earthquakes decades, centuries, or millennia after their occurrence" (Yeats et al., 1997). Its use by the USGS in the Puget Sound region is instructive as to why it is, or should be, a necessary part of consulting practice. Prior to LiDAR, the area was known to have been struck by a large crustal earthquake on the Seattle fault about 1,000 years ago. Trench excavations on a strand of that fault on Bainbridge Island provided evidence for three and possibly four earthquakes on the Seattle fault system between 2,500 and 1,000 years ago (Nelson et al., 2003). Subsequent trenching, coring of turbidite deposits in Lake Washington (Karlin et al., 2004), and coring in the Snohomish River delta (Johnson and Bourgeois, 2001) have shown that the recurrence interval of earthquakes in the Seattle area is measured in centuries rather than millennia.

Is this important for local government, the bank issuing construction loans, the company insuring the property, the developer, and the general public to know? If an earthquake occurred only once in several thousand years, as was thought to be the case for the Seattle fault, the probability of another event during the life of the project is much lower than if the recurrence interval is measured in centuries. The paleoseismological input to the decision to proceed with the project can be translated into probabilistic estimates of potential losses from a surface-rupturing earthquake.

Does surface rupture matter? The losses from the 1989 Loma Prieta and 1994 Northridge earthquakes were due to factors other than surface rupture. However, the California sample is

Boundy-Sanders, faults, Attachment 5

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not representative. Losses due to surface rupture were very large in the 1999 Koçaeli, Turkey, and 1999 Chi-Chi, Taiwan, earthquakes. An illustration from Yeats and Gath (2004, their Fig. 3.3) shows the surface trace of the Chelungpu fault in Fengyuan City, Taiwan; the destruction of buildings was nearly total along the fault trace and in the adjacent hanging wall close to the fault. The fault had been mapped prior to the earthquake. If an Alquist-Priolo-type zone had been in place prior to development, hundreds of lives could have been saved. In California, the probability of an earthquake on the surface-rupturing Hayward-Rodgers Creek fault in the next 30 years is very high. The San Jacinto and San Andreas faults in southern California pose comparable hazards to urban areas.

Why require geologic studies? For desert regions of Iran, the evidence is clear: the 1968 Dasht-e-Bayaz earthquake on a strike-slip fault and the 1978 Tabas earthquake on a reverse fault were accompanied by surface ruptures on secondary faults as well as the principal displacement zones. These faults might not be visible in forested areas on LiDAR or aeromagnetic surveys but would be mapped by trench excavations. For this reason, it is critical to excavate and describe in detail trenches along the entire footprint of a building that is part of a critical facility. As for residences and apartment buildings: would you like to find out someday that an active fault extends beneath your foundation?

Does the discovery of an active fault make the property a no-go zone? Not necessarily. Yeats and Gath (2004) described a case history from a housing development in Moorpark, California, where trenching had disclosed extensive deformation of Quaternary gravels by folding and faulting. Without a detailed geological investigation that allowed a quantitative assessment of past displacement events, and the use of those events to model a potential future deformation, the project was stalled in regulatory limbo. However, trenching of the youngest gravels, at least 50,000 years old, showed that maximum displacement on faults was six inches, and in most places it was one inch or less. Although these displacements could have resulted from more than one earthquake, the worst-case scenario of a single earthquake was assumed. The structural engineer was able to incorporate these displacements into the foundation design, and the project moved forward.

In most cases, such detailed information is not important because avoidance is the best mitigation. However, the best approach is to collect all of the data available in a trench excavation as though it was going to be the last trench. You just never know what might be important.

The final question raised by KM is requiring the developer to trench off-site if the development site does not contain geologic materials of Holocene age that could be used to determine the age of most recent fault rupture. This is always a difficult problem. What property owner in their right mind would want to allow you to come over and dig a trench across their property, and take the risk of allowing you to prove that they (and your client) have an active fault running through their property. In private land development projects, it is virtually impossible. The consultant is therefore left to develop the best possible approach to making a hazard determination using public record reports from nearby projects, and supplemented by using the tool (trenching, coring, CPT, geophysics, etc.) that gains the most useful data on the client's available land. Ultimately it comes down to experience and judgment. In the California experience, it is expected that the intensity of the investigation be scaled in relation to the degree of the hazard and the importance of the project.

> *"The scope of the investigation is dependent not only on the complexity and economics of a project, but also on the level of risk acceptable for the proposed structure or development. A more detailed investigation should be made for hospitals, high-rise buildings, and other critical or sensitive structures than for low occupancy structures such as wood-frame dwellings that are comparatively safe."*
> *CGS SP-42, Appendix C, pg. 28.*

However, the development project cited by KM was not a small private development project. Instead it was a multi-million dollar wastewater treatment facility serving millions of citizens, with numerous intake pipelines, a long discharge tunnel beneath urbanized areas, and the numerous structures and components that make up a modern treatment plant. Failure of the facility is simply not an option, especially a failure that might require months to repair. In addition, the project was embroiled in extensive public debate. For a project this large and this critical, involving large amounts of public money, the paying public does have a right to expect that the government agency has thoroughly explored the hazards and calculated the risks, and honestly presented them to the public for their assessment and eventual concurrence. Yes, it is fair, indeed obligatory, for the project consultants to advise their clients that if the data are not available at the project site, they should be willing to look elsewhere, especially for such a geographically extensive project that simply cannot be allowed to go offline for very long. Indeed, the ability or inability to adequately address seismic risk at the site should probably have been a considered factor in the site selection process.

Paleoseismology is no longer the state of the art, practiced only behind the ivory curtain in academic research institutions. Indeed dozens of companies now employ geologists who have a "Paleoseismology of the XYZ fault" as a title for their MS thesis. Recognition of paleoseismic events in trench stratigraphy is not trivial, but not rocket science either. Understanding the event chronology of a fault allows the consultant to make recommendations to their clients that are based on data, rather than simply opinion or computer hazard models. It helps to communicate the hazard. "This fault has had at least three earthquakes in the last 8,000 years, but the last one looks like it was only 500 years ago" is better than simply "This is an active fault and you need to stay away from it." Of course there is the typical geological uncertainty of missed earthquakes in the first example, but there is still some higher probability that it will be a long time indeed before the next earthquake happens across your client's property.

So how will the standard of care be defined? It will be defined by today's practitioners, by tomorrow's practitioners, by the needs of the clients, by the demands of the regulatory agencies, by discussions such as this one in professional newsletters, and eventually by the courts. As more and more geological consultants practicing in the Northwest begin to appreciate that active faults are here to stay, the standard of practice will evolve quickly. Yes, paleoseismic awareness in trench exposures is still relatively uncommon and above the current standard of practice for most projects. But so was taking core borings 50 years ago. So was checking for pesticide residue only 20 years ago. So was even

believing that Washington had a surface fault hazard only 10 years ago. The standard of practice has consistently evolved into the collection of more and better data. It will do so here as well. It has already started.

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Earth Consultants International

May 2, 2005
ECI Project No. 2214-01

To: **Sno-King Environmental Alliance**
P.O. Box 2444
Woodinville, Washington 98072-2444

Attention: **Ms. Linda Gray**

Subject: **Review of Draft Supplemental Environmental Impact Statement for the Brightwater Regional Wastewater Treatment System, King County, Washington**

Introduction

In response to your request, Earth Consultants International (ECI) has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) for the Brightwater Regional Wastewater Treatment System, issued by King County, Washington, in April 2005. The purpose of our review was to assess the latest fault hazard analysis for the Route 9 Wastewater Treatment Plant that is presented in the DSEIS. Our comments on the analysis are presented in the following paragraphs.

Did Trenching on Lineament 4 Find Evidence of Active Faulting?

The new Draft Supplemental Environmental Impact Statement is a response to the ruling of the Hearing Examiner, Mr. James O'Connor, that King County excavate trenches across Lineament 4, identified in USGS Open-File Report 2004-1204 (Blakely et al. 2004) on the proposed Route 9 site. The purpose was to look for possible active faulting, prior to relying on the EIS for issuance of permits for construction on the Route 9 site. The results of the trenching investigation were published in USGS OFR 2005-1136 (Sherrod et al. 2005b). In that report the authors conclude that "*[w]e now have strong evidence that two fault strands in the Maltby-Woodinville area, presumably part of the SWIFZ, slipped multiple times in the Holocene*". The report also concludes that "*the SWIFZ produced at [least] four events since deglaciation about 16,400 years ago, the most recent after 2,700 years ago.*" Based on evidence from nearby areas, the number of earthquakes in the region since the end of glaciation could be as large as nine (acknowledged in the DSEIS, p. 2-7). Evidence for multiple earthquakes was found in the Beef Barley trench (identified as Trench 2a in the DSEIS) across Lineament 4 in the northern part of the Route 9 site.

On p. 1-4 of the DSEIS, King County accepts that the Beef Barley trench provided evidence for two and possibly three surface-rupturing earthquakes since the retreat of the glaciers. In addition, the USGS identified a Lineament X across the southern part of the Route 9 site that is also acknowledged in the DSEIS. The DSEIS accepts without further investigation that Lineament X might be an active fault, and the Design Team's response is to place all surface facilities in that portion of the Route 9 site between Lineaments 4 and X.

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Boundy-Sanders, Faults, Attachment 6

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The DSEIS further states (p. 1-4) that the "*terrain on the Route 9 site between Lineament 4 on the north and Lineament X on the south appears, based on available geophysical information, to be free of features that would suggest that an active fault might be present between Lineaments 4 and X.*" The lineaments are based on northwest-trending anomalies defined by variations in magnetic properties and on topographic scarps illuminated by LiDAR, aerial mapping using lasers that produce a bare-ground high-resolution topographic map in vegetated regions. Rather than conduct further geological and geophysical studies, the Design Team elected to consider the impacts of three worst-case earthquake scenarios, a rupture on Lineament 4, a rupture on Lineament X, and a rupture on an undefined fault between the two. Even though they consider the impacts of an earthquake on a fault between 4 and X, they concluded that the likelihood of faulting in that area is very low.

In my view, this decision against additional trenching or geophysical investigations between the two lineaments and on Lineament X does not meet the professional standard of care expected for a critical facility, and leaves the public with uncertainty as to the safety of their financial investment in the facility. The magnetic and topographic anomalies identified by the USGS do not clear the remainder of the area from faulting. Topographic anomalies might be absent because they have been obscured by cultural development or because some faults of the SWIFZ might be strike-slip, which would not produce a scarp. (This is acknowledged on p. 2-1 and 2-2 of the DSEIS.) If there were no aeromagnetic contrast across a fault, no aeromagnetic anomaly would be produced. I strongly disagree with the DSEIS contention (p. iii) that "*attempts to trench the entire site would be very expensive and time-consuming, and would not necessarily lead to any greater real certainty as to the likelihood of a surface rupture in the next 50 years.*" This is essentially the same statement that was made before the court-required trenching studies ordered by the Hearing Examiner revealed the presence of active faults on the Route 9 site. That the usable part of the site is now squeezed into a smaller area between two active faults, faults that were initially discounted in the initial EIS, should be cause for concern. Are there no other active faults mapped between these two faults only because the space between them has not been adequately investigated? Indeed, if it is impossible to determine if there are other active faults through the facility's location, should the adequacy of the location be questioned?

In other site evaluations of a critical facility, even where the potential for faulting is far lower than at the Route 9 site, standard practice would be to excavate trenches across the footprints of all surface facilities and to have these trenches logged professionally. Lineament X must be trenched because it is crossed by the main conveyance pipeline. When measured against the possibility of a catastrophic failure of the plant, shutting down operations for months, and creating major pollution of populated areas by wastewater, as well as the initial construction costs for the facility, trenching costs are low and not time-consuming. The USGS model of the SWIFZ, as expressed in Open-File Report 2005-1136, is "*a set of anastomosing faults, two of which are the Crystal Lake and the Little Bear Creek lineaments,*" the latter referring to Lineament 4. Only trenching can clear the Route 9 site between Lineaments 4 and X of active faulting. This should be required for public safety reasons, and no public agency should allow the project to go forward without it.

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Significance of the Ground-Magnetic Survey

A ground magnetic survey was conducted by the USGS (Open-File Report 2005-1136) in an open field traversing Lineament 4 where accurate magnetic measurements in the subsurface could be obtained; the Beef Barley trench was subsequently excavated within the area of this survey. The ground-magnetic survey is critical to the issue of fault hazard on the Route 9 site. Unlike the aeromagnetic survey, which measures magnetic contrasts in bedrock, the ground-magnetic survey, based on the steep gradients in the magnetic signal across magnetic lineament GA, measures variations at depths of around 30 feet, which is within Pleistocene glacial deposits according to boreholes in the area (Aspect Consulting, 2005). The magnetic variations in the ground-magnetic survey show the same northwest-southeast trend as the aeromagnetic survey in bedrock.

The DSEIS (p. 2-13) notes GA as "*a discontinuous 240-foot-long. . .lineament. . .that is approximately parallel to Lineament 4 and located approximately 50 feet. . .southwest of Trench 2a*" [Beef Barley trench]. The DSEIS concludes "*that the lineament is not continuous, that is, the anomalous magnetic conditions defining the lineament do not appear to be present at either end of the 240-foot lineament. . .*" Accordingly (p. 2-14), "*it appears that Lineament GA is not a major structure and only a minor or secondary feature related to Lineament 4.*"

However, the ground-magnetic survey shows several northwest-trending anomalies within Pleistocene sediments extending all the way to the southwest end of the survey; Lineament GA is only the strongest of these anomalies. Although these anomalies could be caused by stratigraphic variations within the glacial sequence, the USGS report favors the interpretation that "*the anomalies may be caused by faulted offsets of Pleistocene strata. . because of the linear nature of the anomalies and their orientation parallel to the Little Bear Creek lidar lineament, linear aeromagnetic anomalies, and the onshore extension of the SWIFZ.*"

It is misleading to say that anomaly GA is only 240 feet long. The northwest end of the anomaly is the end of the survey; a continuation of the survey farther northwest also shows the anomaly, for a total distance of at least 500 feet, as shown in the map of the ground-magnetic survey (Fig. 4). Furthermore, it is incorrect to limit the discussion to Lineament GA. The magnetic profiles shown in Fig. 5 of the USGS report show a clear correlation of anomalies to the southwest end of the survey, within the area where surface facilities are planned.

Probabilistic Assessment of Surface Faulting

On p. 4-2 of the DSEIS, a probabilistic assessment of surface rupture is presented based on "*the 50-year design life of the treatment plant.* ." I find this statement astonishing. The urban development that will accompany the extension of sewage facilities into a large area close to Seattle will require that this facility last many times longer than 50 years. As such, the probabilistic hazard assessments underestimate the risk.

In this same chapter, three worst-case scenarios are presented, including rupture on Lineament 4, on Lineament X, and on a fault between Lineaments 4 and X, that is, beneath planned surface facilities. The DSEIS points out that the reinforcement against ground shaking exceeds shaking experienced in the 160-year history of the region. However, all

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the major earthquakes have been deep, within the Juan de Fuca Plate, with maximum Mercalli intensities of VIII. The hazard of concern here is a crustal fault rupture in the vicinity of the site with Mercalli intensities of IX or X, as experienced in crustal earthquakes in California and as estimated in prehistoric earthquakes on crustal faults in the Puget Sound region, including the Seattle Fault and the SWIFZ. Models of earthquake shaking on reverse faults by J. Brune and his associates at the University of Nevada indicate that extreme shaking would occur in the hanging wall (upper block) of the fault near the fault trace, which would be the situation here with Lineament 4 or X.

When designing a critical, public service facility, it would seem prudent to be considering a more robust design than is required for a local strip mall. If the siting and design of the billion dollar Brightwater facility is indeed to be based on such minimal probabilities, then it should be mandatory to require the agency to present to the public, as part of the EIS process, its estimates of the consequences for operations, repairs, and costs should the coming Mercalli intensity X earthquake, with attendant surface rupture, occur within their design window. Only by this type of disclosure can the public quantitatively evaluate the consequences of the probabilistic hazard design being proposed, and truly evaluate the appropriateness of the Route 9 site for this facility.

Conclusions

The evidence supports multiple earthquakes on the SWIFZ, which is not a single trace or even a set of discrete traces, but may be a pervasive zone of faulting throughout the Route 9 site. The DSEIS acknowledges the presence of active, surface-rupturing faults on the Route 9 site, but King County appears willing to build the Brightwater Wastewater Treatment Plant directly atop this zone of faulting, even if faults are subsequently found to underlie surface facilities and the conveyance pipeline. The possible damage stated in the DSEIS from surface rupture on these faults includes leakage of tanks and their contents into surrounding soil and shallow groundwater; rupture of digestors so that contents, including digestor gas, leak to the surface; rupture of underground pipes so that fluids leak out into soils and groundwater; and damage to bulk chemical storage facilities that could cause toxic chemicals to spill to the surface and into soil and groundwater. These stated outcomes would be extremely difficult and costly to design against, and indicate the need to return to the drawing boards and search for a site that is not atop an active fault zone. Such sites do exist in the region.

Qualifications

I am a senior consultant and partner, Earth Consultants International, Inc., and a retired professor of earthquake geology at Oregon State University. I have worked in the earthquake field since 1971 and am the first author of the standard textbook, *Geology of Earthquakes* (Oxford Press, 1997) and two outreach books, one of which is *Living with Earthquakes in the Pacific Northwest, Second Edition*, (OSU Press, 2004). I have been working in the Pacific Northwest for many years and have been a reviewer of the Brightwater project since mid-2003. I have read the DSEIS and appendices, and have read USGS Open-File Reports 2004-1204, 2005-1013, and 2005-1136, all dealing with the Southern Whidbey Island Fault Zone (SWIFZ), and the published literature on faulting in the Puget Sound region. I served as critical reviewer for several of those published papers.

Should you have any questions regarding this report, please do not hesitate to contact us.

Respectfully submitted,
EARTH CONSULTANTS INTERNATIONAL, INC.

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Attachment: Appendix A - References

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APPENDIX A

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2005 Salt Lake City Annual Meeting (October 16–19, 2005)
Paper No. 201-3
Presentation Time: 1:30 PM-5:30 PM

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FINDING ACTIVE FAULTS IN A GLACIATED AND URBAN LANDSCAPE: THE SOUTHERN WHIDBEY ISLAND FAULT, WASHINGTON

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In the heavily vegetated and glaciated Puget Lowland, we have applied Lidar (laser terrain mapping) and potential field geophysics to identify at least six seismically active crustal fault zones that together accommodate permanent shortening of the Cascadia forearc. Most of the Holocene surface-rupturing fault scarps revealed by Lidar tend to closely follow linear aeromagnetic anomalies that reflect underlying basement structure and help map the full extent of the faults.

Recent studies of the southern Whidbey Island fault (SWIF) provide an example. The SWIF was mapped previously using borehole data, potential-field anomalies, and seismic-reflection surveys on Whidbey Island and surrounding waterways. Gravity inversions, aeromagnetic mapping, and seismic tomography suggest that the SWIF extends at least 100 km southeastward from Vancouver Island to the Washington mainland. Abrupt subsidence and uplift of coastal marshes across the fault on Whidbey Island indicate that the SWIF experienced a MW 6.5 to 7.0 earthquake at about 3 ka. The southeastward projection of the SWIF makes landfall between the cities of Seattle and Everett, where linear, low-amplitude magnetic anomalies coincide with the hypothesized projection. High-resolution lidar surveys and aerial photography illuminate subtle (1-5 m) scarps on late Pleistocene surfaces at a number of locations along the aeromagnetic lineaments, suggesting that some of the lineaments are caused by fault contacts. The most prominent of the anomalies extends 16 km and passes within about 27 km of downtown Everett. Susceptibility measurements and a ground-magnetic survey indicate that faulted Pleistocene glacial deposits may contribute to these low-amplitude aeromagnetic anomalies, and spectral analysis suggests that fault offsets extend into underlying Eocene strata. In 2004, four trenches were excavated across two of the lidar scarps; all show evidence of Holocene deformation. Combined paleoseismic evidence suggests that at least three and probably four earthquakes have occurred on the SWIF during the last 16.4 ka. Lidar and high-resolution aeromagnetic mapping, followed by targeted paleoseismic studies, help constrain the length, age, and three-dimensional characteristics of the SWIF and other active faults in the Cascadia forearc.

2005 Salt Lake City Annual Meeting (October 16–19, 2005)
General Information for this Meeting

Session No. 201
Geophysical Studies for Improving Management of Land, Water, Environment, and Hazards (Posters)
Salt Palace Convention Center: Hall C
1:30 PM-5:30 PM, Tuesday, 18 October 2005

Geological Society of America *Abstracts with Programs*, Vol. 37, No. 7, p. 449

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Boundy-Sanders, faults, Attachment 7

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The Woodinville Conservancy

Exhibit for a hearing before the Woodinville Planning Commission to consider a Comprehensive Plan amendment and rezoning application, to change the 19.77 acre Draughn property from R-1 to R-6.

Hearing conducted September 1, 2004

Outcome: both the Planning Commission and City Council unanimously voted to keep the Draughn property zoned R-1.

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1 Introduction

2 Landslides & Seismic Hazards

3 Critical Areas

4 Street & People Safety

5 'Open Space' Program
The Public Benefit Rating System (PBRS) and how it relates to the SEPA Checklist

6 Legal Issues

7 Published Public Comments & Related Articles

8

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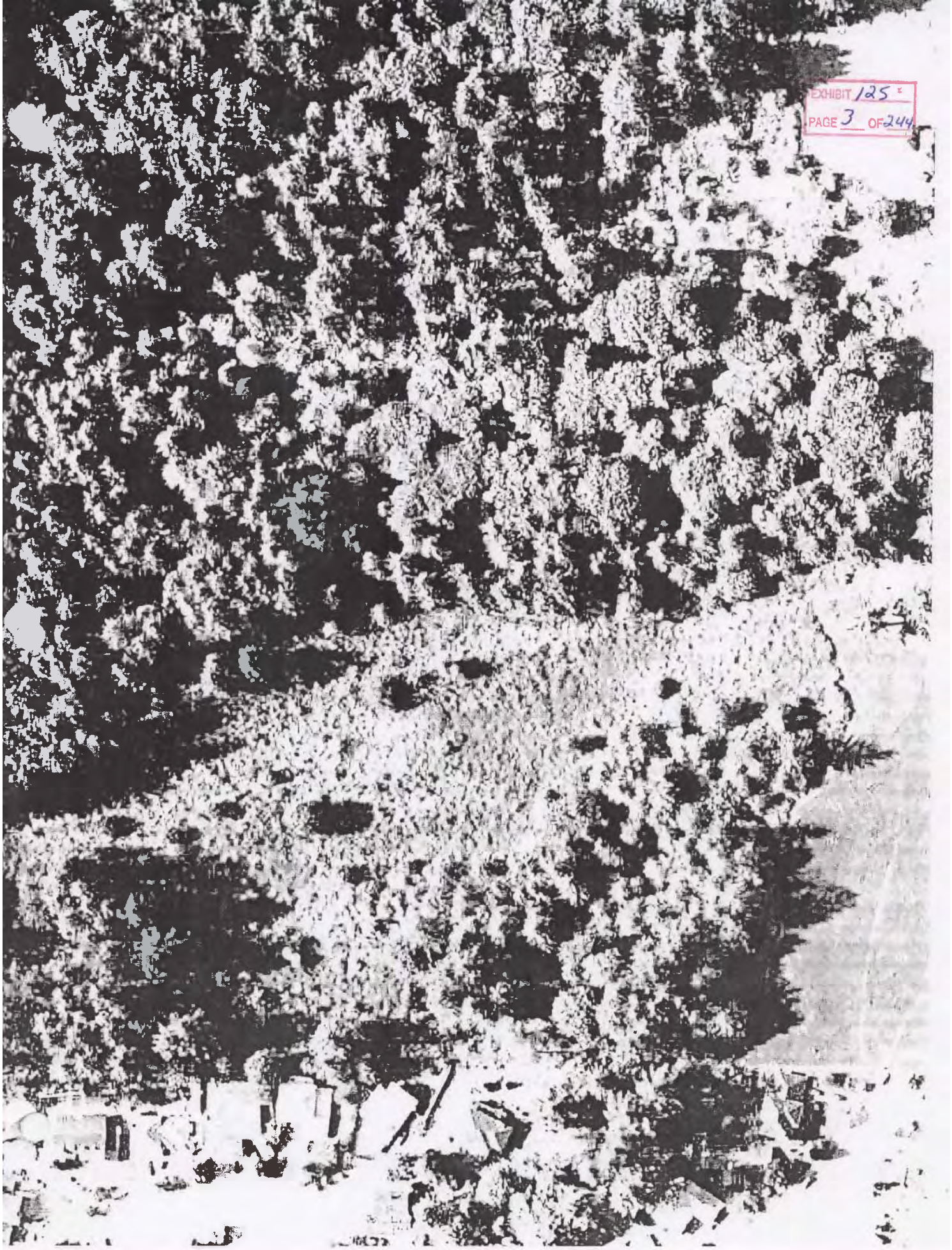
1



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INTRODUCTION

In this notebook, interested residents and property owners will outline why the proposed comprehensive plan redesignation and rezone should be denied.

The applicant seeks a redesignation of the property to Moderate Density Residential and a rezone from R-1 to R-6, increasing the development potential by six times. But the proposal involves serious conflicts with established provisions of the Growth Management Act, Woodinville's own comprehensive plan and specific criteria for comprehensive plan and zoning amendments. The subject property has serious and severe environmental constraints, including landslide hazards, erosion hazard, steep slopes, seismic hazards and other conditions. Further the access to the property by way of a substandard street that is too steep to meet standards, involves serious safety issues and violates standards for the maximum number of lots that can be served by a single access street.

If a redesignation is approved, it should be to Low Density Residential, with three conditions on any future development. First, that actual site disturbance and development of home be limited to the flat area of about 4 acres on the east side of the property, with stormwater drainage and sanitary sewer not cutting through the critical areas. Second, the R-1 zoning be retained subject, limiting the maximum number of new homes to 20 in the buildable area described above. Third, because of sub-standard streets and proximity issues on the 151st/178th local access street to the west, all access to any new development should be from the north where these problems do not exist.

We thank the staff, planning commission and City Council for their careful attention to these issues and concerns.

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Landslides and Seismic Hazard

Dr. Chris Sanders
Ph.D. Geophysics, Caltech
B.S. Geological Engineering, UNR

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Bottom Line

- Evidence for multiple, repeated landslides covering the entire sloped portion of the Draughn property.
- Association of ground water springs with the slides.
- Faults near the site and major regional faults could provide earthquake triggers for future slides.

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Factors That Increase Landslide Potential

- Steeper slopes
- Insertion of water into slope material
- Removal of vegetation
- Increased weight on top of slope
- Removal of material from toe of slope
- Earthquake shaking

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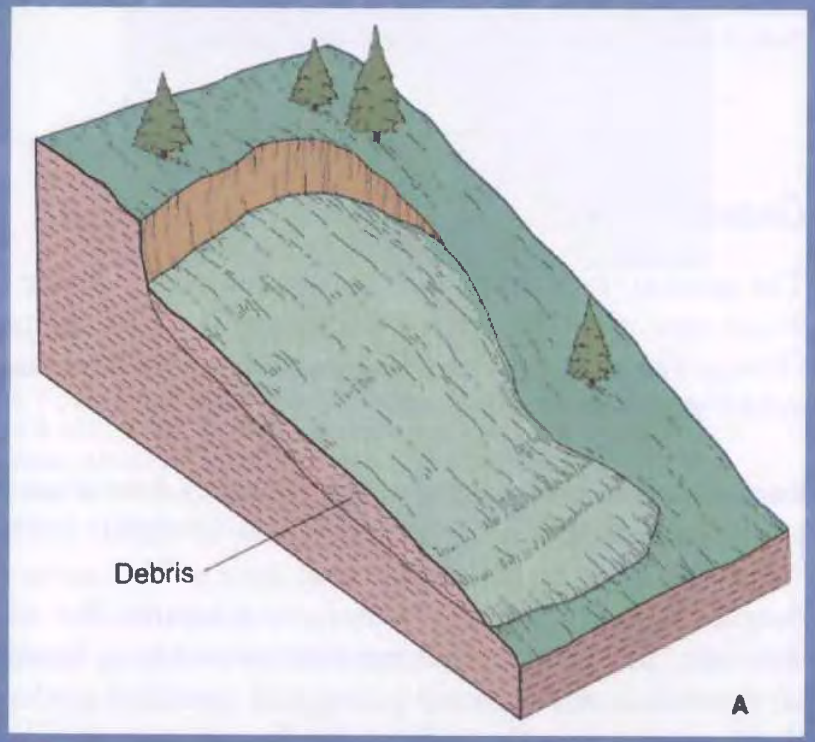
Characteristic Landslide Features



- Steep head scarp
- Arcuate head scarp points uphill
- Debris flow at toe points downhill

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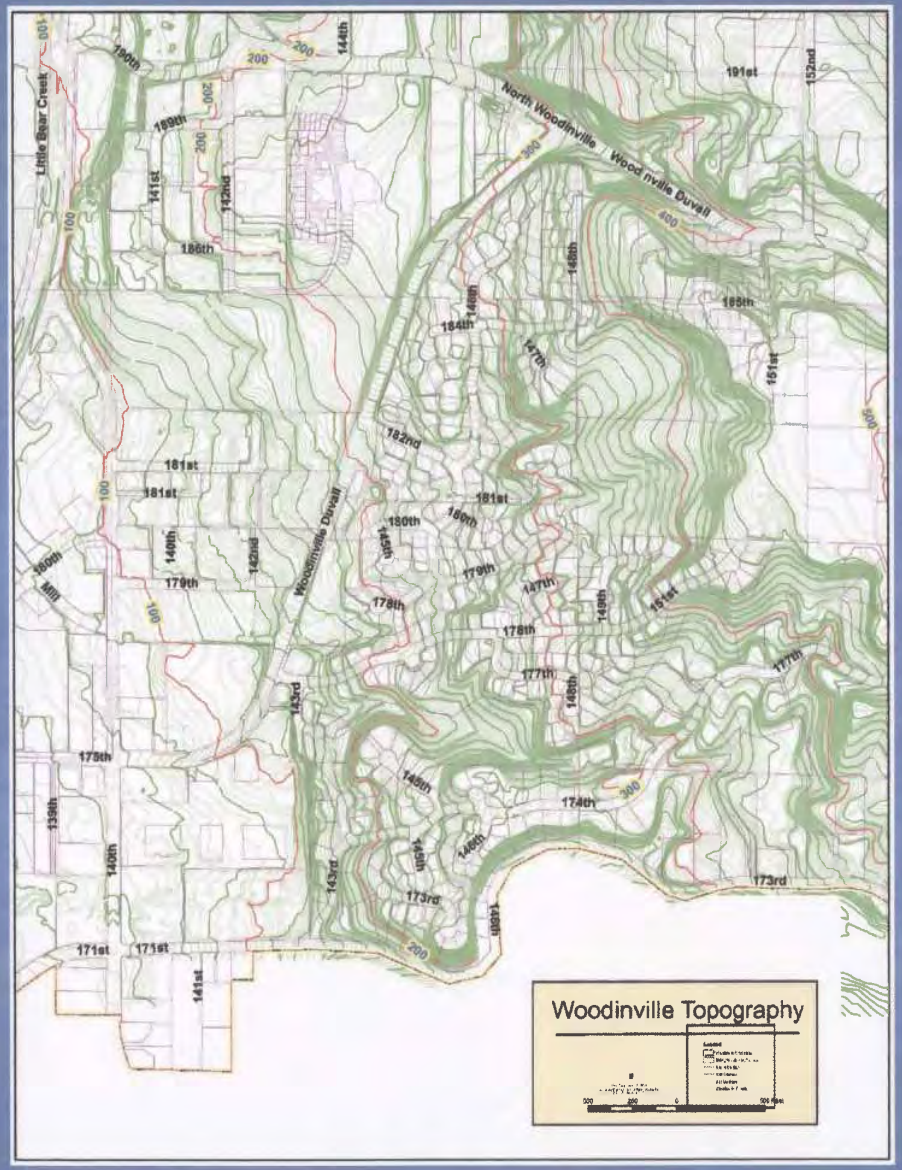

- City of Woodinville topographic maps
- Elevation lines
- Close lines = steeper slopes
- Arcuate lines reveal landslides
- Note three areas

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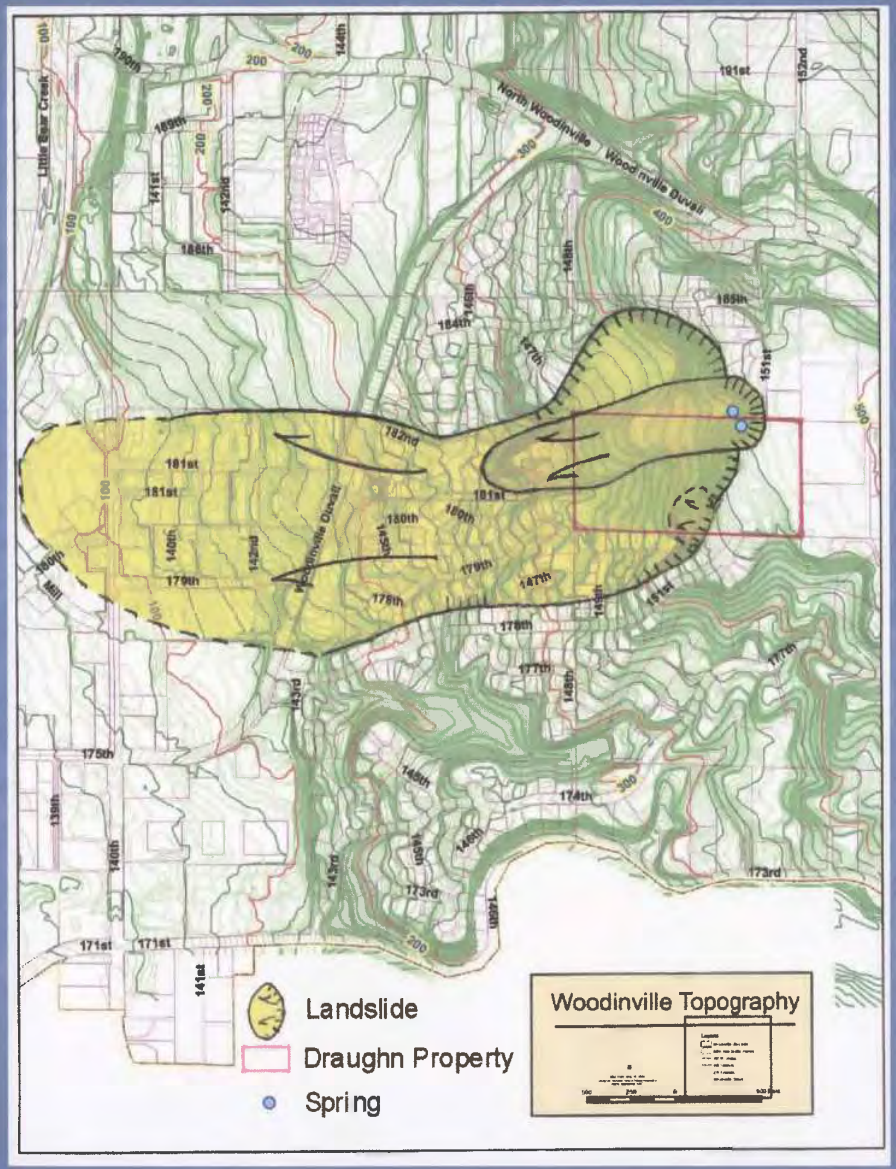

- Three landslides
- Older, 80 acre
- Younger, 15 acre
- Slump, 2 acre
- Multiple slides -> susceptibility of area
- Potential for similar slides at crest
- Springs suggest ground water associated with sliding

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Earthquakes

- Washington is seismically active state
- Earthquakes on local and regional faults
- M9 EQ on Cascadia subduction zone
- M7 EQ on Seattle Fault
- M7 EQ on South Whidbey Island Fault
  - Branch of SWIF may extend near Brightwater
- Intense shaking triggers landslides

Factors That Increase Landslide Potential

- * Steeper slopes *
- * Insertion of water into slope material *
- * Removal of vegetation *
- * Increased weight on top of slope *
- * Earthquake shaking *
- Removal of material from toe of slope

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Recommendations

- Do not allow any disruption of the sloped part of the Draughn property: no homes, no roads, no utility installation, and no removal of trees and vegetation.
- Do not allow building at the crests of the landslides on the flat upper portion of the Draughn property.

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To: The City of Woodinville

From: Chris Sanders and Susan Boundy-Sanders
17859 149th Av. NE, Woodinville, 98072

Re: **Draughn Property Critical Areas: Landslides, Steep Slopes, Wetlands, Erosion, and Seismic Hazard**

Overview

The purpose of this document is to discuss apparent critical areas on the Draughn property.

The Draughn property includes land that qualifies or potentially qualifies for several types of critical areas:

- **Landslide:** The entire sloped portion of the Draughn property is a landslide area (we state this with a high level of certainty).
- **Steep slopes:** Parts of the sloped portion of the Draughn property are at or near the 40% threshold for steep slopes.
- **Wetlands:** The vegetation on the property includes many species that are wetland indicators, there are springs and seeps in Tanglin Ridge Phase 2 and on the Draughn property, and amphibians have been identified by neighbors on and immediately adjacent to the Draughn property. The overall picture is a patchwork of wetland plants, springs, and saturated soil that, with buffers, may cover most of the property.
- **Seismic hazard:** The application that put the property into open space included a map that labeled a Class III Seismic Hazard area adjacent to the large spring on the Draughn property. The Southern Whidbey Island Fault Zone passes within 7 miles of the Draughn property—and possibly within a mile—and is capable of generating magnitude 7.5 earthquakes.
- **Erosion areas:** The landslide areas currently designated within the City limits are mostly contiguous with erosion hazard designations. We assume that the same correlation is valid on the Draughn property. Furthermore, erosion is a demonstrable problem in the neighborhoods surrounding the Draughn property.
- **Aquifer recharge:** When the Draughn property was evaluated for placement in the PBRS Open Space program, it was evaluated as "Critical" and give a high score for its aquifer recharge function.

This comment describes our current knowledge regarding each of these categories. Our recommendations that arise from the presence of Critical Areas is as follows:

- **Comprehensive Plan designation and conditions:** Designate the Draughn property Low Density Residential, with the following conditions:
  - The sloped part of the property must not be disturbed—no homes, no roads, no utilities, no clearing of vegetation.
  - The buffer zone for the landslide critical areas should be significantly wider than the 50-foot minimum stated in WMC 21.24.270. This is because there is

clear evidence of multiple landslides that are progressively eating away at the edge of the plateau.

- **Zoning:** In recognition of the environmentally constrained, geologically hazardous conditions on the Draughn property, designate the entire property as R-1 zoning as specified in WMC 21.04.080(2)(a).

Documented Critical Areas in and near the Draughn property

Several areas in and near the Draughn property are documented as Critical Area of various types, and other critical areas that are designated by the City abut the property.

Figure 1 shows the map created by Aileen Nelson in 1992, when she applied for PBRS open space status for the Draughn property. On it, Mrs. Nelson labeled the following Sensitive/Critical Areas: 40% slope, Class III Seismic Hazard Area, large spring, sensitive area, water retention area. The documents associated with the open space application include mention of joint site visits by King County and the City of Woodinville; the critical areas were reviewed and confirmed in the process of approving the PBRS open space status of the land.

Figure 2 shows Critical Areas that are currently formally recognized by the City of Woodinville. Wetlands abut the Draughn property on the west, and the steep slopes in Tanglin 2 are in landforms that extend into the Draughn property.

These documented Critical Areas indicate that full study of the Draughn property would delineate more. Following sections of this document describe probable components.

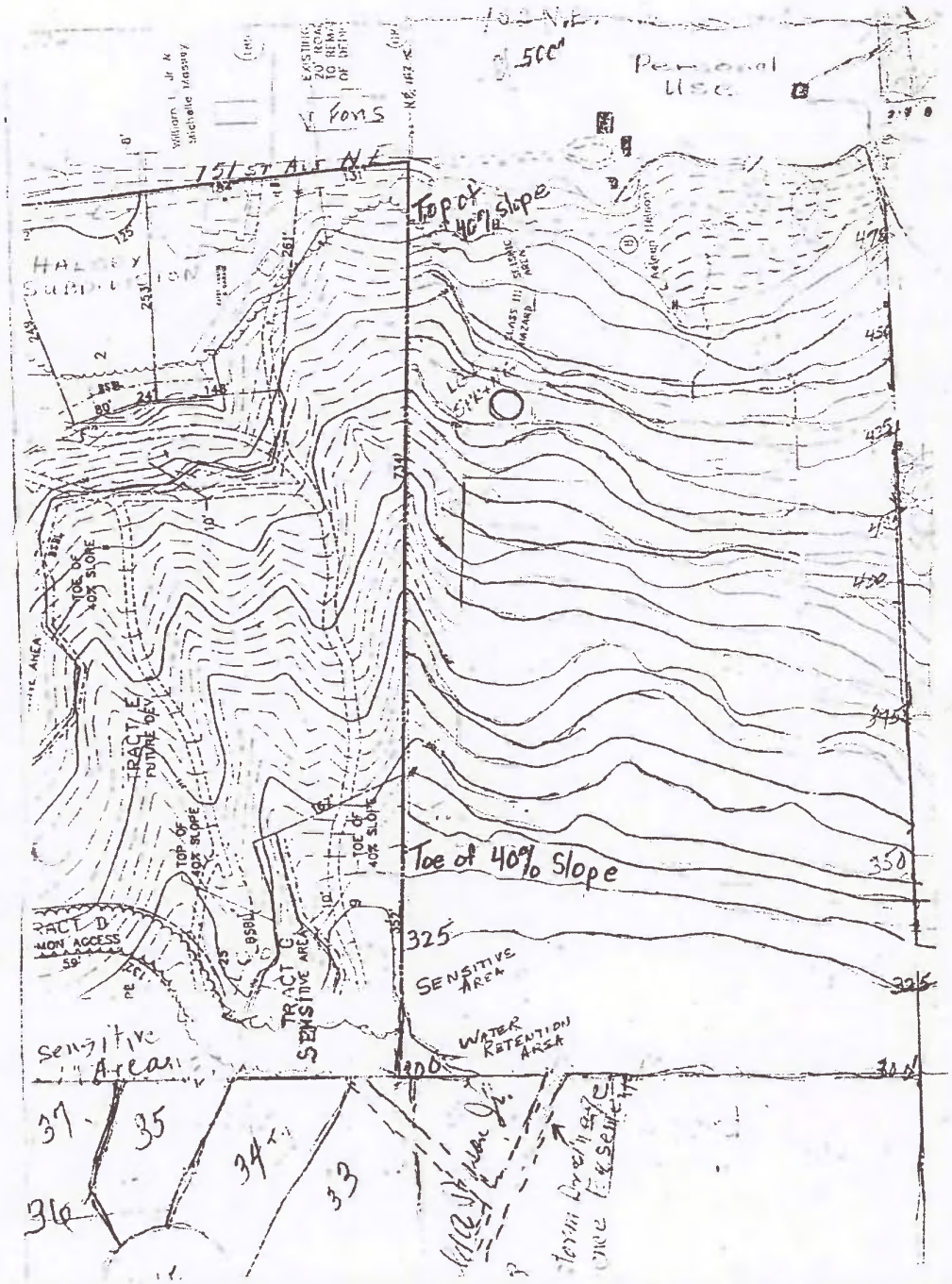

Figure 1. Map of sensitive areas (Critical Areas) on the Draughn property, submitted by F. Aileen Nelson as part of Exhibit 19 of her 1992 application to enroll the property in the State of Washington PBRS Open Space program, RCW 84.34. The Draughn property is the parcel on the right; the Halsey tract, called Tanglin Phase 2 in this document, is on the left. Critical Areas include 40% slopes, a Class III Seismic Hazard Zone, a large spring, sensitive area of an unspecified nature, and a water retention area (wetland).

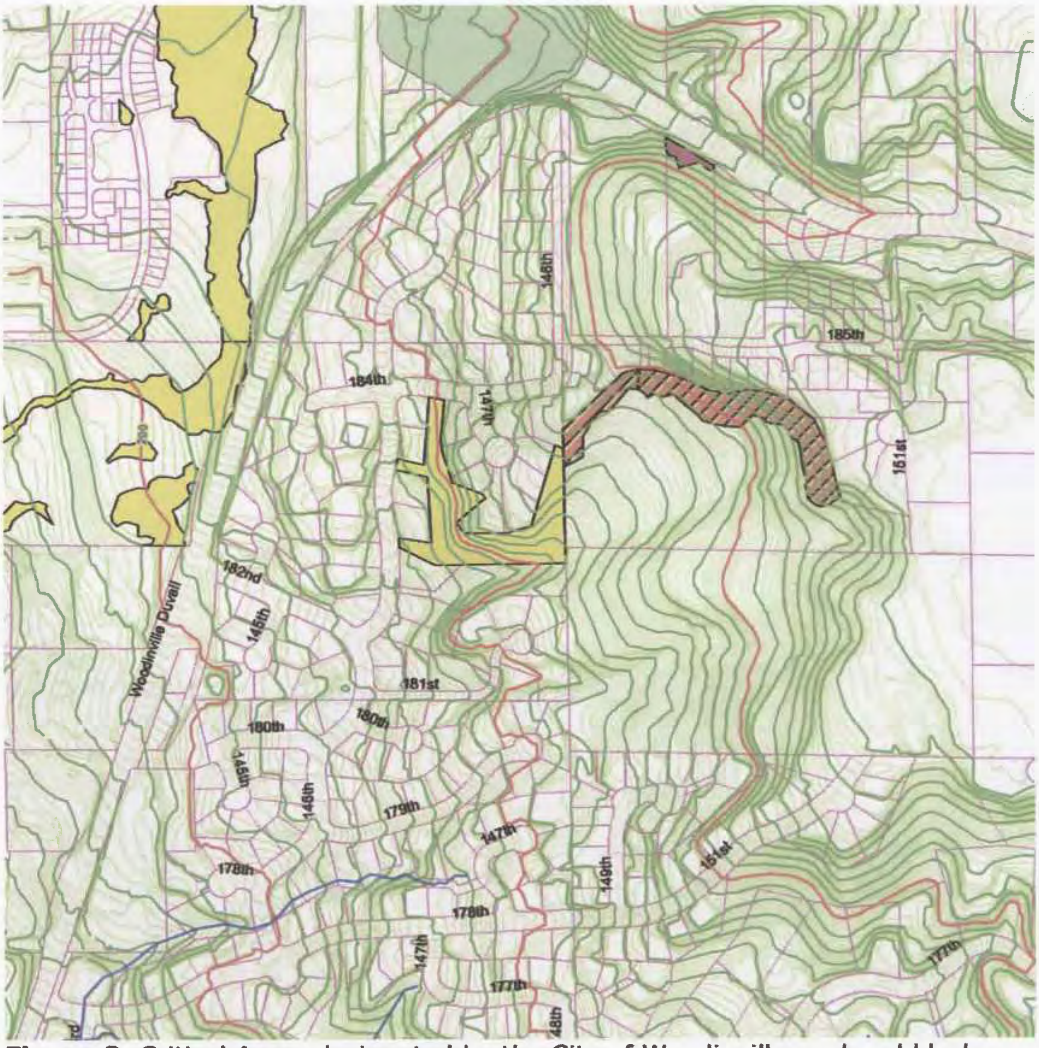

Figure 2. Critical Areas designated by the City of Woodinville: red and black hachures indicate steep slopes in Tanglin 2, and yellow indicates wetlands in the existing neighborhood northwest of the Draughn property.

Potential Critical Areas on the Draughn property

The potential Critical Areas on the Draughn property – landslides, steep slopes, wetlands, erosion hazards, and seismic hazards, are discussed individually below. The discussion includes Tanglin Ridge Phase 2, because the two areas are intimately linked in terms of their geotechnical and hydrologic characteristics.

When considered in combination, there are five important considerations with respect to the Draughn property Critical Areas.

- Critical Areas and their buffer zones cover the entire sloped portion of the Draughn property.
- Wetlands compound geologic hazards. The fact that the Draughn property is both wet and a landslide makes it far more hazardous than either condition would be on its own.
- The multiple landslides on the Draughn property clearly indicate that this area is capable of sliding again, and the upland at the eastern end of the property is vulnerable to sliding.
- The regional seismic potential, added to the geologic hazards and wetlands, raises the concern of liquefaction that would trigger landslides.
- If the sloped part of the Draughn property is developed, it would necessitate construction of a storm water detention facility, with groundwater recharge, immediately uphill from existing homes. The storm water, groundwater, landslide material, and erosion hazard would create a truly hazardous situation for the existing homes downstream.

Landslides

We propose that the sloped portion of the Draughn property, and the entire Tanglin 2 tract, should be designated as landslide hazard area under WMC 21.24.270.

The bowl-shaped hollow that constitutes the sloped part of the Draughn property and Tanglin Ridge Phase 2 is a set of at least two, and likely more, landslides. The slides are mapped out in Figure 3.

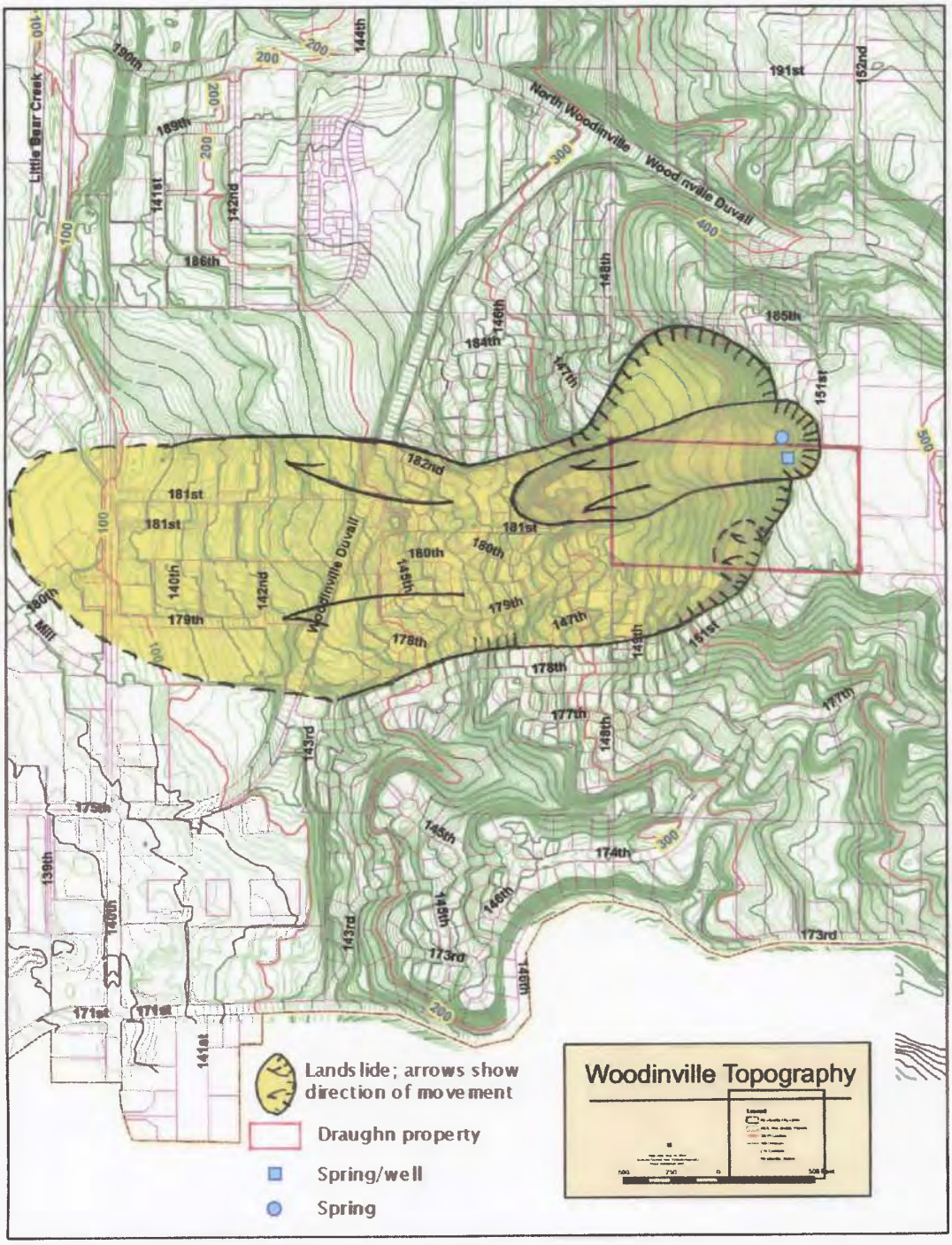

Figure 3. Landslides on the Draughn property. Landslides are shown in yellow; arrows indicate the direction of movement of the slide material. The blue square marks the location of a spring now encased by a well on the Draughn property. The blue circle marks a spring on the Tanglin 2 property.

Characteristic features that identify the Draughn and Tanglin parcels as landslides include:

- Arcuate bights at the edge of the plateau – erosion cuts V-shaped grooves, not arcs.
- Lobes with clearly identifiable toes. The only sources of such features in nature are mass movements.
- The bights are directly upslope of the lobes, indicating that the landslides originated in the bights and came to rest as lobes.
- Springs influence the location of the sliding: the two largest slides are centered on the springs.
- Chaotic jumbling and disaggregation of the material in the slide block.
- Heavy iron oxide content in isolated locations, in groundwater that drains from the slide material. Figure 4 shows the heavy iron oxide that emerges from French drains in the existing neighborhood.

Figure 4. Iron oxide content is extremely heavy in the water that emerges from the French drains at 17829 146th Av. NE. Isolated discharge of rusty groundwater is a telltale sign of landslides.

The largest and oldest slide area underlies the entire sloped parts of the Draughn and Tanglin 2 parcels, plus part of the existing neighborhood and business area – an area approaching 80 acres.

The second largest slide is about 15 acres in size and represents a second, more recent failure centered on the area of the Draughn and Tanglin springs.

There is evidence for at least one other remobilized slide, at the southern boundary of the Draughn property. Relatively young trees and the steepest slopes on the parcel suggest it may have slid since the area was logged in the late 1800s.

All the landslides contain glacial till – they are Holocene in age and therefore satisfy the age criterion for Landslide Hazard Areas designation.

On the topographic map of Woodinville, this is the one area of the Sammamish valley wall that displays evidence of multiple, large-scale landslides, suggesting the susceptibility of this area to sliding.

This is an excellent addition to the Critical Areas Ordinance, because it describes a combination of conditions that are likely to produce landslides. Photos and a drawing (Figures 5 through 7) help to illustrate this combination of conditions that are well known throughout the Seattle area as the classic configuration that produces landslides.

Figure 5. This photo, taken in the excavation for a home in Tanglin Ridge, shows the dark layer of "armor" laid down on the ground surface as glaciers retreated at the end of the Ice Age. This "armor" is relatively impermeable: water does not pass through it easily. Beneath the "armor" (and underlying the foundations of most of

the homes in Tanglin Ridge) is sand. The photo also shows that the sand eroded in the rainfall of August 21: in the left part of the photo up to several inches of sand were washed away, leaving the "armor" overhanging. On the entire hill, including the Draughn property and Tanglin Ridge as well as the existing neighborhood, the bottom of the sand layer lies at about the 450-foot contour.

Figure 6. This photo, also taken in Tanglin Ridge, shows another excavation. You can see how much less erosion this excavation experienced; that is because beneath the glacial "armor" is a clayey layer that does not allow water to pass through it and so does not erode as easily as the sand.

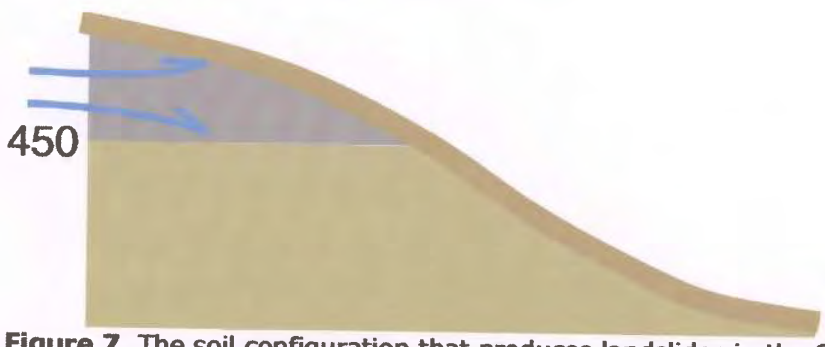

Figure 7. The soil configuration that produces landslides in the Seattle area is infamous. A clay-rich watertight layer (light brown) is overlain by a sandy layer (gray) that allows water to pass through freely. When the last glaciers melted at the end of the Ice Age, another watertight layer (brown) was laid down as an "armor" over the entire landscape. In areas where the sandy layer gets pinched out between the clay

and the "armor," water tends to build up. Several triggers can cause the "armor" to fail and the sandy layer to slide catastrophically: heavy rains that increase the water pressure in the sand, earthquakes that liquefy the "armor," clearing of vegetation. In Tanglin Ridge and the Draughn properties, the critical contact between clay and sand is at about the 450-foot contour.

Particularly when wet climate or wetlands are a factor, as they are in Woodinville, jurisdictions around Puget Sound have adopted the rule of thumb that a slide that has moved once will move again. This is why the prescribed mitigation for landslides is vegetation, not development.

Specifically, because development of the landslides and their buffer zones would "pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site," this land is not eligible for the exceptions that would permit development as laid out in WMC 21.24.070. Likewise, because development would "decrease slope stability on contiguous properties," this land does not qualify for alteration as laid out in WMC 21.24.270.

Steep Slopes

Parts of the Draughn property meet the current 40% threshold for steep slope hazard area as defined in WMC 21.24.300.

It is worth noting that all potential access routes for the sloped part of the Draughn property cross the steepest portions of the property (which, remember, are probable landslide head scarps).

In addition, note that the application that put the Draughn property into the PBRS Open Space program mentioned that the sloped part of the property is "too steep to build on."

Figure 9 shows steep slopes on the Draughn property.

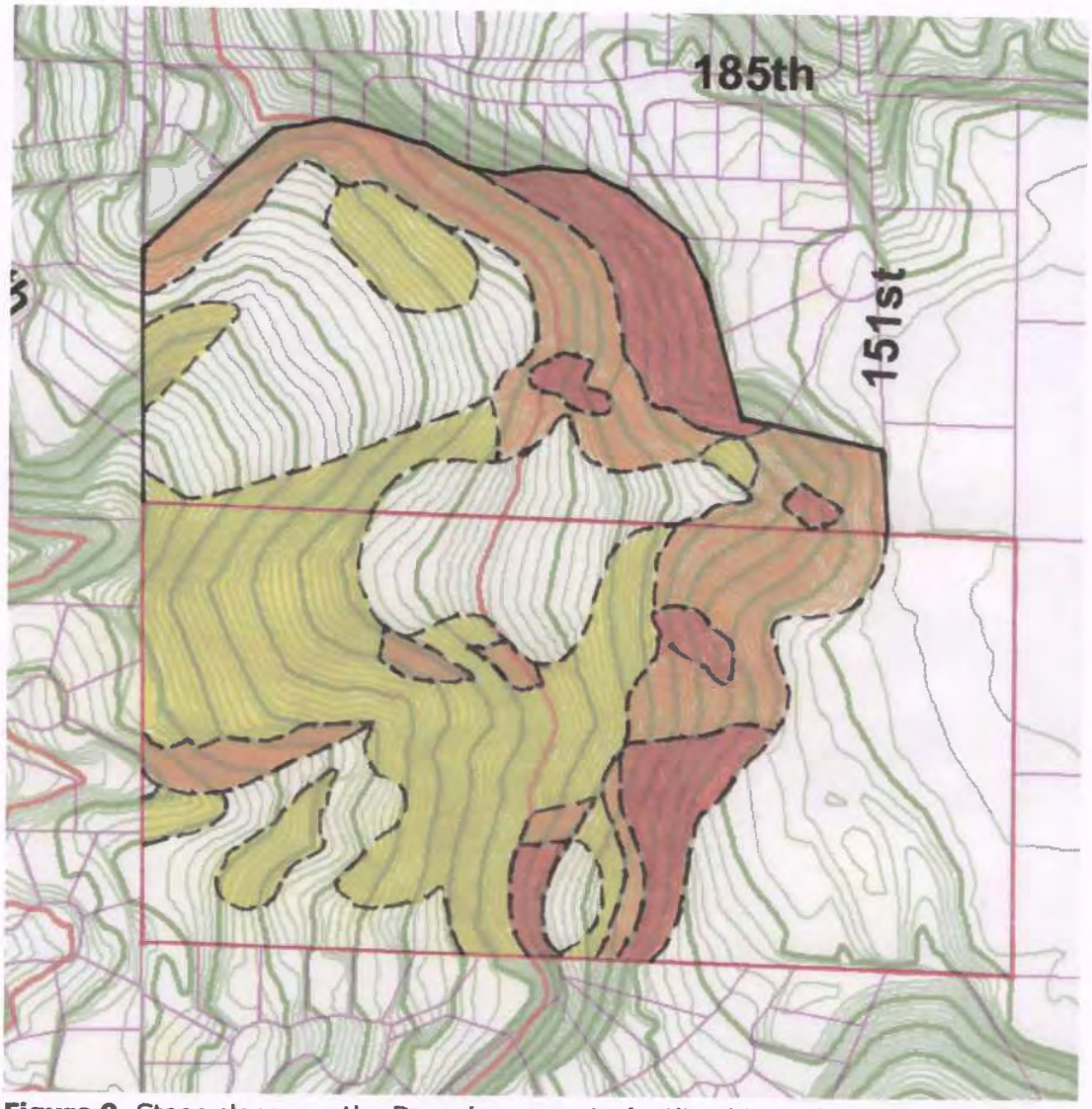

Figure 9. Steep slopes on the Draughn property (outlined in red) and Tanglin 2. Red indicates slopes greater than 40% (the steepest on the Draughn property are 65%). Orange indicates 25 to 40%. Yellow indicates 15 to 25%. Grades were calculated from maps printed from topographic data in the City of Woodinville's database.

Erosion Hazards

In the City of Woodinville maps, Erosion Critical Areas overlap to a large extent with landslide areas. There's a reason for this: The same soil conditions that promote landslides also guide the flow of water toward soils that are easily eroded.

In addition, the steep slopes in our neighborhood promote runoff. For example, the rains just a week and a half ago, on August 21, caused large amounts of runoff and erosion.

Examples are shown in Figures 10 through 12. In addition, though less photogenic, we note that the storm water ponds at the base of NE 178th Street overflowed as a result of that rainfall.

Figure 10. Drainage ditch downhill and to the west of Tanglin Ridge. The rainfall of August 21 caused so much runoff that it ripped out this landscaping post that was nearly a foot above the base of the ditch. Neighbors have noticed increased runoff and drainage through their French drains since the Tanglin Ridge land was cleared. We can predict an even greater impact if the Draughn property is developed since it is a larger area and the entire parcel drains into the existing neighborhood.

Figure 11. The rainfall of August 21 caused extensive erosion of excavations in Tanglin Ridge. We took this photo at about 10:15 on Monday morning, after this crew of three men had had at least two hours to work on the cleanup. By the time we arrived, "only" a couple cubic yards of sand—yes, the foundations of the Tanglin Ridge houses are being laid on unconsolidated sand—was left to be cleared. Outwash covered half the street in the foreground. Traffic on Woodinville-Duvall Road, in the background, had to be slowed and diverted around the outwash that ran down the arterial. We can anticipate a similar scenario if the Draughn property is developed, with the difference that it is homes, not just roadways, that would be in the path of the outwash.

Figure 12. After the rainfall of August 21, the builders of Tanglin Ridge took the precaution of laying down plastic and straw to prevent further erosion. Loose straw actually is not very helpful at preventing erosion, but it does make the six-inch-deep gullies beneath it less obvious to prospective buyers. The volume of eroded material that washed out from this home site is cause for concern when it's a roadway downstream as is the case in Tanglin Ridge; when it's homes downstream, as it would be for the Draughn property, the stakes are enormous for the homeowners.

Wetlands

We propose that a large percentage of the Draughn property qualifies for wetlands status under WMC 21.24.

The Draughn property and its immediate surroundings contain a variety of wetlands indicators. These are mapped out in Figure 13.

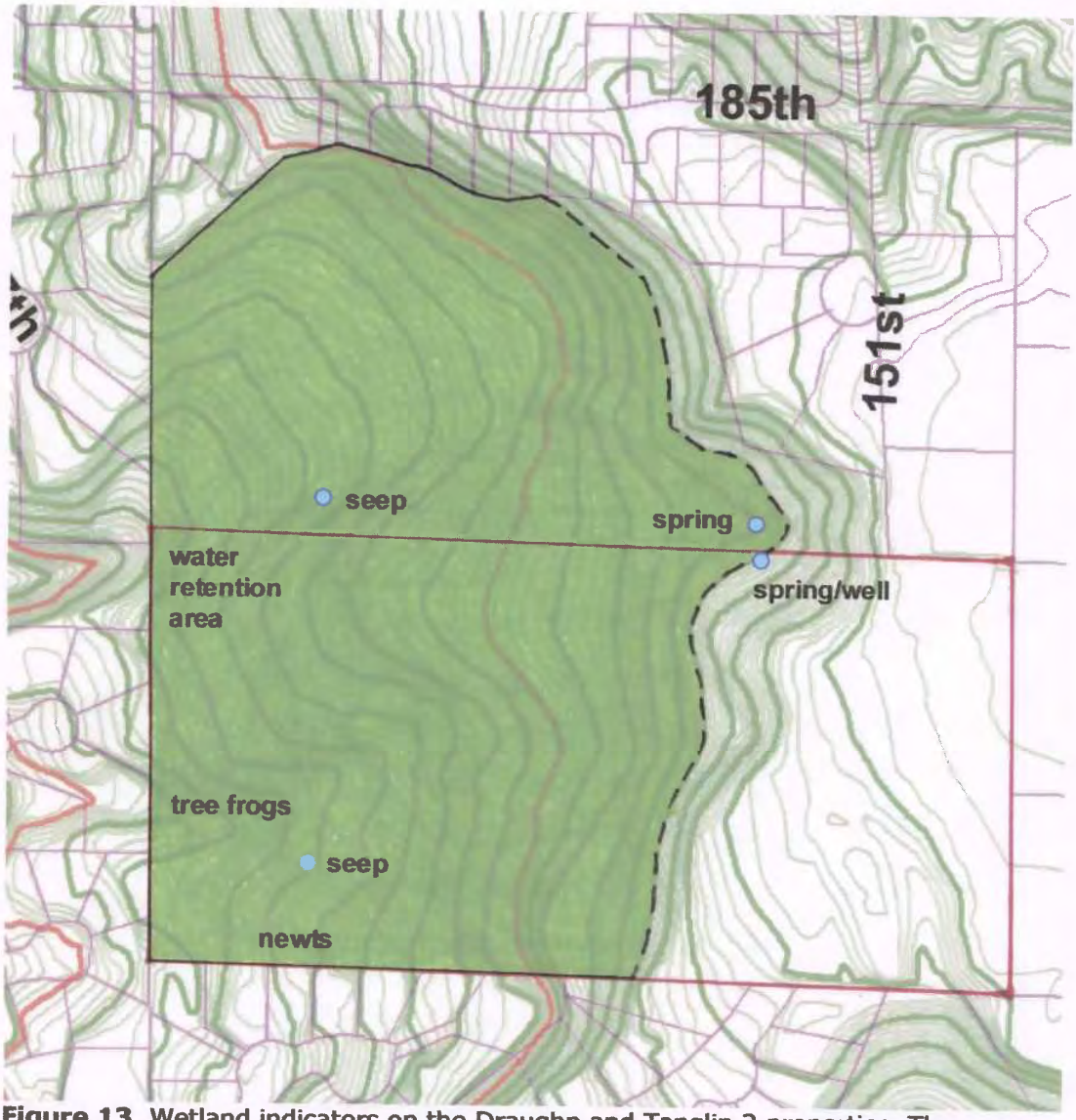

Figure 13. Wetland indicators on the Draughn and Tanglin 2 properties. The green area is a patchwork of wetland-indicator plants. The red rectangle outlines the Draughn property. Sources: Springs and seeps are from site visits and the 1992 PBRS application; water retention area from the PBRS application; vegetation from site visits; amphibians identified by neighbors Patti Ahlrep and Graham Poreda.

We propose that the entire part of the property below approximately the 450-foot elevation contour is a candidate for wetland status. This is the elevation of the base of the glacial sand and the top of the clay. Groundwater flows over the clay, through the sand, and reaches the ground surface in the landslide head scarps at this elevation. The water then flows down through the landslide block—which has loose, jumbled soil—and surfaces at many points to support wetland plants and amphibians.

The 1992 application that put the property into the PBRS Open Space program refers to a large spring in the north central part of the property. (This is one of the springs that is

coincident with the location of the landslides discussed previously). There is now an abandoned well, with water in the bottom, at the location where a spring is shown on the 1992 map. Figure 2 shows the portion of the 1992 map that shows the large spring on the Draughn property. Figure 14 shows the abandoned well that is at the location of the spring.

Figure 14. Photo of abandoned well, on the site of the large spring shown on Mrs. Nelson's 1992 map. The water level in this well is about 4 feet below ground level.

There is a small spring in the Tanglin Phase 2 parcel, just a few feet north of the Draughn property line. This is the other landslide-related spring and is shown in Figure 15.

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Figure 15. Spring on Tanglin 2 property, a few feet north of the Draughn property and at the head of the two largest Draughn-Tanglin landslides.

Neighbors adjacent to the Draughn property have heard tree frog songs and have found newts in their yards. These are both amphibians, which lay eggs in water and spend their tadpole stage as a gill-breathing water-dweller. This indicates that the western and southern portions of the Draughn property have standing water for enough of the year to sustain amphibian populations.

A patchwork of wetland-indicator plants covers the Draughn and Tanglin Phase 2 parcels. These plants were identified by Debra Crawford, the City of Woodinville's certified wetlands specialist. Based on our tours of the property, Ms. Crawford characterized the wetlands vegetation as occurring in a patchwork, some wet patches perhaps being as small as ten feet in diameter. Overall, however, my estimate would be that at least 25% of the property supports wetland plants, and much of the remaining area would be covered by wetland buffers. The following list includes plants identified on the Draughn and Tanglin 2 properties (Tanglin within 100 feet of Draughn, as required for the SEPA checklist). Some were identified by Debra Crawford, others by me. Some identifications are tentative. Native species include the following wetland plants listed in the National Range of Indicators:

- Nettle
- Elderberry
- Salmonberry
- Thimbleberry
- Deer fern
- Lady fern
- Equisetum
- Rushes
- Willow
- Cedar
- Cottonwood
- Alder
- Dogwood
- Big-leaf maple

There is also a variety of plants identified on the property that are non-native but nevertheless recognized as wetland indicators:

- Scot's broom
- Holly
- Reed
- Blackberries

The prevalence of wetland plants extends to the entrances to our neighborhood, as shown in Figure 16.

Figure 16. The wetland plants are in evidence the moment you enter our neighborhood. This sign, by the north entrance to Woodinville Heights at NE 182nd St., is surrounded by equisetum, a wetland indicator plant.

Seismic Hazards

We propose that most of the Draughn property is a candidate for designation as a seismic hazard area under WMC 21.24.280. The criteria specified in this section of the Woodinville Municipal Code are "seismically induced settlement or soil liquefaction." We point out that the landslides on the Draughn property—like all landslides—are a soil liquefaction feature, and the most dramatic trigger for large-scale landslides is seismic shaking.

The 1992 application that put the Draughn property into the PBRS Open Space program included a map that identified a Class III Seismic Hazard area above the spring on the Draughn property. A photocopy of the 1992 map is shown in Figure 1.

In addition, a strand of the Southern Whidbey Island Fault Zone may be as close as the Brightwater site, and certainly runs within 7 miles of the Draughn property. The Southern Whidbey Island Fault Zone is estimated to be capable of magnitude 7.5 earthquakes. Figure 17 shows the location of the Southern Whidbey Island Fault Zone.

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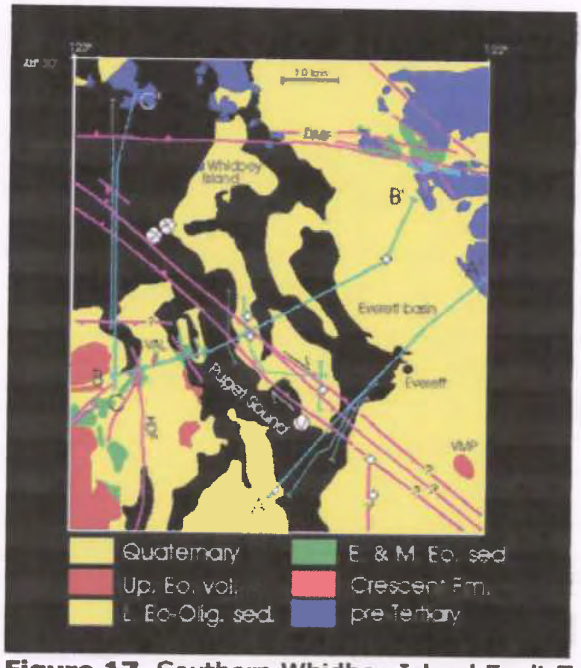

Figure 17. Southern Whidbey Island Fault Zone, from Johnson et al., 1996. The Southern Whidbey Island Fault Zone is the northwest-trending set of lines crossing the center of the map.

The Seattle Fault and Cascadia Subduction Zone are also sources of major seismic potential for the region. The Seattle fault generates magnitude 7 earthquakes; the Cascadia Subduction Zone generates earthquakes as large as magnitude 9.

Combining Landslides, Steep Slopes, and Wetlands in a Seismically Active Region

Combining landslide-prone land with wet conditions raises the likelihood of sliding. That's even more so when you add shaking from earthquakes. The seismic potential of the Puget Sound region raises concerns about liquefaction, the liquefying of wet ground that is a well-known result of seismic shaking.

Aquifer recharge

When the Draughn property property was evaluated for placement in the PBRS Open Space program, it was evaluated as "Critical" and received a high score for its aquifer recharge function. We propose that the parcel still plays this role, and qualifies as an aquifer recharge area under WMC 21.24.200. Another document addresses the parcel's open space application in greater detail.

Woodinville Zoning Code and Comprehensive Plan, and the Growth Management Act

Woodinville's zoning code specifies that R-1 is the appropriate zoning for land with a large proportion of environmental constraints. Section 21.04.080(2)(a) states:

> "(a) The R-1 zone on or adjacent to lands with area-wide environmental constraints . . ."

The Comprehensive Plan specifies that geologically hazardous areas are not only to be zone for low density but *protected*:

City of Woodinville Comprehensive Plan goal **LU-5.7:** Protect geologically hazardous areas.

Growth Management Act goal **CA-13:** Protect geologically hazardous areas.

Conclusions

A large portion of the Draughn property is eligible for Critical Area designation. As a result, we request the following actions by the City of Woodinville with respect to the Draughn property:

- **Comprehensive Plan designation and conditions:** Designate the Draughn property Low Density Residential, with the following conditions:
  - The sloped part of the property must not be disturbed—no homes, no roads, no utilities, no clearing of vegetation.
  - The buffer zone for the landslide critical areas should be significantly wider than the 50-foot minimum stated in WMC 21.24.270. This is because there is clear evidence of multiple landslides that are progressively eating away at the edge of the plateau.
- **Zoning:** In recognition of the environmentally constrained, geologically hazardous conditions on the Draughn property, designate the entire property as R-1 zoning as specified in WMC 21.04.080(2)(a).

Credentials of the authors

Chris Sanders received a Ph.D. in Seismology from Caltech, was an Assistant Professor at Arizona State University for 7 years and at Southeast Missouri State University for 1 year. He worked for a year and a half as a Project Engineer at Golder Associates, a worldwide geotechnical company. His research and public service have included diverse studies of the San Andreas and neighboring faults, tomographic imaging of volcanic areas in California, chairmanship of the FEMA-sponsored governor-appointed Arizona Council for Earthquake Safety, and geotechnical studies in Washington and Nevada. His scientific publications have appeared in the top earth science journals and in the journal *Science*.

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Susan Boundy-Sanders received an M.S. in Geology from Caltech. As an employee of the U.S. Geological Survey studying West Coast tectonics, one of her routine tasks was to identify landslides on topographic maps and air photos, and in the field. As an Instructor at Southeast Missouri State University, she taught the undergraduate Geologic Hazards course.

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CHRISTOPHER O'NEILL SANDERS

17859 149th Ave NE
Woodinville, WA 98072
425-485-0482

PROFESSIONAL EXPERIENCE

1999-present	Web Developer, Microsoft Corp., Redmond, WA
1997-1999	Project Engineer, Golder Associates, Redmond, WA
1996-1997	Temporary Assistant Professor and Director of the Center for Earthquake Studies, Department of Geosciences, Southeast Missouri State University
1989-1996	Assistant Professor, Department of Geology, Arizona State University
1994, 1995	Chairman, Governor-appointed Arizona Council for Earthquake Safety
1993-1994	Consultant, Center for Nuclear Waste Regulatory Analyses, Southwest Research Institute, San Antonio
1992	Faculty Fellow, Earth Science Division, Lawrence Livermore Labs
1988-1989	Geophysicist, U. S. Geological Survey, Menlo Park
1988	Lecturer, San Francisco State University
1986-1988	National Research Council/National Academy of Sciences Research Associate, U. S. Geological Survey, Menlo Park
1980-1986	Research Assistant, California Institute of Technology, Pasadena
1977-1979	Undergraduate Research Assistant, University of Nevada, Reno
1976	Assistant Exploration Geologist, Battle Mountain, Nevada

EDUCATION AND CERTIFICATIONS

Ph.D. in Geophysics, minor in Geology, California Institute of Technology, Pasadena, 1986
B.S. with High Distinction in Geological Engineering, University of Nevada, Reno, 1979
Engineer-In-Training, State of Nevada, 1979

HONORS AND ACHIEVEMENTS

Honor Societies: ΦΚΦ (scholarship), ΤΒΠ (engineering), ΣΞ (research), ΣΓΕ (geology)
Geology Graduate Record Examination - 99%, 1978
Mackay School of Mines Geological Engineer of the Year, 1979
Mackay School of Mines Scholarships, 1975-1979

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6. **Sanders, C.**, H. Magistrale and H. Kanamori, 1986, Rupture patterns and pre-shocks of large earthquakes in the southern San Jacinto fault zone, *Bull. Seismol. Soc. Am.*, *76*, 1187-1206.
5. **Sanders, C. O.**, 1984, Location and configuration of magma bodies beneath Long Valley, California, determined from anomalous earthquake signals, *J. Geophys. Res.*, *89*, 8287-8302.
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1. **Sanders, C. O.**, and D. B. Slemmons, 1979, Recent crustal movements in the central Sierra Nevada-Walker Lane region of California-Nevada: Part III, the Olinghouse fault zone, *Tectonophysics*, *52*, 585-597.

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36. **Sanders, C.**, and H. Magistrale, 1996, Segmentation of the northern San Jacinto fault zone (abs.), *EOS Trans. Am. Geophys. Un.*, *77*, F512.
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Ponko, S. C., 1995, Attenuation and velocity tomography and thermal modeling of crustal and upper-mantle magmatic source regions, Ph.D. Dissertation, ASU, 200 pp.
Awards: AGU Outstanding Student Paper, ARCS Foundation Scholarships, SEG Scholarships

Zaffran, L. L., 1993, Geophysical investigations and physical modeling of the Brady earth fissure, Arizona, M.S. thesis, 150 pp.

Schwartz, E. A., 1993, Three-dimensional variations in the compressional to shear wave velocity ratio for Long Valley caldera, California, M.S. thesis, ASU, 118 pp.

Nixon, L. D., 1992, S-wave attenuation structure of Long Valley caldera, California, using three-component S/P amplitude ratio data, M.S. thesis, ASU, 106 pp.

Munoz, F. A., 1992, Local earthquake tomography for lateral velocity variations and hypocenters at Nevado del Ruiz volcano, Colombia, M.S. thesis, ASU, 107 pp.
Awards: Association for International Development Scholarship

COURSES TAUGHT

Southeast Missouri State University, 1996-present
Earthquakes and Society (2 semesters), Applied Geophysics (1), General Geophysics (1).

Arizona State University, 1989-1996
Field Geophysics (7), Physical Geology (5), Seismotectonics (1), Earthquake Seismology (2), Computers in Geology (1), Geophysics (1), Geotectonics (1), Cordilleran Regional Geology (1).

Colombian Geological Survey (INGEOMINAS), Bogota, 1995
Two-week short course in seismic tomography.

San Francisco State University, 1988
Earthquakes and the San Andreas (1).

RESEARCH FUNDING

Central United States Earthquake Consortium; $5,865; 1996-97; "Creation of a Computer Database of Seismic Hazard Maps in the Central U.S."

Southeast Missouri State University Faculty Research Grant; $1,242; 1996-97; "Using Focal Mechanisms to Investigate the Segmentation of the San Andreas Fault Zone"

National Science Foundation; $114,203; 1993-96; "Seismic Attenuation Structure of the Alaskan Subduction Zone"

Federal Emergency Management Agency; $8,000; 1994-96; "Analysis of the May 1993 Cataract Creek Earthquake, Northern Arizona"

National Earthquake Hazard Reduction Program; $23,000; 1993-94; "Fault Structures and Earthquake Potential, San Bernardino, CA"

American Western Universities; $17,030; 1992; "Seismic Studies in Long Valley Caldera, California"

Arizona State University Faculty Grant-in-aid; $5,000; 1991-92; "Seismological Determination of Attenuation Structure in the San Jacinto Fault Zone, California"

U. S. Geological Survey; $10,000; 1991; "Attenuation Study of the San Andreas Fault

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Attenuation Structure of Long Valley Caldera, California"
National Science Foundation; $39,843; 1990-91; "Three-Dimensional Attenuation Structure, Long Valley Caldera"

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3

Draughn Critical Areas

Susan Boundy-Sanders
M.S. Geology, Caltech
Ph. D. candidate, UC Berkeley

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Recommendations

- **Comp Plan:** Low Density Residential with conditions: do not disturb the slope or its buffer. No homes, no roads, no utilities, no clearing of vegetation.
- **Zoning:** R-1 for the entire 19.77 acres, justified by Woodinville's Zoning Code. Section 21.04.080(2)(a) specifies: "The R-1 zone on or adjacent to lands with area-wide environmental constraints . . ."

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Landslides wrap-up

- Landslide hazard areas are protected under Woodinville Municipal Code 21.24.270.
- The exceptions listed in 21.24, which might otherwise allow development, *do not apply* because making the exceptions "pose[s] an unreasonable threat to the public health, safety, or welfare" {21.24.070(2)(b)(iii)}

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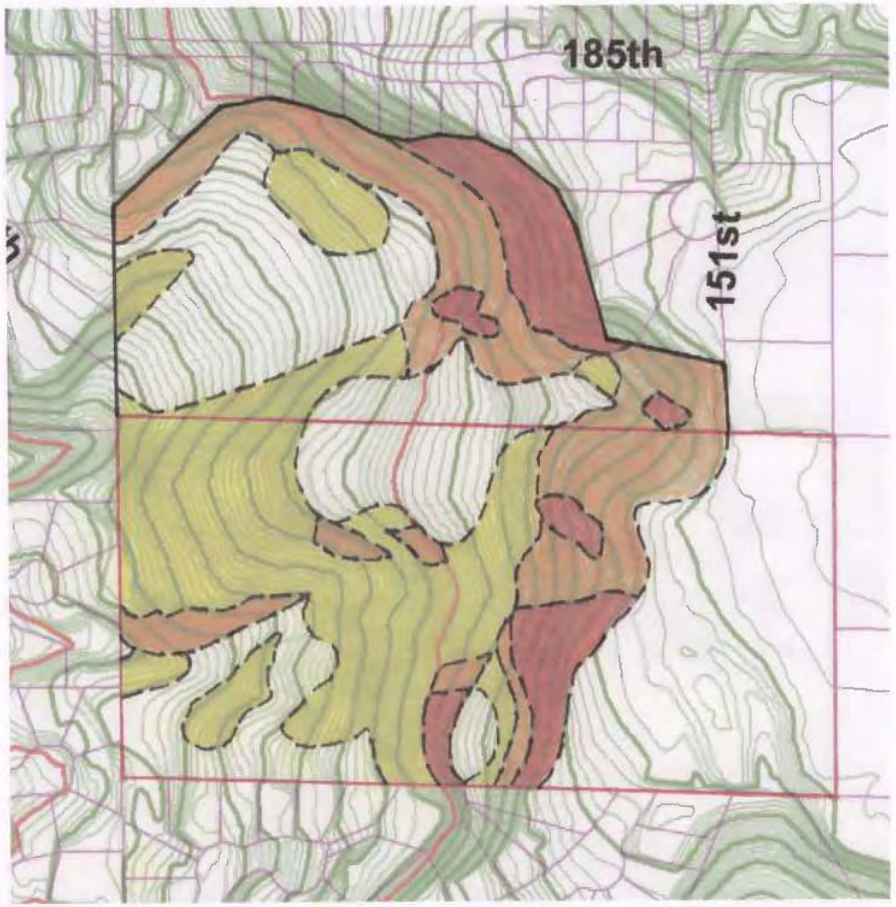
Steep slopes

Red 40 to 65%
Orange 25 to 40%
Yellow 15 to 25%

40% and over is protected under WMC 21.24.300



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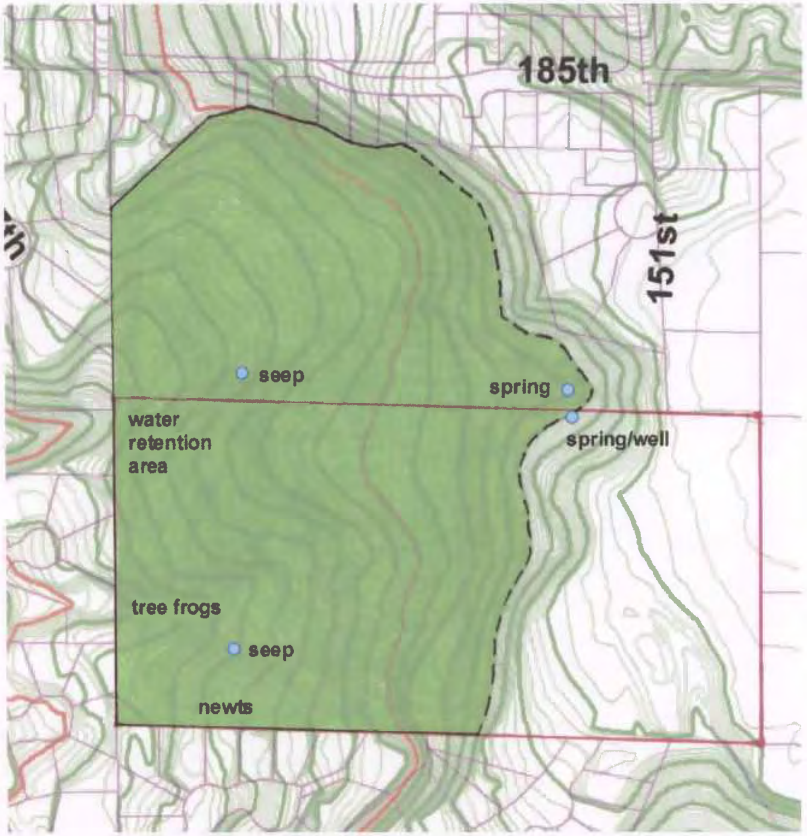
Wetlands

- Protected under WMC 21.24.310 to 21.24.340
- Indicated by springs and seeps, standing water, plants, amphibians
- At and below the 450-foot contour (the base of the sand)



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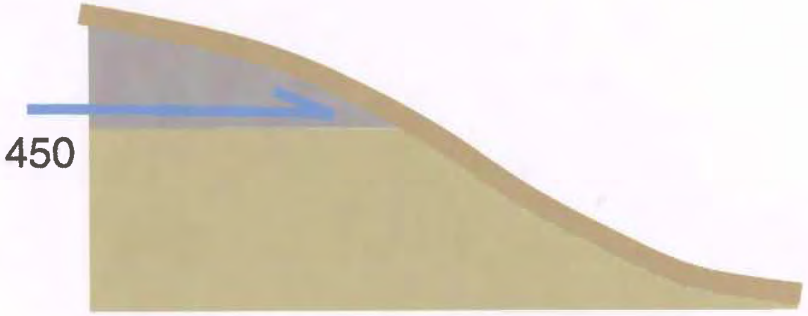
Stratigraphy - soils

Regional pattern is glacial deposits:

- Clay-rich "armor" on top, 1 to 2 feet thick, blankets the land surface
- Sandy layer in the middle
- Clay beneath the sand, top at about 450 feet elevation
- Water trapped in the sand, between the "armor" and clay, causes landslides and is source for wetlands where the water surfaces



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Erosion

Erosion hazard areas are protected under WMC 21.24.210.

Rains of August 21 caused extensive runoff and erosion from Tanglin Ridge.

Traffic on Woodinville-Duvall Road had to be slowed to avoid the outwash.

We could expect similar outwash into our neighborhood if the sloped portion of the Draughn property were cleared and developed.

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Erosion

Our neighborhood started experiencing more runoff and drainage problems at the same time Tanglin Ridge was cleared. The effects would be far worse if the sloped part of the Draughn property were cleared or developed. This photo was taken after the rains of August 21.

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Erosion

178th/151st has a persistent problem with erosion beneath the pavement creating sinkholes.

- Some were repaired in July.
- Others continue eroding despite previous repairs.
- The erosion seems to be worst where utilities are installed.

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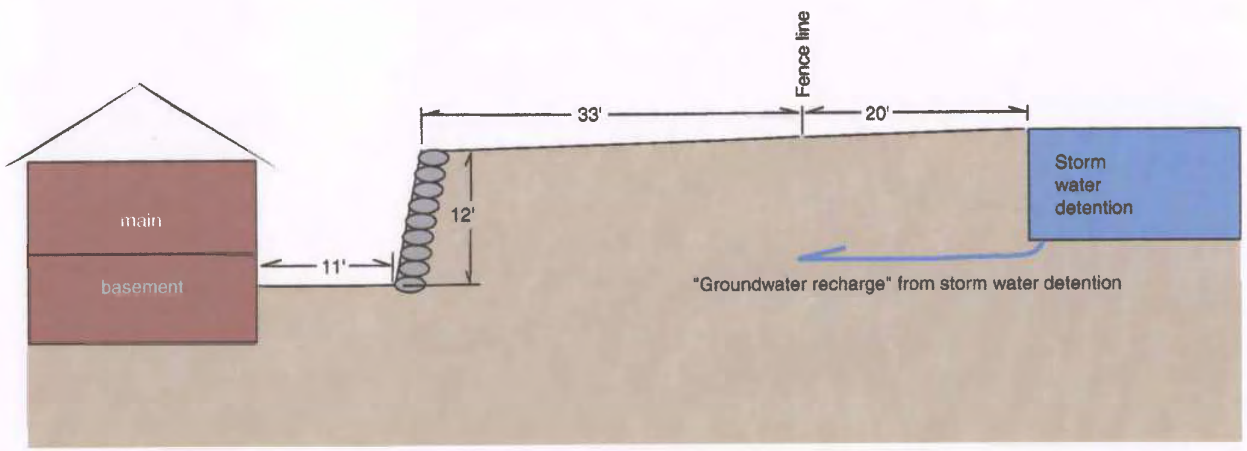
Storm water detention

Development on the slopes would require construction of a storm water detention facility:

- Immediately uphill from existing homes
- On landslide material that is already disaggregated
- Near utility trenches that would increase soil permeability



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Storm water

- Detention facility would threaten to flood dozens of homes downstream
- Detention facility would increase landslide hazard.

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Recommendations

- **Comp Plan:** Low Density Residential with conditions: do not disturb the slope or its buffer. No homes, no roads, no utilities, no clearing of vegetation.
- **Zoning:** R-1 for the entire 19.77 acres, justified by Woodinville's Zoning Code. Section 21.04.080(2)(a) specifies: "The R-1 zone on or adjacent to lands with area-wide environmental constraints . . ."

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To: The City of Woodinville

From: Susan Boundy-Sanders
17859 149th Av. NE
Woodinville, WA 98072

Re: **Draughn property storm water detention**

This comment discusses the stormwater and runoff management facilities shown in the informal sketch submitted to the City for the Draughn development.

This comment has two goals:

- To demonstrate that there is no satisfactory storm water management technology for the sloped part of the Draughn property, and therefore the City of Woodinville should not allow any development that requires storm water detention on the sloped part of the property.
- To point out that the hazards created by storm water detention facilities at the lower end of the property would be exacerbated by several conditions:
    - Installation of a sanitary sewer nearby, which would decrease soil stability, and increase porosity and permeability, between the storm water detention and the existing homes downhill from it.
    - The sloped portion of the property is a candidate for landslide, wetland, steep slope, erosion, and seismic hazard Critical Area designations. These conditions are discussed in a separate document.

In the case of the applications currently before the City, this translates to the following requests:

- **Comprehensive Plan:** If the City cannot reject the amendment applications outright, assign a designation of Low Density Residential with the following conditions placed on the Comprehensive Plan:
    - Do not disturb the sloped part of the property—no homes, no roads, no utilities, and protection of the existing vegetation.
    - Do not use NE 178th St./151st Way NE as the access to the property. Restrict access to the public roadway, 151st Av. NE, that currently serves as Mrs. Draughn's driveway. The justifications for this are addressed in Shannon Emerick's comments.
- **Zoning:** We request a recommendation of "no change" to the zoning. Keep it at its current R-1. Please do this in the interests of public safety, in recognition of the large proportion of environmentally sensitive and hazardous areas on the property. Woodinville's Zoning Code Section 21.04.080(2)(a) specifies **"The R-1 zone on or adjacent to lands with area-wide environmental constraints . . ." We propose that the Critical Areas addressed in another comment, combined with the storm water detention problems addressed here, make R-1 the appropriate zoning for the Draughn property**.

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Storm water detention possibilities for the Draughn property

If the sloped part of the Draughn property is developed, that would require a storm water detention facility on the western, downhill end of the property.

The goal of this document is to convince the City of Woodinville that no successful storm water detention system can be created. My conclusion is based on the following considerations:

- Immediately downhill from the intended detention site is a rockery wall that at its highest point is nearly 12 feet high. The rockery wall is less than 11 feet from the basement windows of houses, as shown in Figures 1 and 2.

Figure 1. Rockery wall seen from the southern edge of the Mottas' yard, looking north. Gazebo is at the northeast corner of the Mottas' house; peak of rockery wall is beyond the gazebo in the Korffs' yard. Stakes in the foreground mark the sewer easement that CamWest has apparently purchased.

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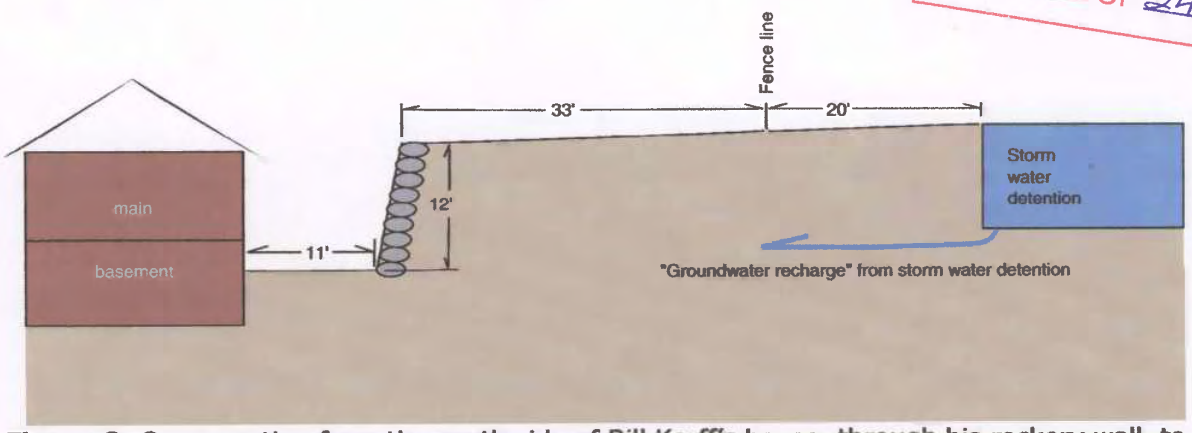

Figure 2. Cross-section from the south side of Bill Korff's house, through his rockery wall, to a likely storm water detention location. No vertical exaggeration. Note that if the sloped part of the property is developed, sanitary sewer and storm drains must also be installed along the western edge of the property, and both involve trenching and backfilling that loosen soil that is already disrupted. Excavation associated with the sanitary sewer line installation would disaggregate the soil to a depth of 8 feet and only needs to be refilled to 95% of its original density – leaving a porous trench leading from the storm water detention toward the basements of the existing homes. Compounding the problem is the fact that the Draughn property is potential wetland. As a result, storm water recharging back into the ground will tend to drain sideways rather than downward, because "down" is already saturated with groundwater.

- It is inevitable that runoff intended to soak downward from the detention pond will routinely find its way into the back yards and basements of neighboring houses – the physics of the system strongly favor this escape route.
- The storm water detention pond at NE 178th St. and Woodinville-Duvall Road—which presumably would be the overflow reservoir for the Draughn facility—already is overtaxed. It overflowed as recently as August 21. Extra runoff to the existing neighborhood from the Draughn property would further overtax the existing system.
- The applicant's claims (expressed by project manager John Harkness to my neighbor Beth Carreras) that development would actually reduce runoff and flood risk to the existing neighborhood, must be regarded as disingenuous.

Compounding the problem: sanitary sewer to be installed adjacent to storm water detention

The western, downhill boundary of the Draughn property is approximately 600 feet long, and that 600-foot interval must accommodate a new sanitary sewer line, a storm water detention facility, and a storm water line extending from the detention facility to the existing storm sewer line that already extends to the edge of the property.

The problem with this proposal: Installation of sanitary sewer and storm sewer lines requires a very deep trench, which does not need to be refilled to its previous density. The likely scenario is as follows:

- Excavation of the trench causes cracking of basement foundations (and note that the edge of the newly acquired easement is only about 7 feet from John and Dianne Motta's basement wall).
- Refilling of the trench only requires 95% of original density (read: 5% liquid), and this is outside of a fabric-wrapped gravel casing around the sewer line—a design that's intended to protect the pipeline but has the unfortunate side-effect of providing a high-speed conduit to transport groundwater into the existing neighborhood.
- The hydraulic head of the storm water detention, well above basement level of the Motta and Korff houses, causes storm water to seep into the trench, into back yards, and into basements through foundations that cracked as a result of sanitary sewer installation, or as a result of the instability of the landslide block on which the homes are built.

Further compounding the problem: Critical Areas

The proposed storm water facility lies on a landslide, and vegetation indicates that the proposed site of the storm water facility probably qualifies as wetland.

Landslides, steep slopes, and wetlands in the Draughn property and surrounding neighborhood (addressed in a separate comment) raise the likelihood that the storm water detention facility will fail—catastrophically.

This likelihood is increased by the basic circumstances that are known to trigger landslides:

- Clearing of vegetation, as would be done if the property is developed;
- Adding water to the landslide block, as storm water and irrigation water draining off a development would do;
- Adding weight to the landslide block, as homes, roads, and the storm water detention facility would do.

Storm water and the King County Surface Water Design Manual

King County's Surface Water Design Manual, Section 1.2, lays out a standard by which developments do not cause flooding, erosion, or slope failure as a result of development, or at least mitigate so that no damage is caused to other property owners or priority species either upstream or downstream.

In practical terms, that guideline translates into several design criteria:

1. Identify and protect features that are least suitable for development.
2. Catch and detain storm water so it does not leave the development; instead, create facilities for it so soak into the ground on the site.

3. Provide for extraordinary levels of storm water (up to 100-year peak levels) in a manner that does not significantly impact downhill properties or drainage systems.

I would argue that the shape of the land, by itself, makes it impossible to satisfy either the letter or the spirit of criterion 2. Water will run off the development, if one is permitted, simply because the Draughn property is higher than the adjacent neighborhood. In addition, even the water that soaks into the ground within the Draughn property boundary will resurface in the adjacent existing neighborhood. And let me reiterate: the existing storm water facilities are already overburdened.

Conclusions

It is nearly certain that development of the Draughn property would result in storm water hazard to the homes downhill from the development.

It is also highly possible that construction of a storm water detention pond on the landslide block that constitutes the property under option could remobilize the landslide, causing catastrophic destruction of the homes downhill from the detention facility.

In the case of the applications currently before the City, this translates to the following requests:

- **Comprehensive Plan:** If the City cannot reject the amendment applications outright, assign a designation of Low Density Residential with the following conditions placed on the Comprehensive Plan:
    - Do not disturb the sloped part of the property—no homes, no roads, no utilities, and protection of the existing vegetation.
    - Do not use NE 178th St./151st Way NE as the access to the property. Restrict access to the public roadway, 151st Av. NE, that currently serves as Mrs. Draughn's driveway. The justifications for this are addressed in Shannon Emerick's comments.
- **Zoning:** We request a recommendation of "no change" to the zoning. Keep it at its current R-1. Please do this in the interests of public safety, in recognition of the large proportion of environmentally sensitive and hazardous areas on the property. Woodinville's Zoning Code Section 21.04.080(2)(a) specifies "The R-1 zone on or adjacent to lands with area-wide environmental constraints . . ." **We propose that the Critical Areas addressed in another comment, combined with the storm water detention problems addressed here, make R-1 the appropriate zoning for the Draughn property.**

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Curriculum Vitae

Susan Q. Boundy-Sanders
17859 149th Av. NE, Woodinville, WA 98072 425-485-0482 sbsand@hotmail.com

PROFESSIONAL EXPERIENCE

Senior Technical Writer and Tester, eNom, Inc., February 2003 to present. Software documentation and testing.

Technical Writer, eNom, Inc. (independent contractor), June to August 2002. Software documentation.

Technical Writer II, Microsoft (contractor), April to June 2002. Software documentation.

Technical Writer II, MusicNet, Inc., September 2001 to March 2002. Software documentation.

Senior Technical Writer and lead writer, WatchMark Corp., March 1999 to June 2001. Software documentation and project management.

Technical Writer, Amtec Engineering, Inc., December 1997 to March 1999. Software documentation.

Instructor, Southeast Missouri State University, Aug. 1996 to July 1997. Taught courses in geologic hazards and earth science education.

Exhibit Content Researcher, Arizona Science Center, November 1995 to September 1996. Designed exhibits, videos, and demonstrations for the earth science section of the Arizona Science Center in preparation for its six-fold expansion.

Museum Technician, U.S. Geological Survey, Summers 1990 and 1991. Conducted field studies in California and Nevada and prepared microfossil specimens.

Geophysicist, U.S. Geological Survey, April 1985 to August 1986. Conducted tectonic and structural studies in California and Alaska.

Geological Field Assistant, U.S. Geological Survey, Summers 1981 and 1982. Hydrogeochemical studies in Arizona.

EDUCATION

Ph.D. candidate (advanced to candidacy but did not complete dissertation), Department of Geology and Geophysics, University of California, Berkeley.
M.S. in Geology, minor in Geophysics, California Institute of Technology, 1985.
B.S. cum laude, double major in Geology and Economics, Hope College, 1982.

HONORS AND AWARDS

Research Fellowship, Department of Geology and Geophysics, UC Berkeley, 1986.
Earle C. Anthony Fellowship, Caltech, 1982.
National Merit Scholarship, Hope College, 1977.
Research Grant, Geological Society of America, 1983, 1984, 1987, 1988.
Grant-in-Aid of Research, Sigma Xi, 1984, 1988.
USGS Incentive Award, 1982
Graduate Record Examination (GRE), 99%ile, 1985

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Susan Q. Boundy-Sanders
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PUBLICATIONS

Boundy-Sanders, S.Q., Sandberg, C.A., Murchey, B.L., and Harris, A.G., 1999, A late Frasnian (Late Devonian) radiolarian, sponge spicule, and conodont fauna from the Slaven Chert, northern Shoshone Range, Roberts Mountains allochthon, Nevada. *Micropaleontology* v. 45, n. 1, p. 62-68.

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Vedder, J.G., Pound, K.S., and Boundy, S.Q., eds., 1986, *Geology and Offshore Resources of Pacific Island Arcs—Central and Western Solomon Islands*: Circum-Pacific Council for Energy and Mineral Resources, Earth Science Series, v. 4, 306 p.

ABSTRACTS

Boundy-Sanders, S.Q., and Hervig, R.L., 1993, Minor and trace element composition and age of Yukon probable-microtektites: *Lunar and Planetary Science Conference XXIV,* Lunar and Planetary Institute, Houston.

Boundy-Sanders, S.Q., Meyer, C.E., and Jones, D.L., 1992, Highly calcic, oddly shaped Upper Devonian microtektites from western Yukon Territory [abstr.]: *Eos, Transactions, American Geophysical Union*, v. 73, n. 43, p. 328.

Boundy-Sanders, S.Q., and Vedder, J.G., 1988, A dike swarm and correlative San Onofre Breccia indicate a (trans)tensional environment for the quartz dioritic Santa Catalina Island pluton: *Geological Society of America Abstracts with Programs*, v. 20, n. 7, p. A381.

Jones, D.L., Boundy-Sanders, S. Q., Murray, R.W., Howell, D.G., and Wiley, T.J., 1987, Tectonic contacts of miogeoclinal strata in east-central Alaska: *American Association of Petroleum Geologists Bulletin, Annual Convention Abstracts*, v. 71, n. 5, p. 573.

Howell, D.G., Murray, R.W., Wiley, T.J., Boundy-Sanders, S.Q., and Kauffman-Linam, L.R., 1987, Sedimentology and tectonics of the Devonian Nation River Formation, Alaska, part o fyet another allochthonous terrane: *American Association of Petroleum Geologists Bulletin, Annual Convention Abstracts*, v. 71, n. 5, p. 569.

Wiley, T.J., Howell, D.G., Kauffman-Linam, L.R., Boundy-Sanders, S.Q., Murray, R.W., and Jones, D.L., 1987, Kandik Basin stratigraphy, sedimentology, and structure: *American Association of Petroleum Geologists Bulletin, Annual Convention Abstracts*, v. 71, n. 5, p. 627.

Boundy-Sanders, S.Q., Vedder, J.G., and Howell, D.G., 1987, Intrusive and structural relations of the Miocene pluton, Santa Catalina Island, California: *Program and Abstracts, Third California Islands Symposium*, 2-6 March 1987, Santa Barbara Museum of Natural History, California, p. 14.

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4

Hi, I'm Shannon Emerick
I am speaking partly as a 13-year Woodinville resident but also as a licensed Civil Engineer in the State of Washington, with a Masters Degree in Civil Engineering. (slide 1)

I'm speaking tonight about street safety issues as they affect the zoning and comp plan changes for the Draughn property. The applicant has identified 178th St. and its extension, 151st Way, as the access route in and out of the Draughn property. (slide 2)

My point tonight is this: 178th St. and 151st Way are **so FAR** out of compliance with current road standards that the City has a public safety responsibility to prevent ANY additional traffic on them. To protect the public safety of both future Draughn residents and existing residents, we are asking you to require a different access route to this site. We are asking that you make that condition now, before any development is planned. *Existing roadway design* is not something that would normally be addressed at plat time, so we are asking you to address it now.

Before I show you just how substandard this road is, I want to make two points: First, it's an **EXISTING street** with existing houses. I can't be rebuilt now to meet current standards. It is what it is. Also, the information I'm about to show is technical, but, believe me; it doesn't take any special degree or license to tell that this roadway is far outside the limits of current road standards. I assure you, you'll be able to tell right away if you drive it yourself.

Here are some of the items on 178th St/151st Way which do not meet current standards: (slide 3)

	Current Standards	Actual conditions on 178th/151st
Maximum Grade: Residential Access Residential Collector	 15% 12%	 > 21% (at some locations) > 15% (half of total length)
Sight Distance* : Vertical Curves	> 300 feet	< 100 feet
Sight Distance: Entering road	> 300 feet	< 110 feet
Pedestrian Protection	Square curb	Roll curb
Emergency Service (number of homes served by a single point of access)	75	87 (current) 167 (including Draughn at R4)
Maximum Block Length	< 1320 feet	> 2700 feet**

Standards per Woodinville Public Works Transportation Infrastructure Standards and Specifications and Woodinville Municipal Code

*Calculated for 25 mph posted speed limit, 15% grade
**From single point of access at 178th St. to edge of Draughn

Let's discuss these individually:

First, **road grade**: Don't get the impression that the grade exceeds standards in just a couple of short places. About HALF of the road is steeper than the allowed maximum – almost **one and a half times** steeper than maximum grade in places. And that's just if we call it a residential access street. If it is forced to serve more than 100 homes it might more accurately be called a de-facto "residential collector". Those shouldn't have more than a 12% grade, so the road would be twice as steep as allowed.

Next, **sight distance**: *Actual* sight distance is how much of the road you can see ahead of you from inside your car.

Sight distances at Vertical Curves
One very serious problem on 178th St/151st Way is inadequate **stopping sight distances** at grade changes in the road.

Required stopping sight distance for a grade change in the road is calculated with a standard equation that shows how far your car is likely to travel from the time you see something in the road to the point where you come to a complete stop.

There are two parts to the equation:
First, the a distance you travel while reacting – before you ever hit the brakes
Second, the distance you travel while skidding from design speed to a complete stop. Naturally, it takes you longer to come to a complete stop on a steep slope.

Let's look at the sight distances at grade changes on this hill: using established standards, you can't even get your foot TO the brake before you hit a stationary object on some parts of this road. Or, looking at the other side of the equation, even if you are already braking when you see the object, you still can't skid to a stop before hitting it. And that's looking at a stationary object, not another car in the middle of the road moving toward you.

Here are some of the sight distances on 178th St/151st Way: (slide 4)

Location	Calculated Reaction Distance*	+	Calculated Braking Distance**	=	Total Calculated Stopping Distance	Compare to:	Actual Measured Sight Distance
1	121 feet	+	302 feet	=	423 feet		91 feet
2	121 feet	+	259 feet	=	380 feet		93 feet
3	121 feet	+	181 feet	=	302 feet		102 feet

*Using Woodinville design speed standard of posted speed limit (25 mph) + 8 mph (33 mph total), and AASHTO (per Woodinville standards) recommended reaction time of 2.5 sec

**Using AASHTO (per Woodinville standards) recommended friction factor for wet pavement

Entering Sight distance is also a very serious problem at the intersection of 178th Street and 147th Avenue and at the intersection of 178th Street and 149th Avenue, as well as at xxxxxxxx driveways. Sight distance at each of these locations was approximately 100 feet or less, too short for a driver on 178th to stop for entering traffic if necessary, and too short for drivers on the side streets or adjacent driveways to safely enter. I want to clarify, here, that these inadequate sight distances were due to curvature of the road and not just landscaping or some other removable obstruction.

Pedestrian Safety is another huge concern on this hill, largely because of curbs which do not meet current standards and sidewalk placement directly adjacent to the roadway. On 151st Way, further up the hill, residents will see more than a sixfold traffic increase if Draughn is developed at an average R4 density. 151st Way has sidewalks that are directly adjacent to the road with what's called a **roll curb** in between them. We're talking about those rounded curbs that used to be used to be allowed when they built a street before they knew where the driveways would go in. The roll curb's job was to make it really easy for you to get into your driveway later, wherever you chose to put that driveway. While they do a great job of getting you into your driveway, they don't do a THING to protect pedestrians from a car slipping on the adjacent 22% road grade.

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We are talking about a neighborhood where schoolkids walk more than a quarter of a mile down this hill to the bus stop. And a lot of them, too! Our neighborhood is actually so prolific that we fill up an entire grade school bus between 178th and the next entry onto Woodinville-Duvall just a couple of blocks further north. That's not even counting our Jr. High and High School kids who have to walk that hill earlier in the day, sometimes in semi-darkness, just as many of the driving-age residents are leaving for work and school.

The roll curbs, the steep grade, the poor visibility – all of these factors combine to make the hill treacherous to cars and pedestrians alike, particularly in wet weather, and **extremely** more so if it's icy.

On that subject, let's look back at **Emergency Access** for a minute: The intent of limiting the Number of homes served from a single point of access and limiting street lengths are to help us not be orphaned from emergency services in the event of a road obstruction. Obstructions might be a car accident, a landslide, a road washout. Now, these standards are established without taking road grade into account. Does steep grade make a roadway obstruction more likely? You bet. Roadway obstructions aside, **Logic** tells all of us that it's questionable whether emergency vehicles of **any kind** could climb this hill in ice or snow. I have questions about whether the **existing** residents can be safely served, but the City is forced to just do its best with existing conditions. But is it really fair to subject an additional 80 additional families in a brand new development to that risk? Those families are counting on the city to make a responsible judgment to protect them.

Back to my goal here of providing the City with enough information to designate this a dangerous street: It occurs to me that part of this might be actual documentation of accidents on the hill. I'm guessing that most of us just don't bother to report our troubles to the City. Just to make a point here, I'm going to need a quick response from you all. OK, raise your hand if I haven't put you to sleep yet, and you're ready to answer this question. OK, hands down. All right, by show of hands, who of you have had an accident, lost control or had any near misses with your vehicle on 178th Street or 151st Way? If I can ask for just a few minutes more of you, please, before you leave tonight, briefly document these incidents for the City's use. Paper is available in the back.

I want to discuss one last roadway issue, something called **Level of Service**. Level of service is a measure of HOW **MANY** cars the road can accommodate without introducing new dangers like big backups trying to get onto Woodinville Road. I just want to point out that this is the ONLY part of road safety on 178th St/151st Way that the developer will have to address later if no special conditions are placed before plat time. **He will not have to consider any of the other safety problems on this road at all, because it is an existing road.** It's kind of a code loophole. It is not the developer's job to look out for the highest public good. That's your job, the planning commission. And that's why we're asking you to address it now. Level of service and traffic backups of people trying to get onto Woodinville-Duvall Road **might** be another legitimate safety issue. But I don't want you to overestimate its importance. This street is not appropriate for **ANY** additional traffic, **regardless of level of service**. It is unsafe based just on its shape and grade alone. And while that's a problem without remedy for those people already living on this hill, the City has the opportunity right now to decide if it's OK for MORE TRAFFIC to be routed this way, too. Keep in mind that it will approximately double the traffic at the single access point on 178th if Draughn is developed at average R4. I want to make really sure that the planning commission isn't misled by traffic **volume** studies that might give the misleading impression that it's a safe point of entry for the Draughn property.

Undeniably, a different, safer point of entry would be in the best public interest of both new residents on the Draughn property and existing residents served by 178th Street and 151st Way.

As a result, we have the following recommendations Regarding the Draughn Property: (slide 6)

Amend the Comprehensive plan to include the following conditions for development of the Draughn Property

Condition 1	No construction access or public access to the Draughn property shall

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	be allowed via 178th St/151st Way
Condition 2	Any bike, pedestrian, or emergency vehicle-only access which is provided to the Draughn property via 178th St./151st Way shall be provided in a way which does not permit public traffic access to the property via 178th St./151st Way. This may be accomplished by the mandatory use of a locked gate, locked removable bollards, or other similar device.

(slide 5) In case you're wondering, there is an existing roadway easement to the north of the Draughn property. This is the easement that the property owner currently uses to get to the property, and it connects into Woodinville-Duvall Road via **151st Avenue**, a brand new road built in 2003, which presumably does meet current road standards, and currently serves just 31 homes that I'm aware of. Woodinville's standard is to provide two OPEN points of access into any new development, but here, I asset that one open access at another location, and one locked access at the top of 151st Way better serves the overall public safety.

I am proposing that these conditions be placed **now**. If you do not place these conditions now, the likely result is the use of 178th Street and 151st Way as the access into the Draughn property, with a couple of new in-road planters or signage that do **nothing** to fix our **real** safety problems on this hill.

You, the planning commission, have a great opportunity here to make a positive difference in how development happens in our City, and I believe you are up to that challenge.

I just want to express my confidence that the Planning Commission and other City officials will make these zoning and comp plan changes with the best interest of Woodinville's citizens in mind.

Thank you.

	A	+ B	= C	Compared To Actual	Unacceptable Risk
Location	**Calculated Reaction Distance**	**Calculated Braking Distance**	**Calculated Stopping Distance**	**Actual Measured Sight Distance**	**Estimated % Outside Standard**
1	121 feet	302 feet	423 feet	91 feet	364%
2	121 feet	259 feet	380 feet	93 feet	308%
3	121 feet	181 feet	302 feet	102 feet	196%

*Using Woodinville design speed standard of posted speed limit (25 mph) + 8 mph (33 mph total), and AASHTO (per Woodinville standards) recommended reaction time of 2.5 sec

**Using AASHTO (per Woodinville standards) recommended friction factor for wet pavement

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Safety Factor	Current Standards	Actual Conditions on 178th/151st	Calculated % Out of Standard
Maximum Grade: Residential Access Residential Collector	 15% 12%	 > 21% (at some locations) > 15% (half the total length of road)	 40% 25%
Signt Distance - Vertical Curves	> 250 feet	< 100 feet	60%
Sight Distance - Entering Road	> 200 feet	< 110 feet	45%
Pedestrian Protection	Square Curb	Roll Curb	
Emergency Service Number of homes served by single point of access	75	87 (current) 107 (Draughn at R1) 167 (Draughn at R4) 207 (Draughn at R6)	16% 43% 123% 176%
Maximum Block Length	< 990 feet	> 2,700 feet	173%

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Street and People Safety

Shannon Emerick
Licensed Civil Engineer, State of WA
MS, Civil Engineering – WSU

17827 151st Way NE
Woodinville, WA 98072

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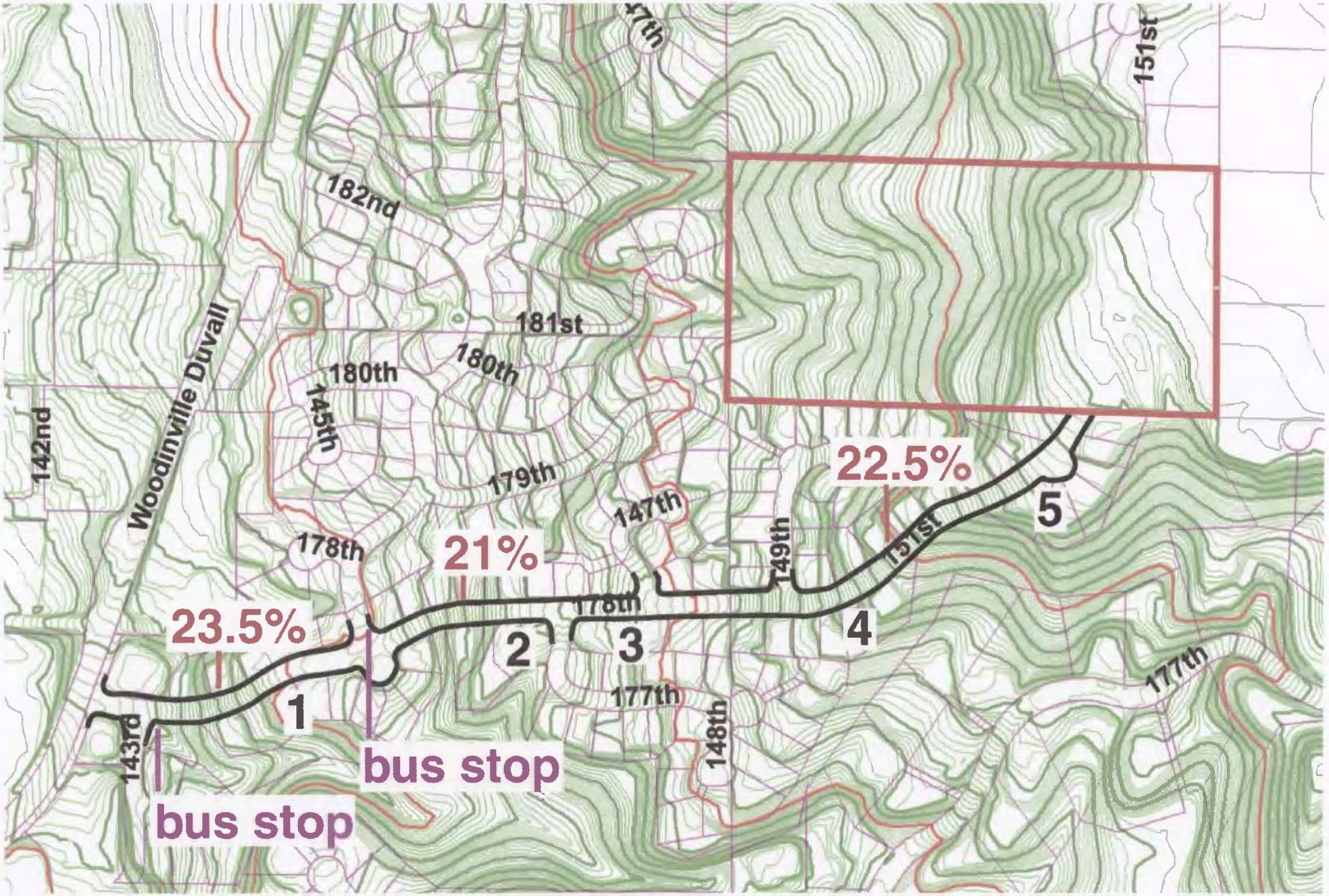
178th/151st Way



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178th/151st Roadway Does Not Meet Current Standards

- Steeper than allowable grades
- Inadequate stopping sight distances
- Inadequate pedestrian protection
- Emergency Service - Number of homes served by single point of access exceeds current standards

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Road Safety Significantly Below Standards

Safety Factor	Current Standards	Actual Conditions on 178th/151st	Actual Compared to Standard
Maximum Grade: Residential Access	15%	> 21% (at some locations) > 15% (half the total length of road)	**140%**
Sight Distance - Vertical Curves At 15% Grade At 23% Grade	 > 250 feet > 340 feet	 < 100 feet < 100 feet	 **250%** **340%**
Sight Distance - Entering Road	> 200 feet	< 110 feet	**182%**
Pedestrian Protection	Square Curb	Roll Curb	
Number of homes served by single point of access	75	87 (current) 107 (Draughn at average R1) 167 (Draughn at average R4) 207 (Draughn at average R6)	**116%** **143%** **223%** **276%**
Maximum Block Length	< 990 feet	> 2,700 feet	**273%**

Standards per Woodinville Public Works Transportation Infrastructure Standards and Specifications and Woodinville Municipal Code

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Example of Vertical Curvature

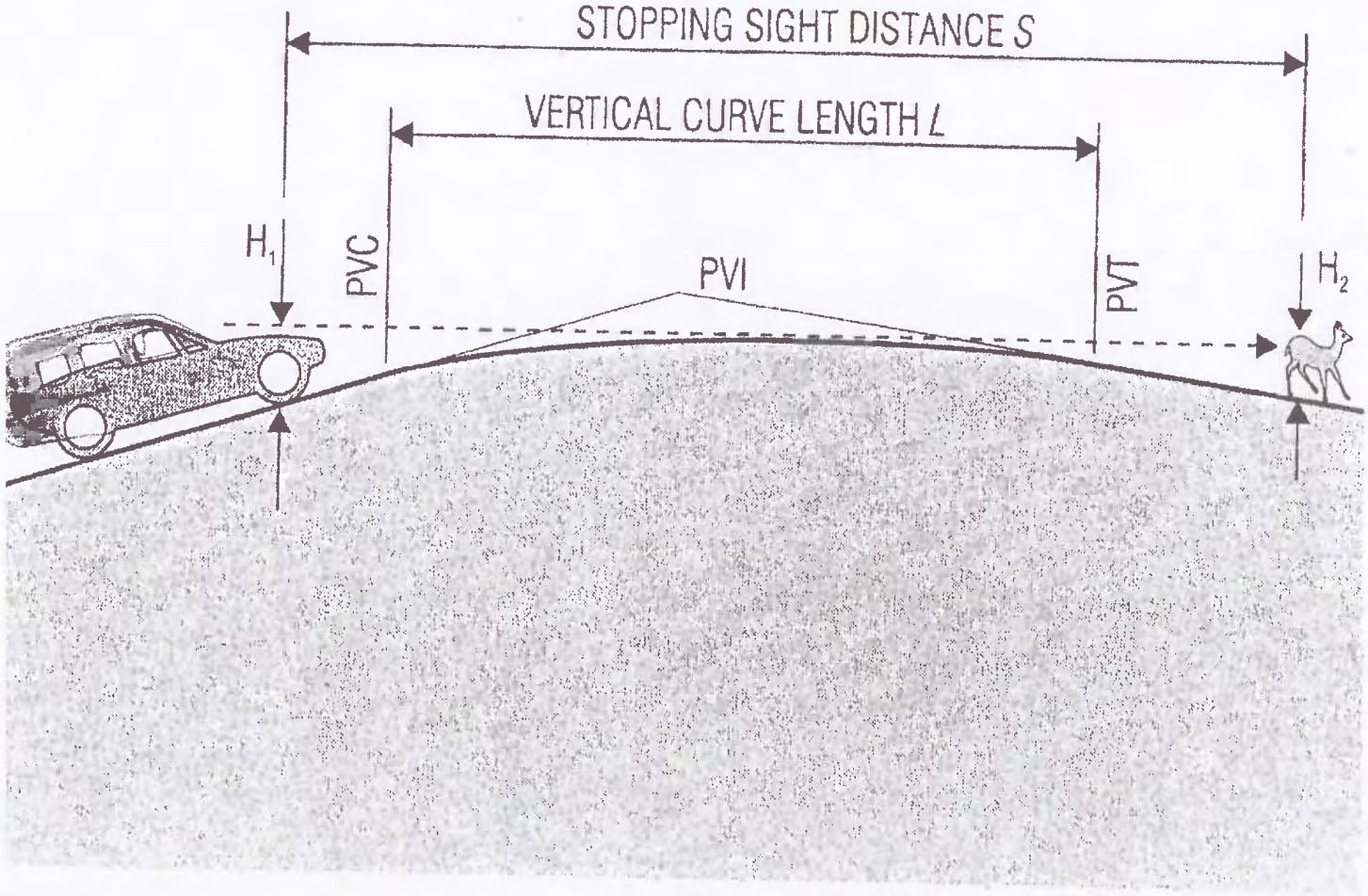

Fig. 16.15 Stopping sight distance on a crest vertical curve.

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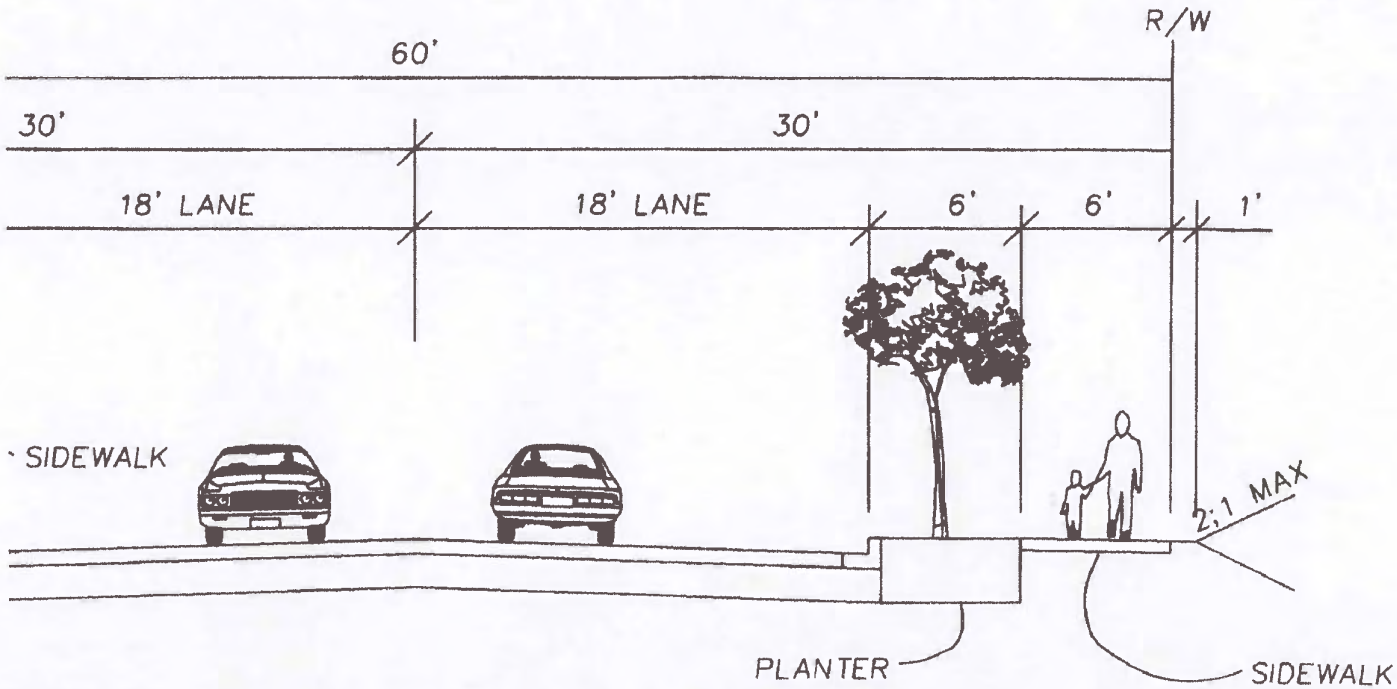
Woodinville Road Standard

GH DENSITY RESIDENTIAL ST



MENT "b"

TREATMENT "A"
(preferred)

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Actual Curb Configuration

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Road Safety Significantly Below Standards

Safety Factor	Current Standards	Actual Conditions on 178th/151st	Actual Compared to Standard
Maximum Grade: Residential Access	15%	> 21% (at some locations) > 15% (half the total length of road)	**140%**
Sight Distance - Vertical Curves At 15% Grade At 23% Grade	 > 250 feet > 340 feet	 < 100 feet < 100 feet	 **250%** **340%**
Sight Distance - Entering Road	> 200 feet	< 110 feet	**182%**
Pedestrian Protection	Square Curb	Roll Curb	
Number of homes served by single point of access	75	87 (current) 107 (Draughn at average R1) 167 (Draughn at average R4) 207 (Draughn at average R6)	**116%** **143%** **223%** **276%**
Maximum Block Length	< 990 feet	> 2,700 feet	**273%**

Standards per Woodinville Public Works Transportation Infrastructure Standards and Specifications and Woodinville Municipal Code

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Recommendation

- Allow no vehicular access, construction related or permanent, to the Draughn property via 178th Street / 151st Way.

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To: City of Woodinville

From: Shannon Emerick, Professional Civil Engineer, State of WA
MS Civil Engineering, WSU 1991
BS Civil Engineering, WSU 1989

Subject: Traffic Safety issues affecting the rezoning and comprehensive plan amendments for the Draughn Property

Summary

In the rezoning request, the applicant has identified 178th St. and its extension, 151st Way, as the source of access in and out of the property. The purpose of this document is to make the City aware that 178th Street and 151st Way are significantly out of conformance with Woodinville's design standards, and, in the interest of public safety, are not appropriate to serve as access for development on the Draughn Property.

Briefly, the hazards are as follows:

- Steeper than allowable grades
- Inadequate stopping distances
- Inadequate pedestrian protection
- Inadequate with respect to emergency service

Recommendations

Based on the information contained in the following document, in the interest of public safety, I recommend that the Comprehensive Plan be amended to include the following conditions regarding the Draughn Property.

Condition	**Allow no vehicular access, construction-related or permanent to the Draughn property via 178th St/151st Way.**

Findings: Existing Road Safety on 178th/151st is Significantly Below Current Woodinville Standards:

	Current Standards	Actual conditions on 178th/151st	Compared to Standard
Maximum Grade[1]: Residential Access Residential Collector	15% 12%	> 21% (some locations) > 15% (half of total length)	140%
Sight Distance: Vertical Curves[2] For 15% Grade For 23% Grade	> 250 feet > 340 feet	< 100 feet < 100 feet	250% 340%
Sight Distance: Entering road[3]	> 200 feet	< 110 feet	180%
Pedestrian Protection[4]	Square curb	Roll curb	
Emergency Service[5]: Number of homes served by a single point of access	75	87 (current) 107 (w/ Draughn at R1) 167 (w/ Draughn at R4) 207 (w/ Draughn at R6)	116% 143% 223% 276%
Maximum Block Length[6]	< 990 feet	> 2700 feet**	270%

[1] Per Woodinville Public Works Transportation Infrastructure Standards and Specifications 1-4.2.5
[2] Per Woodinville Public Works Transportation Infrastructure Standards and Specifications 1-4.2.4
[3] Per Woodinville Public Works Transportation Infrastructure Standards and Specifications 1-4.2.6 and Standard Detail 316
[4] Per Woodinville Public Works Transportation Infrastructure Standards and Specifications 1-4.3.2 and Standard Details 104A, 104B, and 320A
[5] Woodinville Municipal Code, Chapter 20, Proposed Amendment
[6] Woodinville Municipal Code, Chapter 20, Proposed Amendment
*Grades were measured by me using a pocket transit/compass (a.k.a. Brunton), the standard field tool used by geologists for measuring slopes.
**From single point of access at 178th St. to edge of Draughn

Report

Clarification: 178th Street and its extension, 151st Way is an **EXISTING street** with existing houses. It cannot be rebuilt now to meet current standards. Further, these standards cannot be safely met using signage or speed mitigation at a later date.

Substantiation of Findings:

Excessively Steep Road Grades

Woodinville has established the following allowable maximum grades:

Type of Street	Maximum Grade	Variance Limit	178th/151st
Private Street			
Residential	15		
Commercial	10		
Residential Street	15	18	**over 23%**
Collector			
Residential	12		
Commercial	10		
Minor Arterial	10		
Principal Arterial	10		

Actual road grade exceeds standards of 12% maximum grade for a "residential access street" over approximately half of the total existing road length. At places, road grades are in excess of 21%, exceeding standards by a factor of 1.4.

In addition, it may be questioned whether 178th St/151st Way may actually be considered a residential collector. To our knowledge, Woodinville has created no official definition of "residential access street" or "residential collector". Therefore, in lieu of an existing Woodinville definition, I note King County's definitions.

2.01 Road Classification: "....Function is the controlling element for classification and shall govern right of way , road width, and road geometrics.

2.03 Neighborhood Collectors: Function: "Streets connecting two or more neighborhoods and typically connecting to arterials or other neighborhood collectors"

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If 178th Street/151st Way is thus defined as a "neighborhood collector", its maximum grade would therefore be 12% grade. Thus we have grades on this street which would be nearly twice as steep as allowable.

Inadequate Stopping Sight distances at Changes in Grade

One very serious problem on 178th St/151st Way is inadequate **stopping sight distances** at grade changes in the road. Necessary stopping sight distances at some locations on this hill are, in some cases, inadequate by a factor of more than 2.5 to 3.4 times the distance drivers can see.

Five blind spots on 178th/151st each represent distinct challenges. These blind spots are shown on Figures 2 and 3, with photos showing individual blind spots included as Figures 4 through 8.

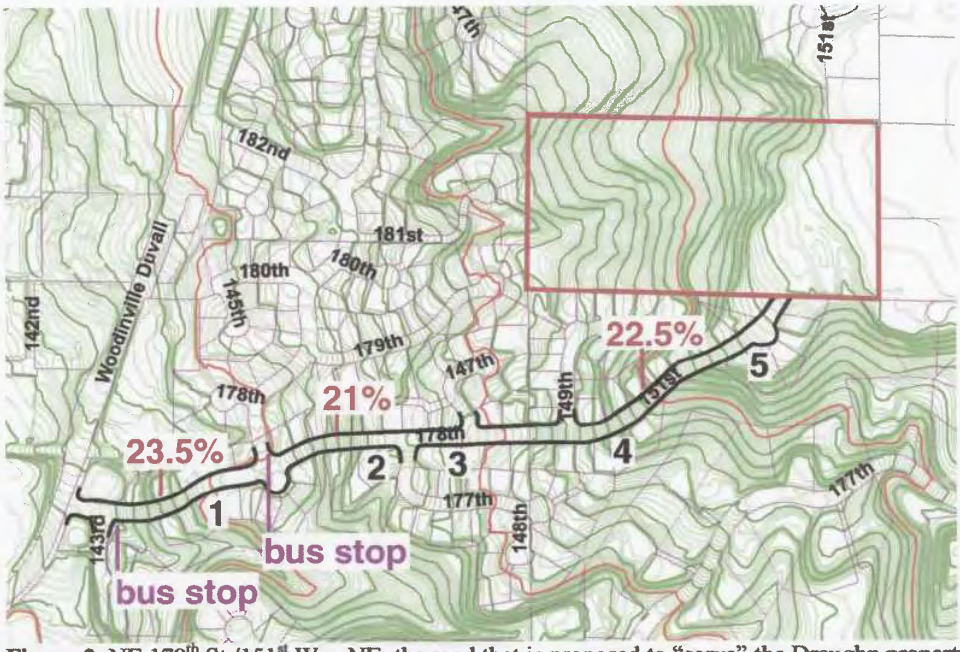

Figure 2. NE 178th St./151st Way NE, the road that is proposed to "serve" the Draughn property. Black numbers beneath the road label the blind spots on the road. Grades are shown above the road in red. The Draughn property is outlined in red.

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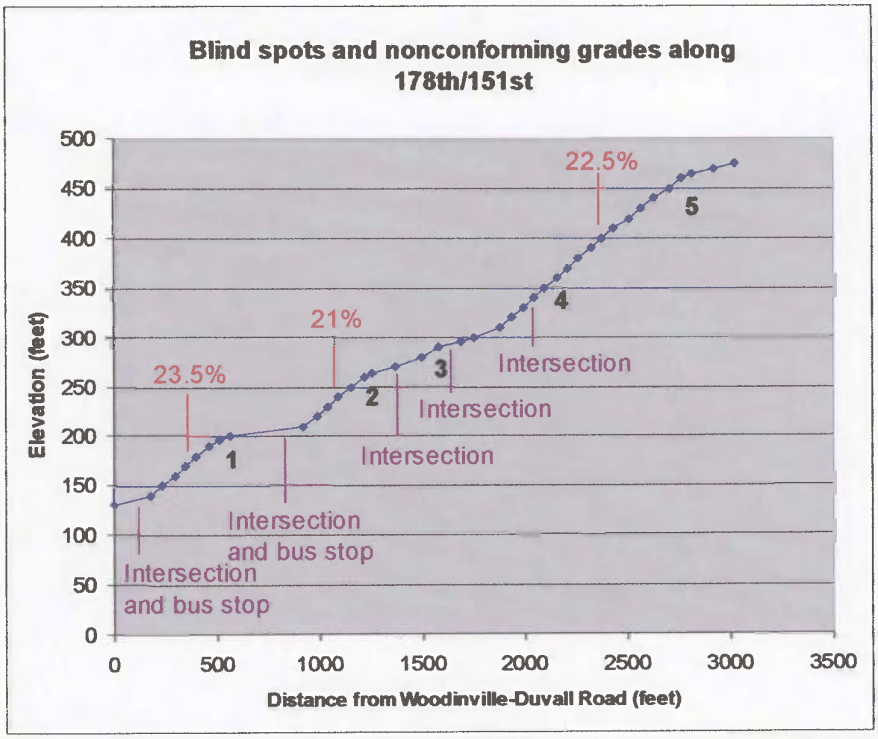

Figure 3. Cross-section of 178th/151st, with blind spots and nonconforming grades labeled. Vertically exaggerated to accentuate the blind spots created by changes in grade. Blind spots 1, 2, and 3 are caused by changes in grade; 4 is caused by a curve in the road; 5 is a combination of curve and grade change.

Table 1. Blind spots on Nosebleed Hill.

Blind spot	Caused by	Exacerbating factors
1	Grade change	School bus stop immediately above the blind spot. 23% grade below the blind spot.
2	Grade change	Intersection immediately above the blind spot. 21% grade below the blind spot.
3	Grade change	Intersections immediately above and immediately below the blind spot.
4	Curve	22% grade at the blind spot.
5	Curve and grade change	Snow accumulates much more heavily at the top of Nosebleed Hill than at the bottom.

Figure 4. Blind spot 1 is caused by a change in grade. The largest school bus stop in the neighborhood is just above this blind spot. At the point this photo was taken, the road grade is over 23%.

Figure 5. Blind spot 2 is caused by a change in grade. The dangers of this blind spot are increased by children walking to and from the school bus stop just downhill, and an intersection just above the blind spot.

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Figure 6. Blind spot 3 is caused by a change in grade. It has intersections immediately below and immediately above it.

Figure 7. Blind spot 4 is caused by a curve in the road. The grade on this stretch of the road is over 22%.

Figure 8. Blind spot 5 is caused by a curve in the road and a change in grade.

Design Standard:

Woodinville Transportation Infrastructure Standards and Specifications 1-4.2.5 : Horizontal and Vertical Street Alignment states "Alignment of streets within the City shall be in conformance with the guidelines of the *American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets* and the *Washington State Department of Transportation Design Manual*." Portions of this text are included as Appendix A

Sight distance, defined by AASHTO, is "the length of road ahead that is visible to the driver." AASHTO further dictates that "The available sight distance on a roadway should be sufficiently long to enable a vehicle traveling at or near the design speed to stop before reaching a stationary object in its path."

[Required] stopping sight distance for a grade change in the road (vertical curve) is defined as "the sum of two distances: (1) the distance traversed by the vehicle from the instant the driver sights an object necessitating a stop to the instant the brakes are applied; and (2) the distance needed to stop the vehicle from the instant brake application begins. These are referred to as brake reaction distance and braking distance, respectively."

AASHTO's standard design tables typically assume a 2.5 second brake reaction time, which exceeds the 90th percentile of reaction time for all drivers. Design speed is considered the 85th percentile of actual driving speeds (note, not the posted speed limit).

Values in AASHTO's standard Stopping Sight Distance *table,* Exhibit 3-1 are not adjusted for grade. Exhibit 3-2. And/ or equation 3.3 are used to modify these values for grade. Stopping distances are longer on downgrades.

Actual Conditions on 178th/151st Way:

Using established AASHTO standards, at some locations on 178th and 151st Way, actual sight distances are *less than the brake reaction distance alone*. To say that in clearer language, a driver cannot even get his foot TO the brake before hitting that object in the road. The other part of sight stopping distance is braking distance. Again, in clear language, drivers on 178th/151st still have inadequate distance to stop even if they are *already braking* when they first see the object. All this is considered using a stationary object in the road, not an oncoming car.

Inadequate Entering Sight distances

Entering sight distance is a measure of how far you can see into the road ahead of you as you're getting ready to merge into traffic on the road. It's critical safety feature both for the people trying to get into the road safely from their side street or driveway, and for people already driving on the main road who might need to slow or stop to avoid hitting another car entering or blocking the road. Woodinville Transportation Infrastructure Standards and Specifications 1-4.2.6 state "Providing adequate sight distance from a street or driveway is of *utmost importance* for ensuring safe street and driveway operation."

Design Standard

Per Woodinville Transportation Infrastructure Standards and Specifications 1-4.2.6 and Standard Detail 316 require a *minimum entering sight distance on a 25mph road of 200 feet*. This detail is included as Appendix B. Note that the tabular values in detail 316 do not include adjustments for road grade.

Actual Conditions on 178th St/151st Way

Measured entering sight distances at least two intersections and six driveways are *100 feet or less*, in other words, less than half the required distances.

In clear language, sight distances on 178th Street and 151st Way are too short for a driver on 178th to stop for entering traffic if necessary, and too short for drivers on the side streets or adjacent driveways to safely enter. *These inadequate sight distances were due to curvature of the road and not landscaping or some other removable obstruction.*

Inadequate Pedestrian Safety Due to Curb and Sidewalk Design

Pedestrian safety is also of concern on 178th St/151st Way, largely because of roll curbs which do not meet Woodinville's current standards, and sidewalk placement directly adjacent to the roadway.

Woodinville's curb and sidewalk design standards, per Woodinville Transportation Infrastructure Standards and Specifications and Standard Details 104A, 104B, and 320A are included as Appendix C, as well as a photograph of actual conditions.

This is exacerbated by the fact that road grade in some locations on 151st Way is in excess of 22%. Further, on 151st Way, residents will see more than a sixfold traffic increase even if Draughn is developed at an average R4 density.

The Effect of Cumulative Dangers

The roll curbs, the steep grade, the poor visibility – all of these factors combine to make the hill treacherous to cars and pedestrians alike, particularly in wet weather, and **extremely** more so if it's icy.

Nonconforming to Emergency Service Limits

The intent of limiting the Number of homes served from a single point of access and limiting street lengths is in part to meet Fire Code requirements. Its purpose is to prevent neighborhoods from being orphaned from emergency services in the event of a roadway obstruction. Obstructions might be a car accident, a landslide, a road washout, or other blockage. These standards are established without taking road grade into account. Please note, however, steep grade will increase the likelihood of any of those previously mentioned obstructions. Further, it's questionable whether emergency vehicles of any kind could climb this hill in ice or snow. Although the City must serve the existing neighborhood to the best of its abilities, it is highly undesirable to subject additional Woodinville residents to this risk.

History of Accidents

Please refer to Appendix D

Level of Service

Level of service is a measure of convenience and safety based upon HOW **MANY** cars the road can accommodate.

Traffic studies of 178th Street and its entry onto Woodinville-Duvall Road may later identify risks associated with stacking of cars up 178th Street and the resulting dangers of inadequate stopping distances on the steep grade approaching Woodinville-Duvall Road from the bottom of 178th Street.

However, since 178th St and 151st Way are so far out of compliance with safety standards in their other design aspects, level of service is immaterial. 178th St/151st Way is out of conformance with current standards without regard to level of service.

Recommendations:

Undeniably, a different, safer point of entry would be in the best public interest of both residents of the Draughn property and existing residents served by 178th Street and 151st Way.

As a result, in the interest of public safety, I make the following recommendation regarding the Draughn Property:

Amend the Comprehensive plan to include the following condition for development of the Draughn Property

Condition	**Allow no vehicular access, construction-related or permanent to the Draughn property via 178th St/151st Way**.

Please note that one possible alternative for Draughn property access is the existing "Easement for public road access" from the north of the property. This is the easement that the property owner currently uses to get to the property, and it connects into Woodinville-Duvall Road via **151st Avenue (Note: not 151st Way)**, a road built in 2003, which presumably does meet current road standards, and currently serves just 31 homes that I am aware of.

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Appendix A
Referenced AASHTO Standards

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Appendix B
Referenced Woodinville Standards for Entering Sight Distances

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Appendix C
Referenced Woodinville Standards for Pedestrian Protection

Actual curbs and sidewalks

Figure 7. Actual curb configuration on 151st Way

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Appendix D
History of Previous Accidents on 178th St/151st Way

Please see attached community notes

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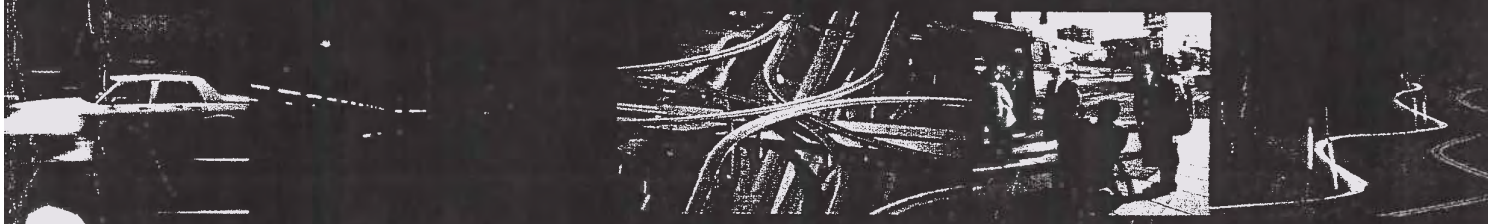
A POLICY ON GEOMETRIC DESIGN OF



HIGHWAYS AND STREETS

2001

FOURTH EDITION

AMERICAN ASSOCIATION OF STATE HIGHWAY
AND TRANSPORTATION OFFICIALS

CHAPTER 3
ELEMENTS OF DESIGN

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INTRODUCTION

The alignment of a highway or street produces a great impact on the environment, the fabric of the community, and the highway user. The alignment is comprised of a variety of elements joined together to create a facility that serves the traffic in a safe and efficient manner, consistent with the facility's intended function. Each alignment element should complement others to produce a consistent, safe, and efficient design.

The design of highways and streets within particular functional classes is treated separately in later chapters. Common to all classes of highways and streets are several principal elements of design. These include sight distance, superelevation, traveled way widening, grades, horizontal and vertical alignments, and other elements of geometric design. These alignment elements are discussed in this chapter, and, as appropriate, in the later chapters pertaining to specific highway functional classes.

SIGHT DISTANCE

General Considerations

A driver's ability to see ahead is of the utmost importance in the safe and efficient operation of a vehicle on a highway. For example, on a railroad, trains are confined to a fixed path, yet a block signal system and trained operators are needed for safe operation. On the other hand, the path and speed of motor vehicles on highways and streets are subject to the control of drivers whose ability, training, and experience are quite varied. For safety on highways, the designer should provide sight distance of sufficient length that drivers can control the operation of their vehicles to avoid striking an unexpected object in the traveled way. Certain two-lane highways should also have sufficient sight distance to enable drivers to occupy the opposing traffic lane for passing other vehicles without risk of a crash. Two-lane rural highways should generally provide such passing sight distance at frequent intervals and for substantial portions of their length. By contrast, it is normally of little practical value to provide passing sight distance on two-lane urban streets or arterials. The proportion of a highway's length with sufficient sight distance to pass another vehicle and interval between passing opportunities should be compatible with the design criteria established in the subsequent chapter pertaining to the functional classification of the specific highway or street.

Four aspects of sight distance are discussed below: (1) the sight distances needed for stopping, which are applicable on all highways; (2) the sight distances needed for the passing of overtaken vehicles, applicable only on two-lane highways; (3) the sight distances needed for decisions at complex locations; and (4) the criteria for measuring these sight distances for use in design. The design of alignment and profile to provide sight distances and that satisfy the

applicable design criteria are described later in this chapter. The special conditions related to sight distances at intersections are discussed in Chapter 9.

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Stopping Sight Distance

Sight distance is the length of the roadway ahead that is visible to the driver. The available sight distance on a roadway should be sufficiently long to enable a vehicle traveling at or near the design speed to stop before reaching a stationary object in its path. Although greater lengths of visible roadway are desirable, the sight distance at every point along a roadway should be at least that needed for a below-average driver or vehicle to stop.

Stopping sight distance is the sum of two distances: (1) the distance traversed by the vehicle from the instant the driver sights an object necessitating a stop to the instant the brakes are applied; and (2) the distance needed to stop the vehicle from the instant brake application begins. These are referred to as brake reaction distance and braking distance, respectively.

Brake Reaction Time

Brake reaction time is the interval from the instant that the driver recognizes the existence of an obstacle on the roadway ahead that necessitates braking to the instant that the driver actually applies the brakes. Under certain conditions, such as emergency situations denoted by flares or flashing lights, drivers accomplish these tasks almost instantly. Under most other conditions, the driver must not only see the object but must also recognize it as a stationary or slowly moving object against the background of the roadway and other objects, such as walls, fences, trees, poles, or bridges. Such determinations take time, and the amount of time needed varies considerably with the distance to the object, the visual acuity of the driver, the natural rapidity with which the driver reacts, the atmospheric visibility, the type and the condition of the roadway, and nature of the obstacle. Vehicle speed and roadway environment probably also influence reaction time. Normally, a driver traveling at or near the design speed is more alert than one traveling at a lesser speed. A driver on an urban street confronted by innumerable potential conflicts with parked vehicles, driveways, and cross streets is also likely to be more alert than the same driver on a limited-access facility where such conditions should be almost nonexistent.

The study of reaction times by Johansson and Rumar (**1**) referred to in Chapter 2 was based on data from 321 drivers who expected to apply their brakes. The median reaction-time value for these drivers was 0.66 s, with 10 percent using 1.5 s or longer. These findings correlate with those of earlier studies in which alerted drivers were also evaluated. Another study (**2**) found 0.64 s as the average reaction time, while 5 percent of the drivers needed over 1 s. In a third study (**3**), the values of brake reaction time ranged from 0.4 to 1.7 s. In the Johansson and Rumar study (**1**), when the event that required application of the brakes was unexpected, the drivers' response times were found to increase by approximately 1 s or more; some reaction times were greater than 1.5 s. This increase in reaction time substantiated earlier laboratory and road tests in which the conclusion was drawn that a driver who needed 0.2 to 0.3 s of reaction time under alerted conditions would need 1.5 s of reaction time under normal conditions.

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Minimum brake reaction times for drivers could thus be at least 1.64 s and 0.64 s for alerted drivers as well as 1 s for the unexpected event. Because the studies discussed above used simple prearranged signals, they represent the least complex of roadway conditions. Even under these simple conditions, it was found that some drivers took over 3.5 s to respond. Because actual conditions on the highway are generally more complex than those of the studies, and because there is wide variation in driver reaction times, it is evident that the criterion adopted for use should be greater than 1.64 s. The brake reaction time used in design should be large enough to include the reaction times needed by nearly all drivers under most highway conditions. Both recent research (**4**) and the studies documented in the literature (**1, 2, 3**) show that a 2.5-s brake reaction time for stopping sight situations encompasses the capabilities of most drivers, including those of older drivers. The recommended design criterion of 2.5 s for brake reaction time exceeds the 90th percentile of reaction time for all drivers and has been used in the development of Exhibit 3-1.

A brake reaction time of 2.5 s is considered adequate for conditions that are more complex than the simple conditions used in laboratory and road tests, but it is not adequate for the most complex conditions encountered in actual driving. The need for greater reaction time in the most complex conditions encountered on the roadway, such as those found at multiphase at-grade intersections and at ramp terminals on through roadways, can be found later in this chapter in the section on "Decision Sight Distance."

Braking Distance

The approximate braking distance of a vehicle on a level roadway traveling at the design speed of the roadway may be determined from the following equation:

Metric	US Customary
$d = 0.039 \dfrac{V^2}{a}$	$d = 1.075 \dfrac{V^2}{a}$ **(3-1)**
where: d = braking distance, m; V = design speed, km/h; a = deceleration rate, m/s^2	where: d = braking distance, ft; V = design speed, mph; a = deceleration rate, ft/s^2

Studies documented in the literature (**4**) show that most drivers decelerate at a rate greater than 4.5 m/s^2 [14.8 ft/s^2] when confronted with the need to stop for an unexpected object in the roadway. Approximately 90 percent of all drivers decelerate at rates greater than 3.4 m/s^2 [11.2 ft/s^2]. Such decelerations are within the driver's capability to stay within his or her lane and maintain steering control during the braking maneuver on wet surfaces. Therefore, 3.4 m/s^2 [11.2 ft/s^2] (a comfortable deceleration for most drivers) is recommended as the deceleration

85th percentile speed
not posted speed limit
8 mph over posted speed per Woodinville

Metric					US Customary				
Design speed (km/h)	Brake reaction distance (m)	Braking distance on level (m)	Stopping sight distance Calculated (m)	Stopping sight distance Design (m)	Design speed (mph)	Brake reaction distance (ft)	Braking distance on level (ft)	Stopping sight distance Calculated (ft)	Stopping sight distance Design (ft)
20	13.9	4.6	18.5	20	15	55.1	21.6	76.7	80
30	20.9	10.3	31.2	35	20	73.5	38.4	111.9	115
40	27.8	18.4	46.2	50	25	91.9	60.0	151.9	155
50	34.8	28.7	63.5	65	30	110.3	86.4	196.7	200
60	41.7	41.3	83.0	85	35	128.6	117.6	246.2	250
70	48.7	56.2	104.9	105	40	147.0	153.6	300.6	305
80	55.6	73.4	129.0	130	45	165.4	194.4	359.8	360
90	62.6	92.9	155.5	160	50	183.8	240.0	423.8	425
100	69.5	114.7	184.2	185	55	202.1	290.3	492.4	495
110	76.5	138.8	215.3	220	60	220.5	345.5	566.0	570
120	83.4	165.2	248.6	250	65	238.9	405.5	644.4	645
130	90.4	193.8	284.2	285	70	257.3	470.3	727.6	730
					75	275.6	539.9	815.5	820
					80	294.0	614.3	908.3	910

if flat

Note: Brake reaction distance predicated on a time of 2.5 s; deceleration rate of 3.4 m/s^2 [11.2 ft/s^2] used to determine calculated sight distance.

Exhibit 3-1. Stopping Sight Distance

Not adjusted for grade

(17)

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threshold for determining stopping sight distance. Implicit in the choice of this deceleration threshold is the assessment that most vehicle braking systems and the tire-pavement friction levels of most roadways are capable of providing a deceleration of at least 3.4 m/s^2 [11.2 ft/s^2]. The friction available on most wet pavement surfaces and the capabilities of most vehicle braking systems can provide braking friction that exceeds this deceleration rate.

Design Values

The sum of the distance traversed during the brake reaction time and the distance to brake the vehicle to a stop is the stopping sight distance. The computed distances for wet pavements and for various speeds at the assumed conditions are shown in Exhibit 3-1 and were developed from the following equation:

Metric	US Customary
$d = 0.278Vt + 0.039\frac{V^2}{a}$	$d = 1.47Vt + 1.075\frac{V^2}{a}$ **(3-2)**
where: t = brake reaction time, 2.5 s; V = design speed, km/h; a = deceleration rate, m/s^2	where: t = brake reaction time, 2.5 s; V = design speed, mph; a = deceleration rate, ft/s^2

Stopping sight distances exceeding those shown in Exhibit 3-1 should be used as the basis for design wherever practical. Use of longer stopping sight distances increases the margin of safety for all drivers and, in particular, for those who operate at or near the design speed. To ensure that new pavements will have initially, and will retain, friction coefficients comparable to the deceleration rates used to develop Exhibit 3-1, pavement designs should meet the criteria established in the AASHTO *Guidelines for Skid Resistant Pavement Design* (**5**).

In computing and measuring stopping sight distances, the height of the driver's eye is estimated to be 1,080 mm [3.5 ft] and the height of the object to be seen by the driver is 600 mm [2.0 ft], equivalent to the taillight height of a passenger car. The application of these eye-height and object-height criteria is discussed further in the section on "Vertical Alignment" in this chapter.

Effect of Grade on Stopping

When a highway is on a grade, the equation for braking distance should be modified as follows:

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Metric	US Customary	
$d = \dfrac{V^2}{254\left(\left(\dfrac{a}{9.81}\right) \pm G\right)}$	$d = \dfrac{V^2}{30\left(\left(\dfrac{a}{32.2}\right) \pm G\right)}$	(3-3)

In this equation, G is the percent of grade divided by 100, and the other terms are as previously stated. The stopping distances needed on upgrades are shorter than on level roadways; those on downgrades are longer. The stopping sight distances for various grades are shown in Exhibit 3-2. These adjusted sight distance values are computed for wet-pavement conditions using the same design speeds and brake reaction times used for level roadways in Exhibit 3-1.

On nearly all roads and streets, the grade is traversed by traffic in both directions of travel, but the sight distance at any point on the highway generally is different in each direction, particularly on straight roads in rolling terrain. As a general rule, the sight distance available on downgrades is larger than on upgrades, more or less automatically providing the appropriate corrections for grade. This may explain why designers do not adjust stopping sight distance because of grade. Exceptions are one-way roads or streets, as on divided highways with independent design profiles for the two roadways. For these separate roadways, adjustments for grade may be needed.

Variation for Trucks

The recommended stopping sight distances are based on passenger car operation and do not explicitly consider design for truck operation. Trucks as a whole, especially the larger and heavier units, need longer stopping distances from a given speed than passenger vehicles. However, there is one factor that tends to balance the additional braking lengths for trucks with those for passenger cars. The truck driver is able to see substantially farther beyond vertical sight obstructions because of the higher position of the seat in the vehicle. Separate stopping sight distances for trucks and passenger cars, therefore, are not generally used in highway design.

There is one situation in which every effort should be made to provide stopping sight distances greater than the design values in Exhibit 3-1. Where horizontal sight restrictions occur on downgrades, particularly at the ends of long downgrades where truck speeds closely approach or exceed those of passenger cars, the greater height of eye of the truck driver is of little value, even when the horizontal sight obstruction is a cut slope. Although the average truck driver tends to be more experienced than the average passenger car driver and quicker to recognize potential risks, it is desirable under such conditions to provide stopping sight distance that exceeds the values in Exhibits 3-1 or 3-2.

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Not posted speed limit. 85th percentile or posted + 8 (wo 74

Metric							US Customary						
Design speed (km/h)	Stopping sight distance (m) Downgrades 3%	6%	9%	Upgrades 3%	6%	9%	Design speed (mph)	Stopping sight distance (ft) Downgrades 3%	6%	9%	Upgrades 3%	6%	9%
20	20	20	20	19	18	18	15	80	82	85	75	74	73
30	32	35	35	31	30	29	20	116	120	126	109	107	104
40	50	50	53	45	44	43	25	158	165	173	147	143	140
50	66	70	74	61	59	58	30	205	215	227	200	184	179
60	87	92	97	80	77	75	35	257	271	287	237	229	222
70	110	116	124	100	97	93	40	315	333	354	289	278	269
80	136	144	154	123	118	114	45	378	400	427	344	331	320
90	164	174	187	148	141	136	50	446	474	507	405	388	375
100	194	207	223	174	167	160	55	520	553	593	469	450	433
110	227	243	262	203	194	186	60	598	638	686	538	515	495
120	263	281	304	234	223	214	65	682	728	785	612	584	561
130	302	323	350	267	254	243	70	771	825	891	690	658	631
							75	866	927	1003	772	736	704
							80	965	1035	1121	859	817	782

Exhibit 3-2. Stopping Sight Distance on Grades

Decision Sight Distance

Stopping sight distances are usually sufficient to allow reasonably competent and alert drivers to come to a hurried stop under ordinary circumstances. However, these distances are often inadequate when drivers must make complex or instantaneous decisions, when information is difficult to perceive or when unexpected or unusual maneuvers are required. Limiting sight distances to those needed for stopping may preclude drivers from performing evasive maneuvers, which often involve less risk and are otherwise preferable to stopping. Even with an appropriate complement of standard traffic control devices in accordance with the MUTCD (**6**), stopping sight distances may not provide sufficient visibility distances for drivers to corroborate advance warning and to perform the appropriate maneuvers. It is evident that there are many locations where it would be prudent to provide longer sight distances. In these circumstances, decision sight distance provides the greater visibility distance that drivers need.

Decision sight distance is the distance needed for a driver to detect an unexpected or otherwise difficult-to-perceive information source or condition in a roadway environment that may be visually cluttered, recognize the condition or its potential threat, select an appropriate speed and path, and initiate and complete the maneuver safely and efficiently (**7**). Because decision sight distance offers drivers additional margin for error and affords them sufficient length to maneuver their vehicles at the same or reduced speed, rather than to just stop, its values are substantially greater than stopping sight distance.

Drivers need decision sight distances whenever there is a likelihood for error in either information reception, decision-making, or control actions (**8**). Examples of critical locations where these kinds of errors are likely to occur, and where it is desirable to provide decision sight distance include interchange and intersection locations where unusual or unexpected maneuvers are required, changes in cross section such as toll plazas and lane drops, and areas of concentrated

EXHIBIT 125
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Appendix B
Referenced Woodinville Standards for Entering Sight Distances

EXHIBIT 125
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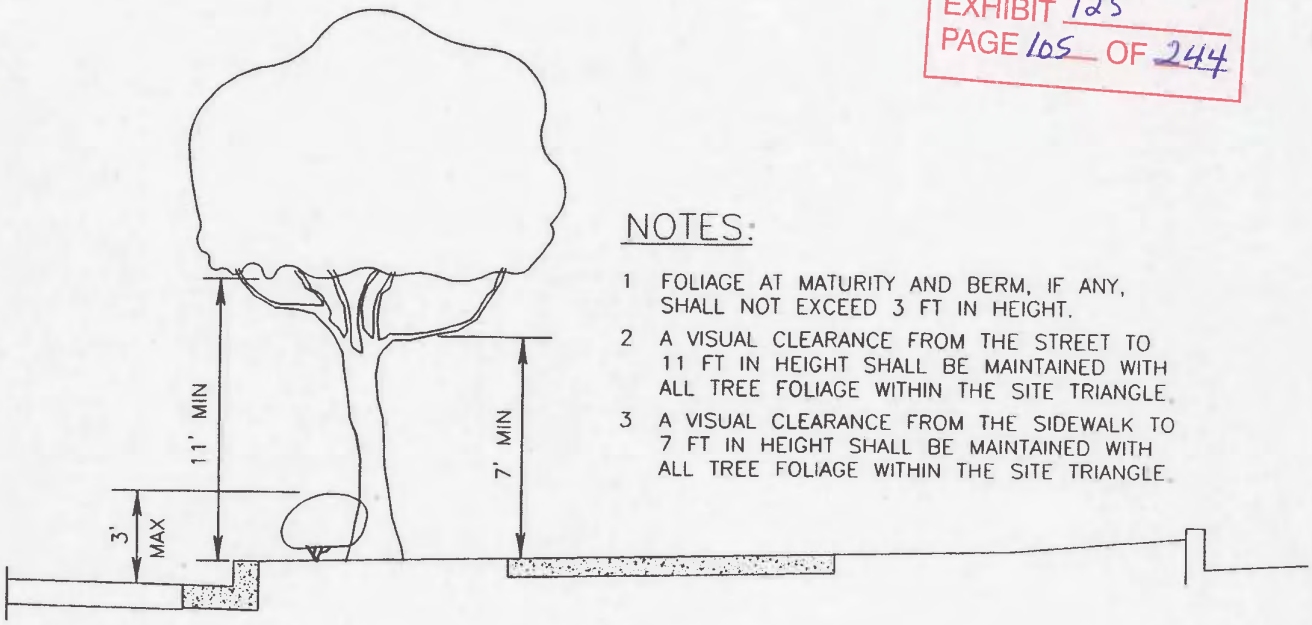


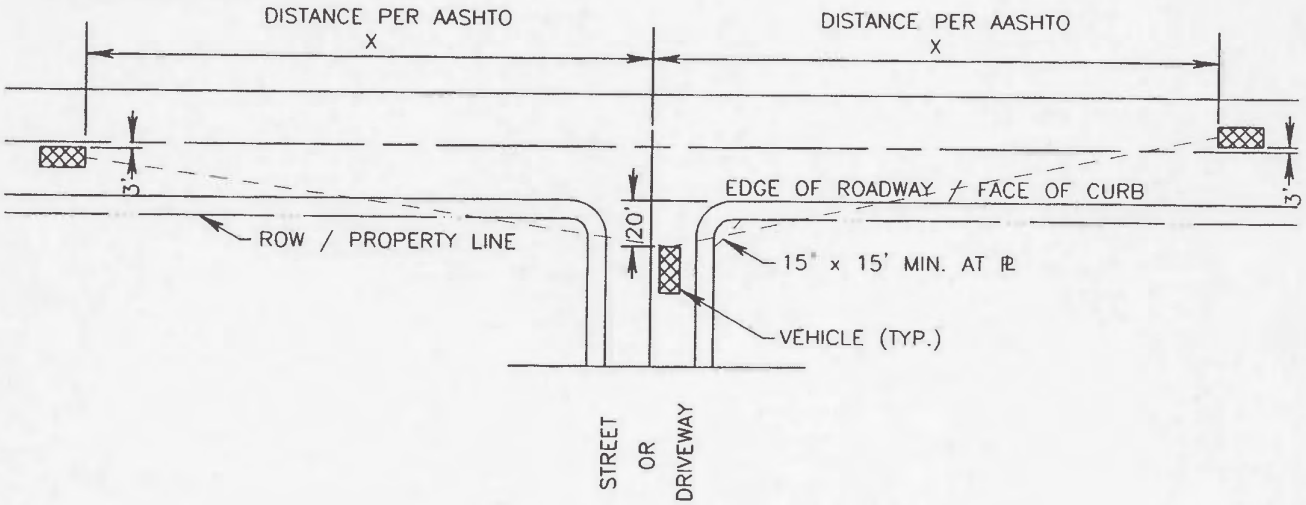
NOTES:

1. FOLIAGE AT MATURITY AND BERM, IF ANY, SHALL NOT EXCEED 3 FT IN HEIGHT.
2. A VISUAL CLEARANCE FROM THE STREET TO 11 FT IN HEIGHT SHALL BE MAINTAINED WITH ALL TREE FOLIAGE WITHIN THE SITE TRIANGLE.
3. A VISUAL CLEARANCE FROM THE SIDEWALK TO 7 FT IN HEIGHT SHALL BE MAINTAINED WITH ALL TREE FOLIAGE WITHIN THE SITE TRIANGLE.

AASHTO

POSTED SPEED LIMIT (MPH)	DESIGN SPEED (MPH)	MINIMUM X (DISTANCE (FT)
25	30	200'
30	35	250'
35	40	325'
40	45	400'
45	50	475'
50	55	550'
55	60	650'

PUBLIC STREET



N.T.S.

City of Woodinville DEPARTMENT OF PUBLIC WORKS	DRIVEWAY & INTERSECTION SITE TRIANGLES	316 revision date NOV, 98

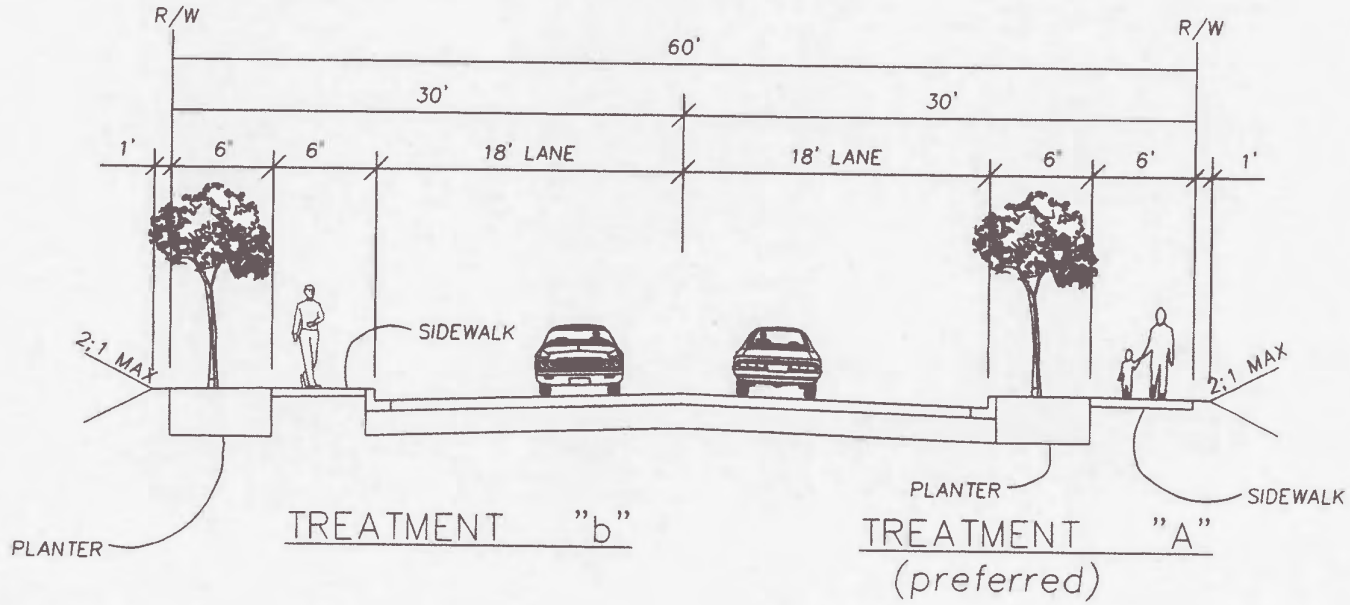
(22)

Appendix C
Referenced Woodinville Standards for Pedestrian Protection

Actual curbs and sidewalks

Figure 7. Actual curb configuration on 151st Way

"HIGH DENSITY RESIDENTIAL" STREETS



NOTES:

1 "HIGH DENSITY RESIDENTIAL" STREETS ARE INTENDED TO SERVE AREAS WITH ZONING R-4 OR GREATER CLASSIFICATION.

2 TREATMENT B REQUIRES APPROVAL FROM PUBLIC WORKS DEPARTMENT

EXHIBIT 125
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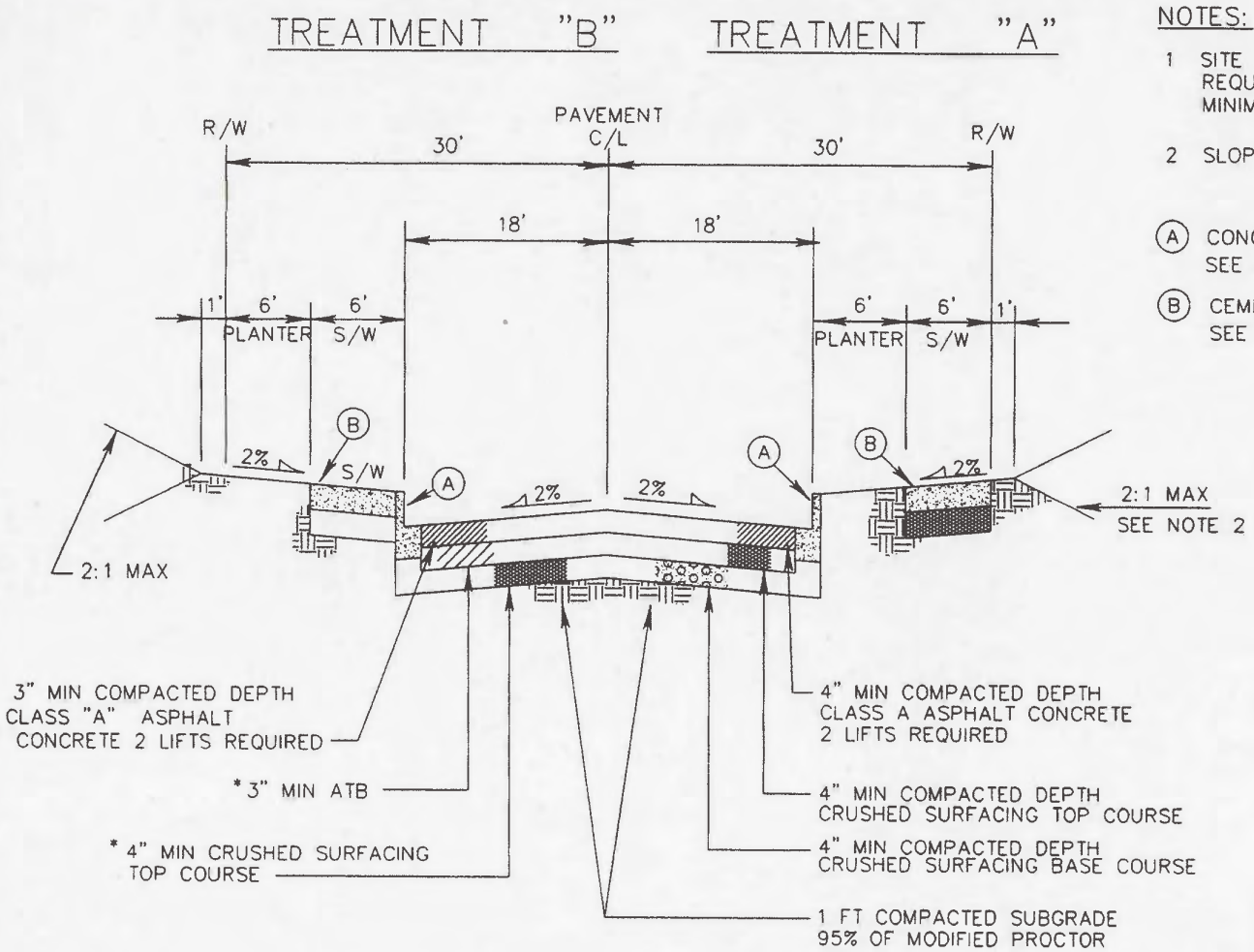
N.T.S.

City of Woodinville DEPARTMENT OF PUBLIC WORKS	TYPICAL ILLUSTRATION HIGH DENSITY RESIDENTIAL STREETS	104A revision date NOV, 98

(24)



*ALTERNATE PAVEMENT SECTION

STANDARD PAVEMENT SECTION

NOTES:

1 SITE SPECIFIC PAVEMENT DESIGNS ARE REQUIRED. PAVEMENT SECTION SHOWN IS MINIMUM REQUIRED.

2 SLOPE EASEMENTS MAY BE REQUIRED

(A) CONCRETE CURB AND GUTTER TYPE A-1 SEE STD DETAIL 320A

(B) CEMENT CONCRETE SIDEWALK SEE STD DETAIL 321

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N.T.S.

City of Woodinville DEPARTMENT OF PUBLIC WORKS	TYPICAL ROADWAY SECTION HIGH DENSITY RESIDENTIAL STREETS	104B revision date NOV, 98

(25)

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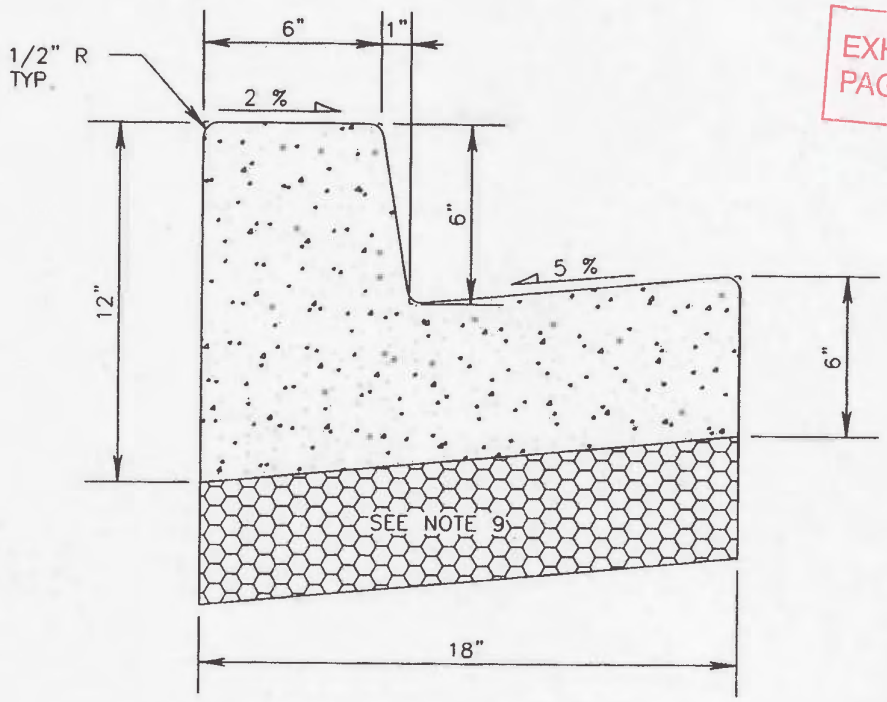

TYPICAL SECTION

NOTES:

1 FORMS SHALL BE TRUE TO LINE AND GRADE AND SECURELY STAKED.

2 FULL DEPTH EXPANSION JOINTS SHALL BE PLACED ON 15 FOOT CENTERS.

3 THRU JOINTS SHALL BE PLACED ADJACENT TO CATCH BASINS, INLETS AT POINTS OF TANGENCY ON STREETS, AND AT ALLEY AND DRIVEWAY RETURNS. MAXIMUM SPACING SHALL BE 20 FT. PRE-MOLDED JOINT FILLER SHALL 1/2" WIDE AND CONFORM TO AASHTO DESIGN M213. DUMMY JOINTS SHALL BE PLACED EVERY 5 FT.

4 ALL JOINTS SHALL BE CLEAN AND EDGED.

5 CEMENT CONCRETE SHALL BE CLASS 3000 WITH 5% TO 6% AIR-ENTRAINMENT.

6 ONLY STEEL FORMS SHALL BE USED ON TANGENT SECTIONS. WOOD FORMS MAY BE USED ON CURVED SECTIONS.

7 FINISH SHALL BE LIGHT BROOM FINISH WITH SHINE JOINTS.

8 THE FINISHED CURB SHALL IMMEDIATELY BE SPRAYED WITH A TRANSPARENT CURING COMPOUND. CURB SHALL BE COVERED BY WATERPROOF PAPER OR PLASTIC MEMBRANE IN THE EVENT OF RAIN OR OTHER UNSUITABLE WEATHER. CURING TIME SHALL BE A MINIMUM OF 72 HOURS.

9 ALL CURB AND GUTTER SHALL BE PLACED ON A MIN OF 4" OF CRUSHED SURFACING TOP COURSE COMPACTED TO 95% OF MAXIMUM DRY DENSITY.

N.T.S.

DEPARTMENT OF PUBLIC WORKS	CEMENT CONCRETE CURB & GUTTER, TYPE A-1	320A revision date NOV, 98

Appendix D
History of Previous Accidents on 178th St/151st Way

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Please see attached community notes

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5

King County
Public Benefit Rating System

- PBRS is a tax program
- Provides incentives to landowners to preserve open space resources
- Open space resources are defined in PBRS Rating system. Examples: wetlands, scenic viewpoint, wildlife habitat
- In return for preserving resources, land is assessed at *current use* rather than *highest best use*
- Landowner receives a reduction in property taxes
- Draughn property was enrolled in the program 1993-2004
- Received an 80% reduction in taxes for portion enrolled in program

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PBRS APPLICATION PROCESS

- Creates a file describing environmental features of the property
- Applicant prepares a sworn application identifying resources present on the property
- Joint Panel of three members from the City and three from King County
    - Conducts site investigation
    - Verifies existence of eligible open space resources
    - Makes joint recommendations
- Ordinance is adopted approving the open space designation

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PBRS FILE
ESTABLISHES THE PRESENCE OF THESE ENVIRONMENTAL FEATURES ON THE DRAUGHN PROPERTY

- Wetlands
- Steep slopes of 40% & greater
- Scenic Viewpoint
- Large Spring/Stream
- Seismic Hazard area
- Sensitive area
- Wildlife Habitat

EXHIBIT 125
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NELSON/DRAUGHN PBRS FILE CONTAINS
ENVIRONMENTAL INFORMATION
NOT AVAILABLE IN
WOODINVILLE'S RECORDS & MAP FOLIOS
OR
CAMWEST'S SEPA CHECKLIST

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- Woodinville's Critical Areas Map does not show the steep slopes, wetlands, sensitive area or the spring

- Woodinville's Sensitive Geologic Area Map does not show the seismic area or the steep slopes

- Woodinville's Hydrologic Area Map does not show the spring/stream

- Woodinville's PBRS File is incomplete
  Woodinville's file is missing the
  - Application
  - Justification
  - Site investigation
  - Joint Panel's final recommendations

- CamWest's SEPA Checklist mentions only the steep slopes and asserts there are no known sensitive areas, streams , wetlands or history of unstable soils

EXHIBIT 125
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KING COUNTY PBRS FILE

- Contains information about the environmental characteristics of the Draughn property not available from Woodinville's records, maps or CamWest's SEPA Checklist

- The PBRS environmental information was obtained from a sworn application and justification

- The PBRS information was verified by a Joint Panel of Woodinville and King County

- The PBRS file characterizes the property as environmentally complex and establishes the presence of wetlands, steep slopes, seismic hazard area, sensitive area, wildlife habitat and a large spring/stream on the property

EXHIBIT 125
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EXHIBIT 125
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TO: Woodinville City Council
Woodinville Planning Commission

FROM: The Woodinville Conservancy

DATE: September 1, 2004

RE: CamWest's Proposed Comprehensive Plan Amendment and Zoning Map Amendment for the Draughn Property

We believe that before the City of Woodinville commits to a particular course of action with respect to CamWest's proposals, that the City needs to consider the information contained in the attached documents obtained from the files of the **King County Public Benefit Rating System Program (PBRS)**, also referred to as the **"Open Space Program."** These documents provide valuable environmental information regarding the Draughn property that is not available in Woodinville's records, map folios or in CamWest's SEPA Checklist (see **Attachment A King County PBRS documents**).

We are sensitive to the City's need for full disclosure of environmental information so that environmental matters can be given proper consideration during the decision making process. One of the purposes of the State Environmental Policy Act is to ensure that environmental factors are considered at the earliest possible stage in a proposal. When faced with a rezoning decision, it is particularly important to identify the presence of environmental constraints, natural hazards and environmentally sensitive areas early in the decision making process because the presence of such features may limit zoning alternatives.

We believe that after examining this new information, the City of Woodinville will conclude that the Draughn property is an environmentally complex property with significant environmental features that requires additional environmental study before the City commits to a course of action that will change the property's current zoning status.

What are PBRS Documents and why are they relevant?

The PBRS Program is a tax program that provides incentives to encourage private landowners to voluntarily conserve and protect certain resources. In return for preserving those resources, the land is classified as "open-space" and is assessed at a value consistent with its "current use" rather than the "highest and best use." To be eligible for open-space classification under the PBRS program, a property must contain one or more priority open-space resource. Priority open-space resources are defined by the PBRS rating system. Examples of these resources include, but are not limited to such features as surface water quality buffer areas, scenic viewpoints and wildlife habitats. The resources are ranked as high, medium or low priority resources. High priority resources receive up to five points each, medium priority resources receive up to 3 points each and low priority resources receive one point each. The total points awarded for qualifying resources translate into a percentage reduction of the assessed value for the land enrolled in the program.

The PBRS program is relevant to CamWest's proposals because the Draughn property was classified as open-space under the program. During the PBRS application process, a file is created that contains numerous documents that describe the environmental features of the

subject property. Knowledge of those features will help the City make its decisions with respect to CamWest's proposals.

PBRS Application Process and Environmental Details

In 1992-93, pursuant to RCW 84.34.030, the then current owner of the Draughn Property, Mrs. F. Aileen Nelson (Ms. Draughn's mother), applied for and obtained open-space classification under the PBRS program, for approximately 16 acres of her 19.77 acre parcel. Mrs. Nelson was required to justify her request in a sworn application that identified the environmental characteristics of her property that may qualify as open-space resources. In her application, Mrs. Nelson described her property as containing: *a scenic view point, a wildlife habitat, a large spring, a seismic hazard area, a water retention area, a sensitive area, wetlands and steep slopes of 40% and greater*. She provided detailed maps, photographs and descriptions of the wildlife and environmental features of the property.

Woodinville and King County PBRS Review and Approval

Pursuant to RCW 84.34.037, the City of Woodinville and King County evaluated Mrs. Nelson's PBRS application and conducted a joint site inspection to verify the presence of each open-space resource. The joint panel determined that the protection of certain open-space resources pertaining to the property were worthy of an 80% reduction in taxes. The panel approved Mrs. Nelson's PBRS request and awarded 23 resource points. Among the points awarded, were points for a high-priority resource that was specifically recommended by the City of Woodinville for a surface water quality buffer based on the location of a stream and watershed on the property. On June 14, 1993, King County adopted Ordinance No. 10891 approving the open-space designation for the property. The property remained in the program until March 2004 when its current owner, Ms. Draughn, removed it from the program.

PBRS Documents establish the existence of environmental features

We are asking the City of Woodinville to review the King County PBRS documents because they establish the existence of the following significant environmental features of the Draughn property:

- Wetlands
- Steep Slopes of 40%++
- Scenic Viewpoint
- Large Spring
- Seismic Hazard Area
- Sensitive Area
- Wildlife Habitat
- Water Retention Area

Reliance on the City's records and CamWest's SEPA Checklist for environmental data regarding the Draughn property is problematic

We fear that the City of Woodinville may rely upon the City's records, map folios and CamWest's SEPA Checklist to ascertain the environmental character of the Draughn property. Unfortunately, those documents do not provide adequate environmental information with respect to the Draughn property. For example, not one of the environmental features identified in the PBRS documents is shown on Woodinville's Critical Areas Map,

Sensitive Geologic Areas Map or Hydrology Areas Map and most of the environmental features described in the PBRS documents are not mentioned in CamWest's SEPA Checklist.

Furthermore, although the City of Woodinville participated directly in the evaluation of Mrs. Nelson's PBRS application, the City has virtually no documents pertaining to that evaluation in its own files. Pursuant to a Request for Public Records, Woodinville's City Clerk, Sandra C. Parker, conducted an exhaustive search of Woodinville's records seeking all documents pertaining to Mrs. Nelson's PBRS application. Ms. Parker was able to produce only seven documents responsive to the request. (see **Attachments B** and **C**) The City of Woodinville does not have in its files a copy of Mrs. Nelson's PBRS application, justification, site surveys or a copy of the Joint Panel's ***final*** report. It does, however, have a copy of the Joint Panel's ***preliminary*** report.

The Joint Panel's preliminary report recommended an award of 18 resource points. Whereas the Joint Panel's **final** report recommended an award of 23 resource points that included five additional points for a surface water quality buffer that was specifically recommended by the City of Woodinville based on the location of a stream and watershed on the property. It is this **final** report that is incorporated as an attachment to Ordinance No. 10891 approving the open-space designation.

Unfortunately, the Woodinville Planning Department relied on the City's incomplete PBRS documentation when it prepared its August 18, 2004 Staff Report to the Woodinville Planning Commission regarding the Draughn property; and summarized information from the **preliminary** report, rather than from the **final** report. As a result, the Planning Commission received inaccurate information and does not know that *the City of Woodinville verified the existence of a stream and watershed on the Draughn property, a significant environmental feature that adds to the complexity of the property's environmental character.* We point this out only to illustrate how easy it is to formulate misleading conclusions from incomplete insufficient information.

Conclusions

It is apparent that the City of Woodinville must look further than its own records, map folios and CamWest's SEPA Checklist to ascertain the environmental character of the Draughn property. Woodinville's records, map folios and CamWest's SEPA Checklist are inadequate sources of environmental information. We believe that additional environmental studies are necessary and until those studies are conducted, the King County PBRS documents may be one of the best sources of environmental information about the Draughn property in a single file. The documents were prepared in a sworn application and the information was evaluated and confirmed in a joint site investigation conducted by King County and the City of Woodinville.

Enclosed as **Attachment A,** for the City's review, is a copy of Mrs. Nelson's King County PBRS Application file obtained from Ted Sullivan, King County PBRS Program Coordinator. We have numbered the documents (7700000-7700075) and have prepared a Key Document Index to the most relevant documents for your convenience. We hope these additional documents will help the City better understand the environmental character of the Draughn property before it makes its decisions.

The King County PBRS documents characterize the property as environmentally complex. A spring, seismic hazard area, water retention area, sensitive area, wetlands and steep slopes of 40% and greater are significant environmental features that may qualify the property as a critical area and unsuitable for densities higher than R-1. These features should not be ignored during the City's decision making process. We believe that CamWest's applications for a Comprehensive Plan Amendment and Zoning change, if approved, will lead to the development of this environmentally complex property which will have a significant adverse impact on the quality of the environment. We believe the City of Woodinville should not permit this to happen.

ATTACHMENT A

NELSON'S PBRS FILE
DOCUMENT NUMBERS
(7700000-7700075)

Attached hereto is Mrs. Nelson's complete PBRS (File L92CT004) obtained from Ted Sullivan, King County PBRS Program Coordinator. For your convenience, below is a listing of the most relevant key documents and their respective document numbers.

KEY
KING COUNTY PBRS DOCUMENTS

DOCUMENT NOs.	DESCRIPTION
7700014-7700020	Mrs. Nelson's PBRS Application Form dated August 31, 1992 (PBRS File Exhibit 12).
7700025-7700027	Nelson's PBRS Justification Form (PBRS File Exhibit 15).
7700034-7700034	Map of Nelson property indicating Class III Seismic Hazard Area and containing handwritten notations indicating a large spring, water retention area, sensitive area and 40% slope. (PBRS File Exhibit 19).
7700042-7700042	January 14, 1993 memorandum to Alan Locke, Woodinville City Manager and to George Kritsonis, Forestry Appraiser, Department of Assessments from Sue Comis, King County Program Coordinator, Environmental Division enclosing a copy of Mrs. Nelson's PBRS application and justification for evaluation and comments and notifying Locke and Kritsonis of her desire to schedule a joint site inspection. (PBRS File Exhibit 26).
7700044-7700044	February 10, 1993 letter to Sue Comis, King County Environmental Division, from Allen Locke, Woodinville City Manager, stating that after the field review and discussions with Woodinville's City Council that the City concurs with the request for open space taxation and seeks a joint hearing by the City of Woodinville and King County. (PBRS file Exhibit 28).
7700048-7700049	March 15, 1993 memorandum to Sue Comis from Kate Stenberg, Wildlife Planner, King County Environmental Division regarding her findings during a field visit to the Nelson property on February 4, 1993. (PBRS File Exhibit 31).
7700052-7700059	May 27, 1993 letter to Mrs. Nelson from Richard Tucker, Senior Analyst King County Environmental Division notifying Mrs. Nelson of joint meeting with King County and Woodinville to consider her Application and enclosing a copy of the **preliminary** recommendation of 18 resource points regarding the Nelson Application. (PBRS file Exhibits 34 & 35).
7700060-7700073	King County Ordinance No. 10891, passed on June 14, 1993 with attached copy of Open Space Taxation Agreement between Mrs. Nelson and King County dated November 22, 1993 and attached **final** recommendations of the joint panel of the City of Woodinville and King County. Final recommendation increased the total points awarded to 23 resource points after Woodinville specifically recommended full credit for a surface water quality buffer area based on the location of a stream and watershed on the property. (No PBRS file Exhibit numbers).

ATTACHMENT B

PUBLIC RECORDS REQUEST
TO
CITY OF WOODINVILLE
SEEKING NELSON'S PBRS DOCUMENTS

ATTACHMENT C

INDEX TO
CITY OF WOODINVILLE'S
RESPONSE TO
REQUEST FOR PUBLIC RECORDS
REGARDING NELSON'S PBRS APPLICATION

1. Draughn Property Timeline and Activity Summary
2. *Northwest News*, Ms. Draughn's Clarification that homestead is not available for sale dated August 31, 1998
3. Letter to Ms. Draughn from Woodinville's Mayor Mr. Brocha, re clarification of misconception re Neslon Property's availability and noting that the property is "an extremely high quality habitat and the headwaters for two important streams in Woodinville – Woodin Creek and Little Bear Creek." dated August 25, 1998
4. Letter to City of Woodinville, Mayor and City Council from Ms. Draughn notifying the City that she wishes to sell a portion of her property, dated September 22, 2002
5. Map indicating Draughn property parcel
6. Article, *Woodinville Weekly,* June 14, 1993 re Nelson property open-space designation
7. Ordinance No. 10891 dated June 14, 1993 approving Mrs. Nelson's PBRS Application with attached **preliminary recommendations** from Woodinville and King County **awarding 18 resource points**. (Note: this is not the final recommendation)

NOTE: Copies of the above referenced documents appear as attachments D and E to the August 18, 2004, Staff Report to the Woodinville Planning Commission from Gil Cerise, Woodinville Senior Planner. The documents are not attached here to avoid duplication.

ATTACHMENT A

NELSON'S PBRS FILE
DOCUMENT NUMBERS
(7700000-7700075)

Attached hereto is Mrs. Nelson's complete PBRS (File L92CT004) obtained from Ted Sullivan, King County PBRS Program Coordinator. For your convenience, below is a listing of the most relevant key documents and their respective document numbers.

KEY
KING COUNTY PBRS DOCUMENTS

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Public Benefit Rating System & Timber Land Program

Resource Protection Incentives

Staff Contacts

Ted Sullivan
PBRS Coordinator
(206) 205-5170

Susan Monroe
King County Assessor's Office, Forestland and Farm and Agriculture
(206) 296-3969

King County
Ted Sullivan
Public Benefit Rating System/Timberlands Program Coordinator

Water and Land Resources Division
Department of Natural Resources and Parks
Office of Rural and Resource Programs
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
ted.sullivan@metrokc.gov

206-205-5170
Fax 206-296-0192
TTY 206-296-0100

The Public Benefit Rating System (PBRS) and the Timber Land programs provide incentives to encourage private landowners to voluntarily conserve and protect land resources, open space and timber. In return for preserving resources, the land is assessed at a value consistent with its "current use" rather than the "highest and best use." The reduction in assessed land value is greater than 50% and as much as 90% for the portion of the land participating in the program. Over 725 landowners and 8100 acres are presently participating in these two programs.

Property, the resource land only, is eligible to participate in one of the following four current use assessment programs available in King County:

- Timber Land program: for property containing between five (5) to twenty (20) acres of forestland, zoned RA, F or A and devoted to the growth and harvest of timber. The owner must have an approved and implemented forest stewardship or timber management plan.
- Public Benefit Rating System (PBRS): for property qualifying for one or more of the defined resources in the Resource Information document. Examples of open space resources include stream buffers, ground water protection areas, threatened or endangered wildlife, farmland, public recreation, historic property and others.
- Forestland: for property containing more than twenty (20) acres primarily devoted to the growth and harvest of timber. This program is administered by the King County Assessor's Office.
- Farm and Agricultural Lands: for property used for the production of livestock or agricultural commodities for commercial purposes. The financial requirements are dependent on the size of the land and the gross annual revenue received for the land for three out of the past five years. This program is administered by the King County Assessor's Office.

Please refer to the appropriate document or staff member for specific requirements of each program. The annual application deadline is December 31 (one year in advance of the expected assessed value reduction).

Publications:

Public Benefit Rating System application
PBRS Resource Information
Timber Land application
Open Space Taxation Act
Washington State Forest Stewardship Plan Guidelines

7700000

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Related Links:

Trasfer of Development Rights Program

King County Assessor's Office

- Property tax exemptions

King County Code
Chapter 20.36 for Open Space Taxation
Adobe Acrobat file, 299 Kb

Washington Administrative Code
(please refer to Chapter 458-30 WAC OPEN SPACE TAXATION ACT RULES)

Revised Code of Washington
(please refer to Chapter 84.34 for PBRS, Timber Land, Farm and Agriculture or Chapter 84.33 for Forestland)

Washington State Department of Natural Resources

Washington Consulting Foresters Directory

Association of Consulting Foresters of America, Inc. (ACF)

Vashon-Maury Island Community Agriculture and Forestry Exchange (VMI-CAFE)

King County Forestry Program

King County Agriculture Program

Basin Steward Program

For questions about the
Water and Land Resources Web Site, please contact
Fred Bentler, webmaster.

Related Information:

Forestry Topics

Updated: May 21, 2003

Links to external sites do not constitute endorsements by King County.
By visiting this and other King County web pages,
you expressly agree to be bound by terms and conditions of the site.
The details.

7700001

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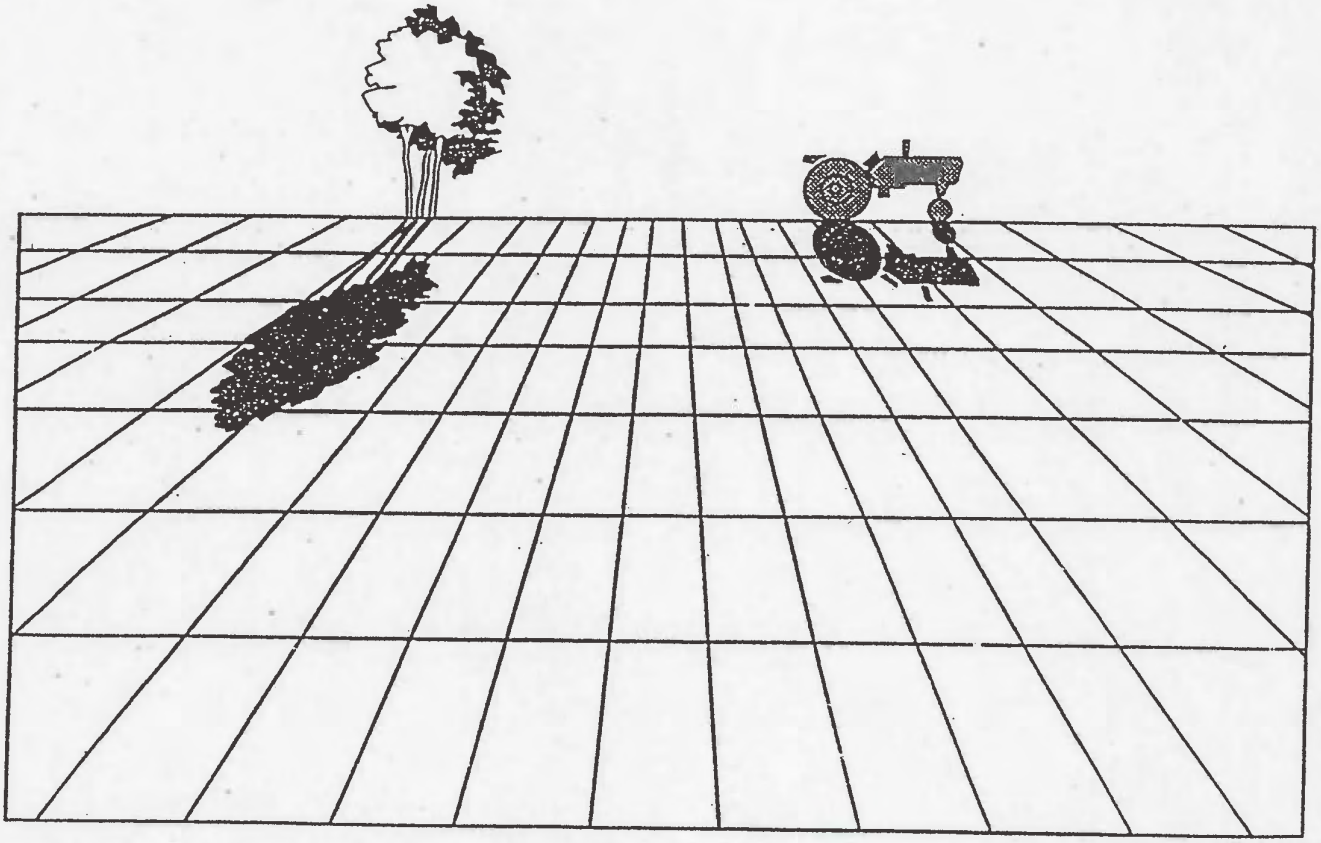
OPEN SPACE TAXATION ACT

Current Use Assessment Information



REVENUE WASHINGTON STATE DEPARTMENT OF REVENUE

Property Tax Division

January 1993

7700002

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OPEN SPACE TAXATION ACT

INFORMATION AND INSTRUCTIONS WHEN APPLYING FOR CURRENT USE ASSESSMENT ON BASIS OF CURRENT USE UNDER THE "OPEN SPACE LAW" CHAPTER 84.34 RCW AND CHAPTER 458-30 WAC

The Open Space Taxation Act, enacted in 1970, allows property owners to have their open space, farm and agricultural, and timberlands valued at their current use rather than their highest and best use. The Act states that it is in the best interest of the State to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the State and its citizens.

WHAT LANDS QUALIFY FOR CLASSIFICATION

The law provides three classifications:

- Open Space Land,
- Farm and Agricultural Land, and
- Timber Land

Open Space land is defined as either:

(1) Any land area zoned for open space by a comprehensive land use plan adopted by a city or county legislative authority, or

7700003

(2) Any land area in which the preservation in its present use would:

(a) Conserve and enhance natural or scenic resources,
(b) Protect streams or water supply,
(c) Promote conservation of soils, wetlands, beaches or tidal marshes,
(d) Enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations or sanctuaries or other open space,
(e) Enhance recreation opportunities,
(f) Preserve historic sites,
(g) Preserve visual quality along highway, road, and street corridor or scenic vistas, or
(h) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.

(3) Or, any land meeting the definition of "farm and agricultural conservation land" which means either:

(a) Land previously classified under farm and agriculture classification that no longer meets the criteria and is reclassified under open space land, or
(b) "Traditional farmland", not classified, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

Farm and Agricultural land is defined as either:

(1) Any parcel of land that is twenty or more acres or multiple parcels of land that are contiguous and total twenty or more acres

(a) Devoted primarily to the production of livestock or agricultural commodities for commercial purposes,
(b) Enrolled in a cropland retirement program administered by the United States Department of Agriculture,

(2) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses equivalent to:

(a) One hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification made prior to January 1, 1993, and
(b) On or after January 1, 1993, two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification;

(3) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of:

(a) One thousand dollars or more per year for three of the five calendar years preceding the date of application made prior to January 1, 1993, and
(b) On or after January 1, 1993, fifteen hundred dollars or more per year for three of the five calendar years preceding the date of application for classification.

(4) "Farm and agricultural land" also includes:

(a) Incidental uses compatible with agricultural purposes provided such use does not exceed twenty percent of the classified land;

(b) Land on which appurtenances necessary for production, preparation, or sale of agricultural products exist in conjunction with the lands producing such products;

(c) Any noncontiguous parcel one to five acres, that is an integral part of the farming operations.

(d) Land on which housing for employees and principal place of residence of the farm operation or owner is sited provided the use of the housing or residence is integral to the use of the classified land for agricultural purposes and provided that the classified parcel is twenty or more acres.

Timber Land means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes.

WHO MAY APPLY

An owner or contract purchaser may apply for current use assessment under the open space law. However, all owners or contract purchasers must sign the application for classification, and any resulting agreement. Application forms are available from the county assessor's office or from the county planning office.

APPLICATION PERIOD

Applications may be made for classification at any time during the year from January 1 through December 31. Current use valuation assessment begins on January 1 in the year following the year the application was filed.

WHERE TO APPLY

Farm and agricultural land classification is filed with the assessor of the county where the property is located.

Open space and timber land classification is filed with the county legislative authority. Timber land applications require that a timber management plan be filed also.

APPLICATION FEE

The city or county legislative authority may, at their discretion, require a processing fee to accompany each application. Such fee shall be in an amount that reasonably covers the processing costs of the application.

ASSESSOR TO RESPOND TO FARM AND AGRICULTURAL CLASSIFICATION APPLICATIONS

The assessor shall act on each application for classification as farm and agricultural with due regard to all relevant evidence, and may approve the application in whole or in part.

Upon application for classification, the assessor may require applicants to provide data regarding the use of such land, including the productivity of typical crops, sales receipts, federal income tax returns, other related income and expense data and any other information relevant to the application.

The application shall be considered approved unless the assessor notifies the applicant in writing prior to May 1st of the year following the year the application was made.

The assessor shall record an approval of classification with the county auditor for public recording of the tax lien on real property.

APPEALING DENIAL OF FARM AND AGRICULTURAL APPLICATION

The owner may appeal the assessor's denial to the Board of Equalization in the county where the property is located. The appeal must be filed with the board within thirty days after the mailing of the notice of denial.

OPEN SPACE LAND APPLICATIONS ACTED ON BY GRANTING AUTHORITY WITHIN SIX MONTHS

Applications for classification or reclassification as "open space land" are made to the appropriate agency or official called the "granting authority". If the open space is located in the county's unincorporated area, the county legislative authority shall be the granting authority on the application. However, if the land is located within a city or town, the application shall be acted upon by a joint county/city legislative authority consisting of three members of the county legislative authority and three members of the city legislative authority.

If a comprehensive plan has been enacted, an application for classification or reclassification shall be processed as a proposed amendment to that plan. If there is no comprehensive land use plan, a public hearing on the application shall be conducted after notice announcing the hearing is published at least ten days prior to the hearing.

The granting authority shall either approve or reject the application in whole or in part within six months from the receipt of the application. In determining whether an application made for classification or reclassification should be approved or disapproved, the granting authority may consider the benefits to the general welfare of preserving the current use of the property. They may require that certain conditions be met including but not limited to the granting of easements.

If approved, in whole or in part, the granting authority shall, within five days of the approval date, send an Open Space Taxation Agreement to the applicant for signature showing the land classification and conditions imposed. The applicant may accept or reject the agree-

ment. If the applicant accepts, he or she must sign and return the agreement to the granting authority within twenty-five days after the mailing of the agreement.

The granting or denial of the application for classification or reclassification is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Appeal can be made only to the superior court of the county where the application was filed.

Within ten days of receiving notice from the granting authority of classification of land, the assessor submits such notice to the county auditor for recording in the place and manner provided for the public recording of state tax liens on real property.

Current use valuation will begin on January 1 of the year following the year the application was filed. The criteria for classification continues to apply after classification has been granted.

OPEN SPACE LAND PUBLIC BENEFIT RATING SYSTEM

If the county legislative authority has established a public benefit rating system for the Open Space classification, the criteria contained within the rating system shall govern the eligibility of the lands described in each application filed for that classification and the current use valuation of that land.

When a county creates a benefit rating system, all current use applications will be rated under the new system. A parcel that no longer qualifies for classification will not be removed from classification, but will be rated according to the rating system.
The owner, within thirty days after receiving notification of the new value established by the public benefit rating system, may request removal of classification of such parcel without application of the additional tax or penalty.

TIMBERLAND CLASSIFICATION REQUIRES FOREST MANAGEMENT PLAN

Applications for current use timber land classification are made to the county legislative authority. A timber management plan is filed at the time of application or when a sale or transfer of timber land occurs and a notice of continuance is signed.

Classification shall be acted upon after public hearing in a similar manner to open space land classification within six months following the date the application is received.

Granting or denial of an application is a legislative determination and shall be reviewable only for arbitrary and capricious action. The granting authority may not require the granting of easements for timber land.

The application form requires information about a forest management plan, restocking, fire protection, insect and disease control, weed control, and any other summary of experience and activity that supports the growth and harvest of forest crops for commercial purpose.

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DETERMINATION OF VALUE

The assessor is required to maintain two values for each parcel that is classified. The first is the value that would be placed on the land if it was not classified. This is commonly referred to as the "fair market value." The second is the current use land value based on its present use as classified by the granting authority. The process for determining the value of open space lands is spelled out in statute. The assessor shall consider only the use to which such property is currently applied and shall not consider potential uses of such property.

(1) Open space land located within a county that has established a public benefit rating system will be valued according to the criteria of the rating system. In absence of a rating system, the valuation will be no less than that for farm and agricultural land.

(2) In determining the current use value of farm and agricultural land the assessor shall consider the earning or productive capacity of comparable lands from crops grown most typically in the area averaged over not less than five years. This earning or productive capacity shall be the "net cash rental" and shall be capitalized by a "rate of interest" charged on long term loans secured by a mortgage on farm or agricultural land plus a component for property taxes.

(3) Timber land is valued according to the schedule prepared by the Department of Revenue for the Timber Tax law, Chapter 84.33 RCW.

POTENTIAL TAX LIABILITY - LENGTH OF TIME IN CLASSIFICATION

When land is classified as either farm and agricultural land, open space, or timber land, it shall not be applied to any other use for a period of not less than ten years unless transferred or reclassified into another current use classification or an early withdrawal penalty will apply. The land continues in current use classification after the ten year period until a request for withdrawal is made by the owner, the use of land no longer complies, or the ownership has changed and the new owner has not signed a Notice of Continuance. The notice of classification is recorded with the county auditor in the same manner as the recording of state tax liens on real property.

SALE OF CLASSIFIED LAND

When classified land is sold, the seller or transferor becomes liable at the time of sale for the additional tax, interest, and penalty unless the new owner(s) signs the Notice of Continuance which is attached to or shown on the excise tax affidavit. The county auditor shall not accept an instrument of conveyance on any classified land unless the Notice of Continuance has been signed or the additional tax had been paid. The assessor shall determine if the land qualifies for continued classification.

OWNER MAY REQUEST WITHDRAWAL

If the owner intends to withdraw all or a portion of the land from classification after ten years, two years prior notice must be given to the county assessor. This notice can be filed

after the eighth assessment year of the initial ten year classification period. If a portion of a parcel is removed from classification, the remaining portion must meet the requirements of original classification unless the remaining parcel has different income criteria.

ACTION ON WITHDRAWAL

Upon receipt of a request for withdrawal, the assessor shall notify the legislative authority which originally approved the classification and, when two years have elapsed, the assessor shall withdraw the land from classification. The land which is withdrawn from classification shall be subject to an additional tax equal to the difference between the amount of tax paid under the classification and the tax at true and fair value for the last seven years, plus interest at the statutory rate charged on delinquent property taxes.

OWNER TO NOTIFY ASSESSOR OF CHANGE IN USE

An owner changing the use of land from a classified use must notify the county assessor within sixty days of this action. The assessor shall remove the land from classified status and impose and additional tax equal to the difference between the tax paid on current use value and the tax that would have been paid on that land had it not been so classified, payable for the last seven years, plus interest at the same rate as charged on delinquent property taxes, plus a penalty of twenty percent of the total amount.

TAXES ALLOCATED TO PORTION OF YEAR

Assessed valuation before and after removal of classification shall be listed and allocated according to that part of the year to which each assessed valuation applies.

CRITERIA FOR CLASSIFICATION CONTINUES TO APPLY AFTER CLASSIFICATION HAS BEEN GRANTED

Owner of classified land must continue to meet the criteria established for classification or the assessor may remove the land from the current use classification.

After giving the owner written notice and an opportunity to be heard, the assessor may determine that all or a portion of the land no longer meets the criteria for classification.

REMOVAL OF LAND CLASSIFICATION BY COUNTY ASSESSOR MAY BE APPEALED

Within thirty days after the removal from classification, the assessor shall notify the owner in writing explaining the reasons for removal. The owner has thirty days following the date the notice was mailed by the assessor to file an appeal of the removal of classification to the County Board of Equalization.

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ADDITIONAL TAX DUE

At the time land is removed from classification it becomes subject to any additional tax, applicable interest, and a penalty which shall be due and payable to the county treasurer within thirty days after the owner is notified.. The penalty is not imposed if the removal satisfies the ten year requirement.

LIEN OF TAXES

Any additional tax, applicable interest, and penalty, becomes a lien on the land at the time the land is removed from classification. This lien shall have priority over any other encumbrance on the land. Such lien may be foreclosed upon expiration of the same period after delinquency in the same manner as delinquent real property taxes.

DISTRIBUTION OF ADDITIONAL TAXES

Upon collection, the additional tax shall be distributed by the county treasurer in the same manner in which current taxes applicable to the subject land are distributed.

WHEN REMOVAL OF LAND IS NOT SUBJECT TO ADDITIONAL TAX

The additional tax, applicable interest, and penalty shall not be imposed if the removal of classification results solely from:

(1) Land is transferred to a government entity in exchange for other land located in the State of Washington;

(2) Land taken through the exercise of the power of eminent domain, or sale or transferred in anticipation of the exercise of such power was received in writing or by other official action;

(3) A natural disaster changes the use of such land;

(4) Official action by the state, county, or city disallows the present use of such land;

(5) Transfer of land to a church when such land would qualify for exemptions granted thereto;

(6) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(5f)); or

(7) Removal of land classified as farm and agricultural land on which housing for employees and/or principal place of residence is sited.

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TRANSFERS BETWEEN CLASSIFICATIONS AND RECLASSIFICATIONS

Land may be reclassified, upon request by the owner, subject to all applicable qualifications for each classification, without additional tax, interest, or penalty for the following:

(1) Land classified as farm and agricultural land may be reclassified to timber land; timber land may be reclassified to farm and agricultural land.

(2) Land classified as either farm and agricultural, timber land or forest land under chapter 84.33 RCW may be reclassified to open space land.

(3) Land classified as farm and agricultural land or timber land may be reclassified to forest land under chapter 84.33 RCW.

(4) Land previously classified as farm and agricultural land may be reclassified to open space land as "farm and agricultural conservation land" and reclassified back to farm and agricultural land classification.

The application for transfer from classified or designated forest land to a current use classification, must be made within 30 days from the date of removal from forest land status.

Reclassification Approvals: Reclassification approvals are acted on in the same manner as approvals for classification. The county assessor approves all applications for farm and agricultural classifications and reclassifications. The granting authority approves all land classifications or reclassifications for timber land or open space land.
Land being reclassified into farm and agricultural land classifications of less than 20 acres from open space "farm and agricultural conservation land", timber land, or forest land may have the income requirements deferred for a period of up to five years from the date of the reclassification.

WHEN LAND IS VALUED AT CURRENT USE

Land which is classified as open space, farm and agricultural, or timber land shall be assessed at its current use value and placed on the assessment rolls in the year following the year of application.

Taxes upon classified land shall be due and payable in the year following the year the land was valued at its current use and placed on the assessment rolls.

ADVISORY COMMITTEE

The county legislative authority shall appoint a five member committee representing the active farming community within the county. The committee shall advise the assessor in the assessment of farm and agricultural land, farms and agricultural lands, and timber lands.

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Assessor may require data

The assessor may require the owner of classified land to submit data regarding the use of the land, productivity of typical crops, income and expense data, and similar information regarding continued eligibility.

Information available

Complete information concerning the requirements and the manner for making application for current use reclassification and assessments is available at the county assessor's office. It is helpful to read the complete law (Chapter 84.33 and .34 RCW) and rules (Chapter 458-30 WAC) to understand requirements of the classifications and the tax liabilities incurred. Publications concerning the open space law are also available through the county extension agent.

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CURRENT USE FILE LOG

FILE NO. L92CT004

PUBLIC HEARING _____

1. TAXATION AGREEMENT for _____ RECORDING # _____
2. ORDINANCE # _____ received _____ ACTION _____
3. NOTICE OF ACTION by KING COUNTY COUNCIL _____
4. EXAMINER'S REPORT & DECISION received _____
5. STAFF REPORT sent _____
6. INTRODUCTORY ORDINANCE TO COUNCIL _____
7. AFFIDAVIT OF PUBLICATION received _____
8. LEGAL NOTICE TO COUNCIL _____
9. NOTIFICATION TO APPLICANT OF HEARING sent _____
10. TRANSMITTAL TO AGENCIES, requesting comment, sent _____
11. AGENDA ONLY sent to attached list on _____
12. APPLICATION (in triplicate) SIGNED/NOTARIZED Rcvd 8-31-92
13. LEGAL RECEIVED 8-13-92
14. ASSESSOR MAPS RECEIVED _____
15. Justification Form Rcvd 8-31-92
16. 10 photos for Geo. Rcvd 8-31-92
17. Section maps showing location of prop. Rcvd 8-31-92
18. Newspaper item and showing of site on boundary of Bear Creek 8-31-92
19. Map showing subject prop. Rcvd 8-31-92
20. Section maps showing location of prop. Rcvd 8-31-92
21. Letter from F. Aileen Nelson Rcvd 8-31-92
22. Copy of topography maps (2)
23. Letter to F. Aileen Nelson from Sue Comis dated 12-9-92
24. Situs file Info 8-31-92
25. Fee Invoice dated 8-31-92
26. Letter to George Kritsonis + Alan Locke Fm Sue Comis dated 1-14-9
27. Vicinity map
28. Letter from Alan Locke to Sue Comis dated Feb. 10, 1993
29. Letter from Geo. Kritsonis to S. Comis dated March 2, 1993 estimates of fair market
30. GIS Findings
31. Letter from Kate Stenberg to Sue Comis dated 3-15-93

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APPLICATION FOR OPEN SPACE TAXATION
UNDER 84.34 RCW, KING COUNTY, WA

AUG 1 1992

THIS FORM MUST BE FILLED OUT IN TRIPLICATE AND FILED WITH THE KING COUNTY BUILDING & LAND DEVELOPMENT DIVISION

NAME _____
FILE NO. L92CT004

FILING FEE _____

(see reverse side for example map)

HEARING DATE _____
S.T.R. NW 11-26-5
LOCATION _____
TYPE REQUEST

☐ TIMBER ☒ OPEN SPACE

ACRES 19.77
ZONING SE
AERIAL PHOTO # _____
TAX ACCOUNT # 112605-9008

IS USE PERMITTED IN ZONE? _____

DO NOT WRITE ABOVE THIS LINE

1. NAME OF APPLICANT F. AILEEN NELSON (MRS. G. A. NELSON)
2. ADDRESS OF APPLICANT 18155 151st Ave. N. E.
   Woodinville, Washington 98072
3. PHONE 602 483 0175
4. PROPERTY ADDRESSES 18155 151st Ave. N.E.
   Woodinville, Washington 98072
5. APPLICANT'S INTEREST IN PROPERTY: FEE OWNER Owner
   CONTRACT PURCHASER _____
   OTHER _____ EXPLAIN _____
6. CLASSIFICATION REQUESTED: OPEN SPACE "C" TIMBER ____,
   IF MORE THAN ONE CLASSIFICATION IS REQUESTED: 7700014
   NUMBER EACH PARCEL AND IDENTIFY BY CLASSIFICATION. [redacted]
   (SEE INSTRUCTION SHEET FOR DETAILS)

EXHIBIT 12

7. IS 50% OR MORE OF EACH PARCEL CURRENTLY DEVOTED TO THE TYPE OF USE REQUESTED? YES (YES OR NO)

8. PARCEL NUMBER AND ACREAGE IN EACH PARCEL:

Parcel # 112605 9008 Acre Approx 4 acres - personal use ~~Approx 16 acres - open space~~

Parcel # _____ Acre _____

Parcel # _____ Acre _____

9. TOTAL ACREAGE 19.77 acres

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under the provisions of RCW 84.34.

I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct, and complete statement.

Subscribed and sworn to before me this 31st day of August 1992

Notary Public in and for the State of WASHINGTON

Residing at Everett

my comm exp. 05/09/96

DEBRA OLROGG NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 5-9-96

OWNER(S) or CONTRACT PURCHASER(S)

F. Aileen Nelson

(All owners & purchasers must sign)

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OPEN SPACE CURRENT USE APPLICATION
JUSTIFICATION FORM

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I. **GENERAL:**

A. Describe completely the current use of each parcel of land that is listed in this application. (For example, "The property is used for a single family home. We also have a small shop building used to do personal carpentry projects.") Attach additional sheets if necessary.

20 Acres: Property of F. Aileen Nelson (AKA. Aileen Nelson or Mrs. G.A. Nelson). Four acres (el. 500 ft) include single family home with attached carport; separate garage, an equipment shed and barn. The other 16 acres (requested open space) is mixed woodland and 40% steep slopes

B. Describe all present and planned improvements such as buildings, drainage systems, roads, etc. (For example, "Buildings consist of a house with attached garage and 800 square foot shop. There is a circular driveway to the 2 buildings. There is a septic tank, drainfield, and a well.") Indicate distance of improvements from proposed openspace boundary. Attach additional sheets if necessary.

On the 16 acres, none. It has never been changed since it was logged in the early 1900s. The second growth timber is at least 50 years old. There is maple, dogwood, madrona and hemlock scattered thru the firs. Any open areas are Scotch Broom and blackberries. The first growth stumps are still there.

C. Is the land subject to lease or other agreement, such as an easement, which permits any other use than its present use? Yes (No)

Attach copies of all leases, options, easements, or any other such agreements.

N. A.

II. **SPECIFIC JUSTIFICATION**

In order to be considered for Open Space Current Use Taxation, the property must meet the policies and requirements identified in the document *"King County Public Benefit Rating System"*. Please read this document carefully before filling out this form. Feel free to talk with King County Environmental Division staff about any questions you might have at 296-6602. The Environmental Division staff will evaluate property eligibility.

A. Priority Resources: Which of the following priority resources as defined in the King County Public Benefit Rating System report (See page numbers below.) are contained on your property? (Check all that apply.) Properties may receive points in up to a combined total of six resource categories from the high, medium and low priority resources listed below:

Points		1. High Priority Resources
5	No	a. Active or passive recreation areas. (See pages 8-9.)
5	No	b. Property under option for purchase as park, recreation, open space land or capital improvement project mitigation site. (See pages 9-10.)
5	___	c. Watersheds/Groundwater Recharge Areas. (See pages 10-11.)
5	No	d. Shoreline: "Conservancy" environment (See page 11.)
5	✓	e. Scenic resources, viewpoints and view corridors. (See pages 12-13.)

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5	✓	f. f face water quality buffer area. See pages 13-14.)
5	___	g. Rural or low density open space close to urban or growth areas. (See page 14.)
5	✓	h. Significant plant, wildlife, and salmonid habitat area. (See page 15.)
5	No	i. Significant Aquatic Ecosystems. (See page 15.)
5	No	j. Historic landmarks/Archaeological sites: Designated sites. (See page 16.)
5	No	k. Trail linkages. (See pages 16-17.)
5	✓	l. Urban or growth area open space. (See pages 17-18.)

Points 2. Medium Priority Resources

3	No	a. Public lands and right-of-way buffers. (See pages 18-19.)
3	No	b. Special native plants sites. (See pages 19-20.)
3	___	c. Shoreline: "Natural" environment. (See page 20.)
3	✓	d. Geological features (See page 20.)
3	No	e. Historic landmarks/Archaeological sites: Eligible sites. (See page 21.)
3	No	f. Buffers to designated Historic landmarks/Archaeological sites. (See pages 21-22.)
3	___	g. Special animal sites. (See page 22.)

3. Low Priority Resources

1	___	a. Buffers to Eligible Historic landmarks/Archaeological sites. (See page 23.)

Subtotal Points _____ Count points from no more than 6 resources

B. Bonus Categories: Properties qualifying in the High, Medium or Low priority categories above may receive additional tax reduction if they meet bonus category requirements (please see pages 23 to 25 of the report King County Public Benefit Rating System.)

Points Check all that apply.

5	No	1.	Resource restoration (See pages 23-24.) upland
3 or 5*	___	2.	Bonus surface water quality buffer (See page 24.)
2	___	3.	Contiguous parcels under separate ownership. (See pages 24-25.)
5	___	4.	Conservation/historic easement (See page 25.)

Subtotal Points _____

* *3 points for buffers at least twice the buffer required by the Sensitive Areas Ordinance (SAO), 5 points for buffers at least 3 times the buffer in the SAO.*

C. Public Access: Public access is encouraged for all enrolled lands unless access would be a hazard to the resource (i.e., significant plant and wildlife habitat area). Public access can also increase your tax reduction and is required in some categories (i.e., viewpoints). (Please see the section on public access on pages 1 to 3 of the report, King County Public Benefit Rating System.)

Describe how the land can be reached. Are there private or public roads to the site? Are there any restrictions, such as an easement or physical barriers, which would inhibit public access? Public road to the turnaround on the 4 acres in front of the house, where the view is west, including Woodinville valley, Kenmore, Finn Hill 15th Ave N.E. and the Olympic Mountains. (151st Ave N.E. right off Woodinville-Duvall Road.)

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Points What kind of public access, if any, do you propose?

5 ___ 1. Unlimited Access (open year-round to general public) viewpoint
5 F 2. Limited Access - Due to Resource Sensitivity (limited to appropriate user groups, permission from landowner required. In the space below, list groups to be allowed access.)
3 ___ 3. Limited Access (seasonal and/or upon special arrangements)
0 ___ 4. None or members only

Please explain any specific restrictions (such as hours, seasons, activities) you think are necessary:
Bird Watching - View Point - Blackberry picking (Wild, Evergreen and Himalaya)
No Offroad vehicles, no picnics, no liquor, no social gatherings without owners permission

NOTE: Super Bonus Category - Properties with at least one high priority resource, AND which allow unlimited public access or limited public access - sensitive area (due to resource sensitivity) AND which provide a qualifying conservation, historic, or trail easement in perpetuity are automatically eligible for a 90% tax reduction.

D. Optional - Estimate of Tax Reduction: We provide the following to assist you, but please remember that your application will be reviewed by County/City Staff and a decision made by the granting authority. When estimating the actual effect on your property's valuation and your tax bill, please remember that your assessment will be reduced only on the portion of your property that is enrolled as open-space/current use land. You will still be assessed at "highest and best use" rates for your residence and for other non open-space lands on the property.

_____ Subtotal points from "A" - high, medium, and low priority resources (count points from no more than six categories). (30 pts. max)

_____ Subtotal points from "B" - bonus categories.

_____ Public access points from "C". (5 pts. max)

_____ Grand Total of points, resulting in Public Benefit Rating.

Valuation Schedule

Public Benefit Rating	Tax Reduction	Current Use Value
0 - 4 points	0 %	100 % of Market Value
5 - 10 points	50 %	50 % of Market Value
11 - 15 points	60 %	40 % of Market Value
16 - 20 points	70 %	30 % of Market Value
21 - 34 points	80 %	20 % of Market Value
35 - 52 points	90 %	10 % of Market Value

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E. On a separate page please answer the question: Why should this property be approved? Answer this question for each priority resource and bonus category checked above. Also answer: (1) How many acres should be approved? (How many acres contain the open space resources checked in "A" above?) (2) What uses occur on the property now? (3) What is the long term viability of the resource on your property, considering also how adjacent land uses will affect the resource? and (4) Attach any supporting documentation.

The following are examples of responses for this section.

Example #1 (Priority Resource Identified as Active or Passive Recreation Area): "The entire 11 acres of my property is the location of 5 acres of baseball and soccer fields, and 6 acres of woodland park. The site is maintained by a local non-profit youth recreation association. The site provides recreational opportunities for youth of the area, without charge."

Example #2: (Priority Resource Identified as Significant Plant, Wildlife and Salmonid Habitat Area): "Our 21.2 acres lay adjacent to Lake Sammamish, with approximately 10 acres in mixed woodland/wetland waterfront land, and approximately 11 acres of forested upland where our home is. The 10 acres of waterfront land are used by blue herons for rearing of offspring (15 individual nests). This rookery has been verified by the Washington Department of Wildlife (WDW), see attached letter. The WDW has recommended that, in order to preserve the rookery, we leave the 10 acres of waterfront undisturbed, and a "no-cut" buffer around the 10 acres that encompasses nearly all our upland property. Long Term Viability: The heron rookery and related habitat have good long term viability because they are fairly isolated from other properties and potential off site development that might disturb them. In conserving our property, the long term viability of the rookery will be maintained."

Example #3: (Priority Resource identified as Special Native Plant Site): "Our property is the site of a 5 acre pond, 4 acres of associated wetlands, and 3 acres of wooded upland, containing 2 species of endangered plant (only site in county, 1 of 2 in entire state). Supporting information from the Department of Natural Resources Natural Heritage Program is attached. Current use of our property is natural, there are no buildings. There are 4 potential building sites on our property, 3 of the sites contain the endangered plants. Although we want to conserve the entire property we would like to build a small cabin on the fourth building site sometime in the future. State Heritage officials feel this would be acceptable. Adjacent uses are timber and farming. We feel that the long term viability of the resource is good."

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High Priority Resources

5e - Scenic natural resources visible from any point in Woodinville facing east, my woodlot consists of the sixteen acres which forms part of the east side of the Sammamish Valley. can be seen from the 405 Woodinville interchange.

5f - Urban or Growth Area Open space (16 acres in the city of Woodinville)

5h. There is a pair of red-tail hawks which have been nesting in my heavy woods for at least 60 yrs. There are always at least two. I also have a flock of California Quail which has prospered there for many years (at this point, there are about 30) They raise two broods a year. There are mountain beaver, coyotes, every kind of wild bird

Medium Priority Resources

3d. My land is a 600+ wide piece which is part of the bank of the Glacial River which feeds Lake Sammamish, Sammamish Slough and Lake Washington. The high 400 acres (500 ft. El.) is the most northern section of the Sammamish Plateau.

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7700020

EXHIBIT 125
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PROPERTY ADDRESS: 18155 151st Ave. N. E.
Woodinville, Washington 98072

LEGAL DESCRIPTION

Lot	Block	Code	Sec	TWP	RG
11-26-05	9008	7570	11	26	05

S 1/2 of NW 1/4 of NW 1/4 TAX POR
PAR EX UND RCW 84.36.381 thru
.389 NOT INCL

[redacted]

7700021

EXHIBIT 13

Replaced with Handwritten Justification Form for New Program

Justification Form

I. GENERAL:

A. Describe completely the current use of each parcel of land as requested.

Woodland - One Single Family Home on personal use portion - Pasture

B. Describe all present and planned improvements such as buildings, drainage systems, roads, etc.

One House, Barn, storage buildings, drain field on personal use portion

C. If the present use of the subject property, in your opinion, meets the nature and intent of the above stated Criteria For Approval, K.C.C. 20.36.100(a) for open space, please explain how it complies.

40% and over Slopes - Seismic Areas - Sensitive Areas - Wetlands - Registered Spring, drains to water retention area

D. If your property were identified as a possible future King County park site, state whether you would be willing to comply with Criteria of Approval, K.C.C. 20.36.100(b) for open space above.

N/A

E. Is the land subject to lease or other agreement, such as easements, which permits any other use than its present use? Yes/No (Please attach copies of all leases, options, or any other such agreements.)

N/A

F. Explain what type and how much of your property contains a sensitive area as defined by the Sensitive Areas Ordinance. Clearly show the limits of the sensitive areas including the buffer, on your site plan.

See attachment D-1

7700022

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EXHIBIT 15

EXHIBIT 125
PAGE 149 OF 244

II. OPEN SPACE:

A. Is the subject property in a designated flood plain or is it subject to periodic flooding during the wet season?

No

B. Does the property abut or contain any rivers, lakes, streams, springs, or wet lands?

Springs

C. Is the subject property part of an official state or local wildlife preserve or does it provide for a significant wildlife habitat?

Red tailed hawks - coyotes - quail- native birds - squirels - mountain beaver

D. Is the subject property in its natural state without improvements of any kind?

Yes - open space portion

E. Are there any points of physical, historical, or educational significance associated with the property?

No

F. Are there any steep slopes, (40% or greater), wetlands, flood plains, ravines, or unusual geologic formations on the subject property?

Yes

7700023

EXHIBIT 125
PAGE 150 OF 244

III. TIMBERLAND:

A. Date or dates of acquisition of subject property: N/A

B. Description and amount of timber on the subject property: N/A

C. Is there a Forest Management Plan for the subject property? N/A

If yes, what is the nature and extent of implementation of such a plan, i.e., compliance with the restocking, forest management, fire protection, insect and disease control and forest debris provisions of Title 76 RCW (Forest Practices Act). If not; give a summary of past and continuing activity of the applicant in growing and harvesting timber:

If approved under Timberland criteria, a Timberland Management Plan is required. (A list of Management Consultants is available in Building And Land Development, Land Use Control Section.)

EXHIBIT 125
PAGE 151 OF 244

I. GENERAL:

A. Describe completely the current use of each parcel of land as requested.

Woodland - One Single Family Home on personal use portion - Pasture

B. Describe all present and planned improvements such as buildings, drainage systems, roads, etc.

One House, Barn, storage buildings, drain field on personal use portion

C. If the present use of the subject property, in your opinion, meets the nature and intent of the above stated Criteria For Approval, K.C.C. 20.36.100(a) for open space, please explain how it complies.

40% and over Slopes - Seismic Areas - Sensitive Areas - Wetlands - Registered Spring, drains to water retention area

D. If your property were identified as a possible future King County park site, state whether you would be willing to comply with Criteria of Approval, K.C.C. 20.36.100(b) for open space above.

N/A

E. Is the land subject to lease or other agreement, such as easements, which permits any other use than its present use? Yes/No (Please attach copies of all leases, options, or any other such agreements.) N/A

F. Explain what type and how much of your property contains a sensitive area as defined by the Sensitive Areas Ordinance. Clearly show the limits of the sensitive areas including the buffer, on your site plan.

See attachment D-1

7700025

EXHIBIT 15

EXHIBIT 125
PAGE 152 OF 244

II. **OPEN SPACE:**

A. Is the subject property in a designated flood plain or is it subject to periodic flooding during the wet season?

No

B. Does the property abut or contain any rivers, lakes, streams, springs, or wet lands?

Springs

C. Is the subject property part of an official state or local wildlife preserve or does it provide for a significant wildlife habitat?

Red tailed hawks - coyotes - quail- native birds - squirels - mountain beaver

D. Is the subject property in its natural state without improvements of any kind?

Yes - open space portion

E. Are there any points of physical, historical, or educational significance associated with the property?

No

F. Are there any steep slopes, (40% or greater), wetlands, flood plains, ravines, or unusual geologic formations on the subject property?

Yes

7700026

EXHIBIT 125
PAGE 153 OF 244

III. TIMBERLAND:

A. Date or dates of acquisition of subject property: _____

N/A

B. Description and amount of timber on the subject property:

N/A

C. Is there a Forest Management Plan for the subject property?

N/A

If yes, what is the nature and extent of implementation of such a plan, i.e., compliance with the restocking, forest management, fire protection, insect and disease control and forest debris provisions of Title 76 RCW (Forest Practices Act). If not; give a summary of past and continuing activity of the applicant in growing and harvesting timber:

If approved under Timberland criteria, a Timberland Management Plan is required. (A list of Management Consultants is available in Building And Land Development, Land Use Control Section.)

EXHIBIT 125
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From 500' Ef.
West down to 300'
Ef on 148th Ave. N.E.
(Kenwood)

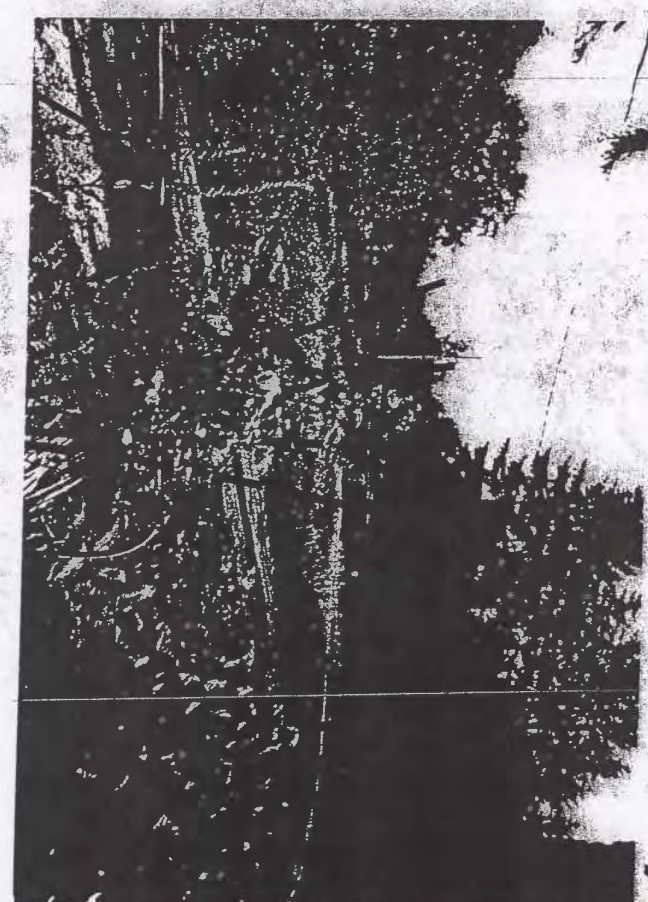
7700028

EXHIBIT 16
L92CT004

I--6

EXHIBIT 125
PAGE 155 OF 244

S.W. from inter-section of N.E. 182 and 151st Ave N.E. El. 500'



North from house toward intersection of N.E. 182 and 151st Ave N.E. El. 500'

7700029

EXHIBIT
I92CT004

#1
N.W. Corner
500' Elevation

EXHIBIT 125
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7700030

1207004

P-5

EXHIBIT 125
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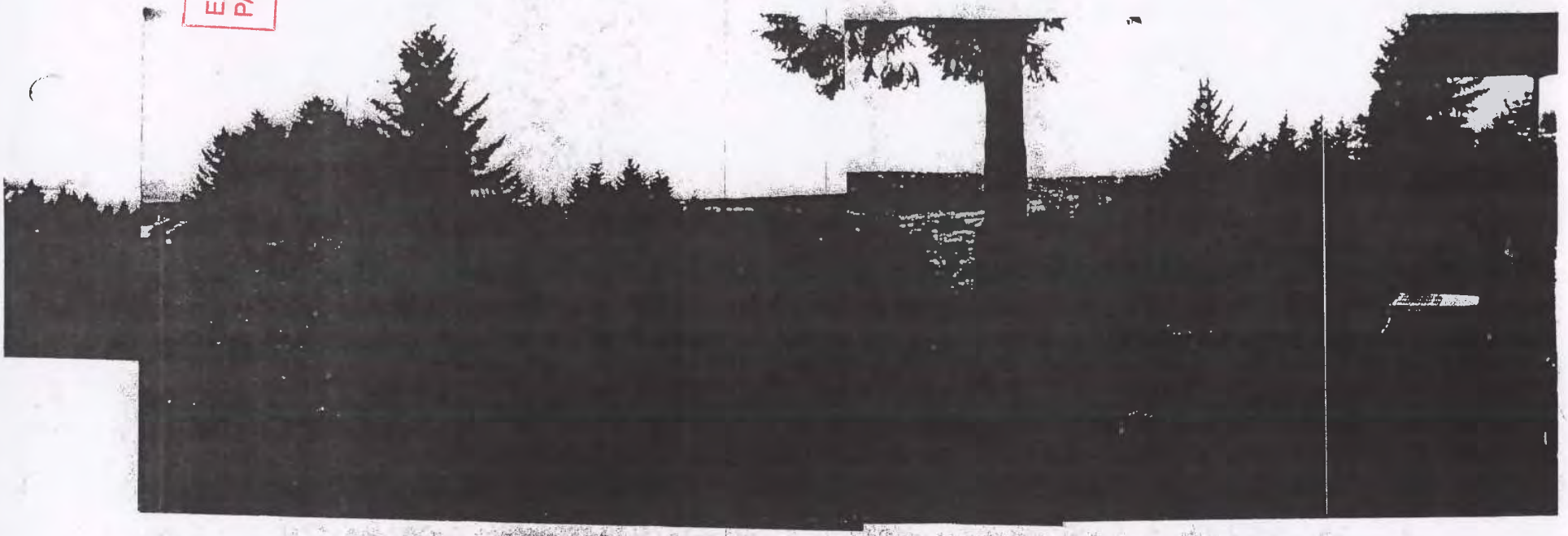
L92CT004

7700031



S. from house toward Woodway View; S. fence line at N.E. 180.

From 500' el West down to 300' elevation

A.V.

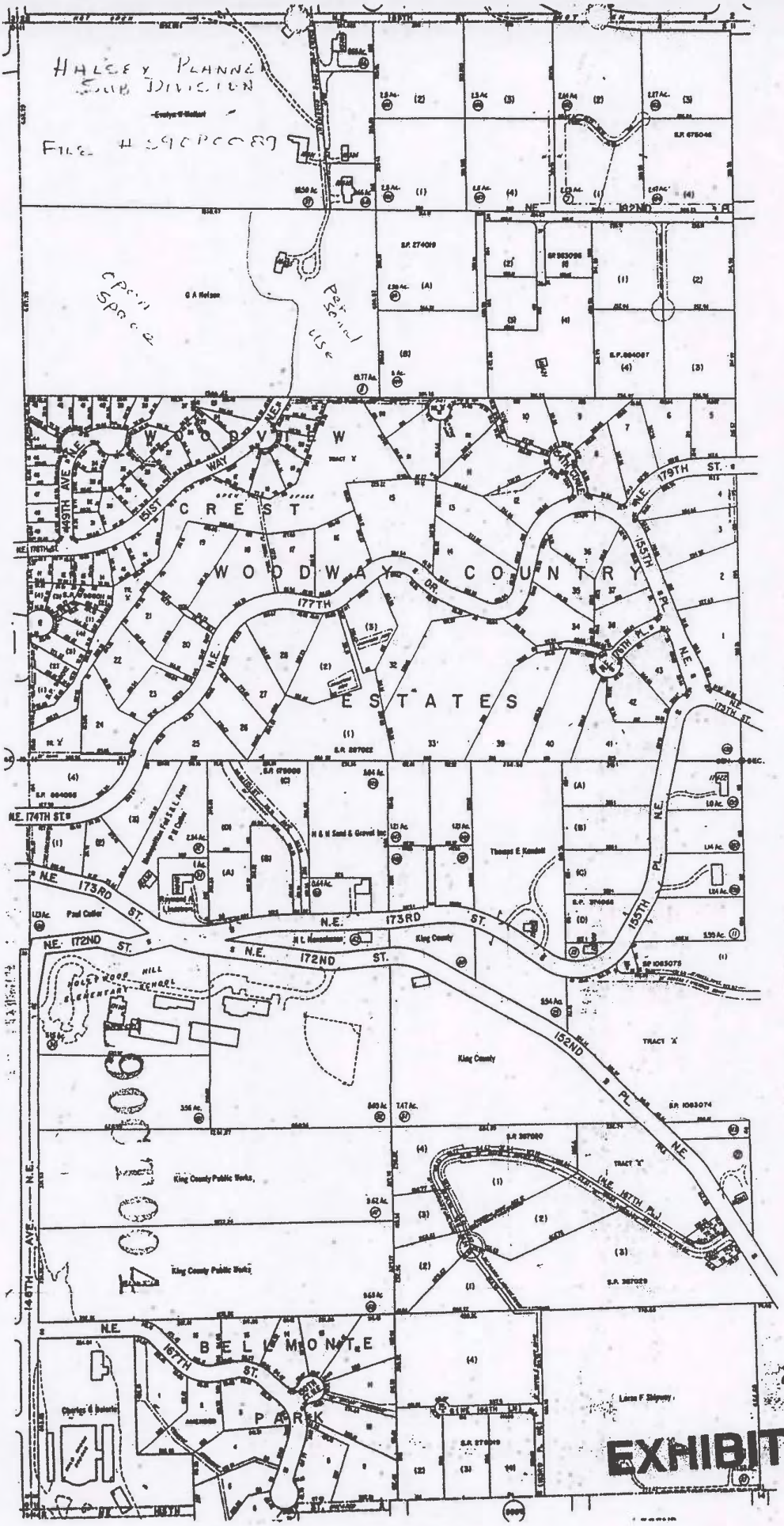


EXHIBIT 125
PAGE 158 OF 244

770003

EXHIBIT 12

D-

* SUBJECT PROPERTY ON BOUNDARY OF BEAR CREEK BASIN PLAN

'ol. 16, No. 46 U.S. Mail delivered to all Woodinville, Duvall, Fall City and Carnation residences. Carrier delivered to South Hollywood Hill. Combined circulation: 30,700.
P.O Box 587, Woodinville, WA 98072 • 483-0606
August 25, 1992

Bear Creek Basin Plan approved by County Council

Al Dams

A plan designed to protect the Bear Creek basin through downzoning and stiffer regulations was approved by the King County Council last week.

"I hope it will preserve what we have left. We have a unique system and a very sensitive system," said Jeanne Milanovich, a member of the citizens advisory committee that worked on the Bear Creek Basin Plan.

Gaining approval in King County is only the first step, however. Snohomish County and Redmond also must endorse the plan.

Neither jurisdiction has scheduled a hearing on it yet, but Snohomish County earlier this month made the funding available if the plan is approved.

"I like most of it. Some things in there need to be different for Snohomish County. What I especially like about it is it would protect one of the last, best salmon spawning streams in the urbanized Puget Sound area. If we lose it now, it will take generations to get it back," Snohomish County Councilman Peter Hurley said.

King County residents already are paying for the regulatory part of the plan through the Surface Water Management rate increase approved last December, said SWM program s... Joanna Richey. Capital improvements likely will be financed by bond measures, she said.

The idea is to stop the impacts of development on Bear Creek and Evans Creek through a number of measures including capital improvements, the downzoning of fish habitat areas, better enforcement of new regulations and stream stewardship programs.

Covered in the planning area is 51 square miles of southeastern Snohomish County, northeastern King County and eastern Redmond. Crystal Lake, Paradise Lake, Cottage Lake and Lake Leota are included, along with about 2,000 acres of wetlands and more than 80 miles of streams.

According to planners, the Bear Creek basin is the most productive salmon spawning basin for its size in the Puget Sound area. Returns of 22,000 adult sockeye salmon have been recorded in Bear Creek alone.

Not every part of the plan is being lauded, however. Redmond activist Joseph Elfelt is generally in favor of it, but takes exception to recent amendments made by the King County Council's Utilities Committee.

Both amendments involve regulations on undeveloped property in the planning area. One allows clearing on land zoned urban with specific mitigations but not on land zoned rural. The other requires lot clustering on land zoned rural, but not on land zoned urban.

"In my mind these two amendments are designed to prohibit people from coming into the basin and living a rural lifestyle," Elfelt said.

Ultimately they also could destroy the area's rural character, he said. "Fifteen to 20 years from now someone will say 'look at all that undeveloped wooded area' and want to zone it urban,'" Elfelt said.

Richey said parts of both amendments already are being enforced in the planning area through the Bear Creek Community Plan. She said they were simply altered to fit the concept of the basin plan.

"The (County) Council was looking to preserve the natural environment to control water quality and erosion," Richey said.

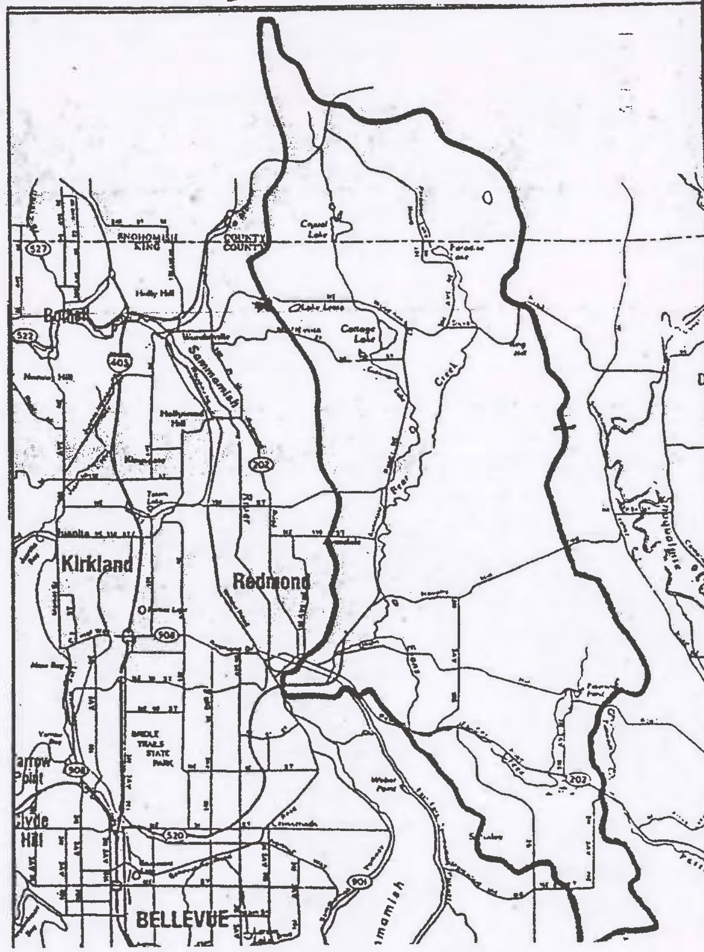


EXHIBIT 125
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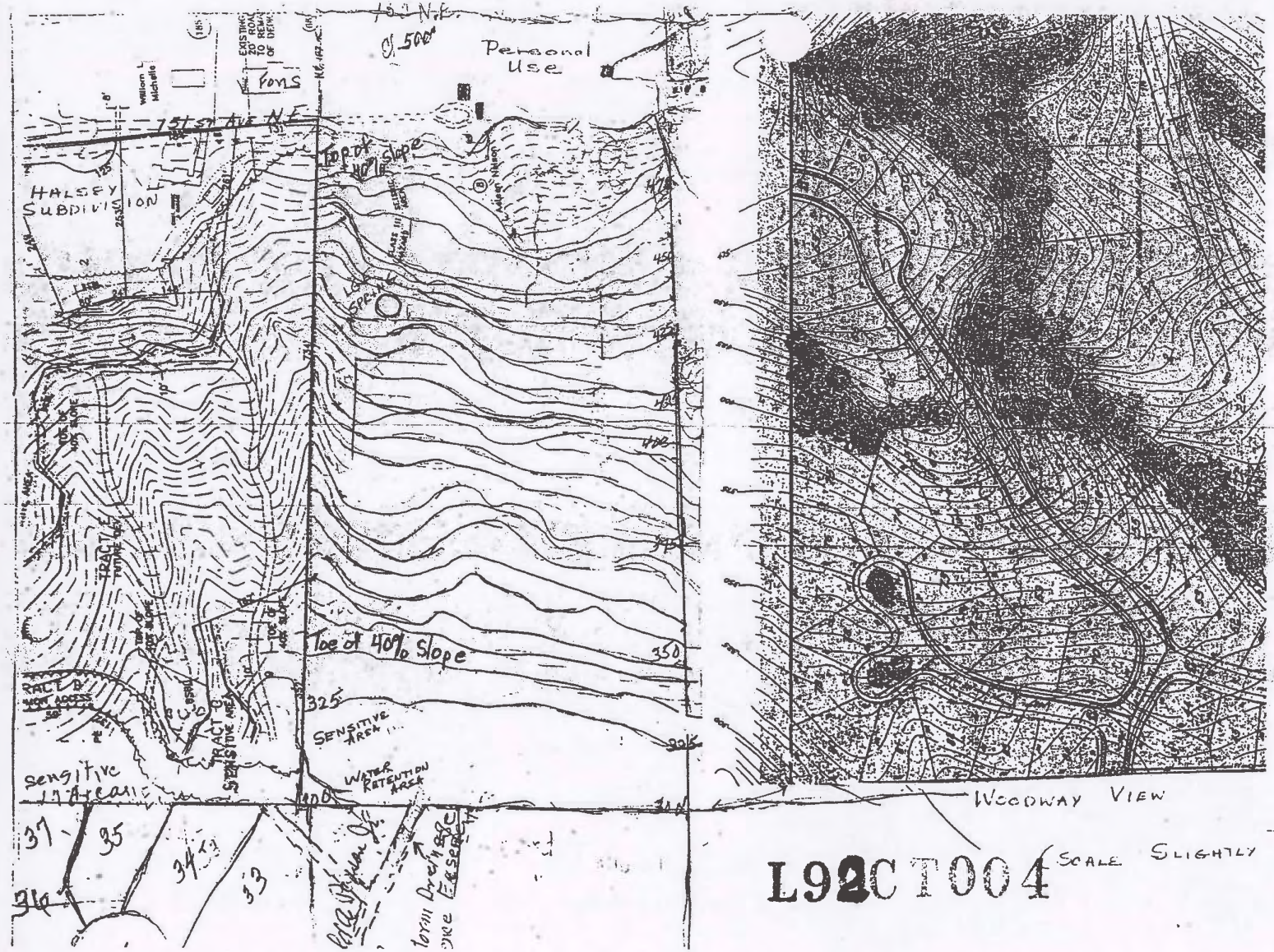
L92P0004

7700033

D

7700034

EXHIBIT 19



L92CT004

EXHIBIT 125
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EXHIBIT ___ PAGE ___ OF ___

EXHIBIT 125
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EXHIBIT

7700035

EXHIBIT 125
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To Whom It May Concern:

On June 9, 1992 at my hearing before the Board of Equalization concerning my property in Woodinville (which I purchased in 1933), I presented approximately the same material that is in this package.

The Board Petition number is BE 9100943 and the Property Account is 11-26-05-9008 (Senior Citizen), and 11-26-05-9008088. Eugene Swartz was the Examiner.

At the conclusion of the hearing, Mr. Swartz sent me to George Kristsonis, on the 9th floor, County City Building who in turn referred me to Fereshteh Dehkordi, of the Building and Land Development Department, with whom I have been working on this application.

The hearing was June 9, and on June 12, I received a letter stating the decision that the land was too steep to build on. Several days later, I received corrected statement CO # 55559 for both the senior citizen (#H 112605-9008-05 Split 8) and H112605-9008-88, also Supplemental Statement CO# 55559.

Aileen Nelson

F. Aileen Nelson
18155 151st Ave N. E.
Woodinville, Washington 98072

7700036

L92CT004
EXHIBIT 21

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2700037

EXHIBIT 125
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EXHIBIT 125
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King County
Environmental Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400
(206) 296-6602

December 9, 1992

Mrs. F. Aileen Nelson
18155 151st Avenue Northeast
Woodinville, WA 98072

RE: Application for Open Space Taxation, Case L92CT004

Dear Mrs. Nelson:

As we discussed on the telephone yesterday, I am sending you the information on the new open space taxation program.

Your application was accepted by the Building and Land Development Division on August 31, 1992, after Ordinance 10511 was passed changing the criteria for approval of land as open space. As a result of the new ordinance, we have changed the application form. However, since you have already applied, you may submit a revised Justification Form (enclosed) rather than a whole new application. **Please submit the form and any supporting documentation with a copy of this letter directly to me, c/o the Environmental Division by January 8, 1993 at the latest.** You may mail or hand deliver it.

As I suggested on the telephone, you should especially consider the priority resources of surface water quality buffer and urban or growth area open space. For the surface water quality buffer, I suggest you discuss the spring, the width of the buffer (in feet), and the distance from the fenced pasture to the spring. For the urban or growth area open space, you should research and discuss the zoning restrictions on your property by talking with the Zoning Counter of the Building and Land Development Division, same address as above, 296-6655.

This letter should help you complete your application to comply with the new ordinance but if you have further questions, please call me at 296-7261. I greatly regret any inconvenience this revision causes you.

Sincerely,

Sue Comis

Sue Comis
Program Analyst

7700039

EXHIBIT 23

EXHIBIT 125
PAGE 166 OF 244

SITUS1 ** SITUS FILE INFORMATION ** 08/31/92
13:3

Parcel Number: 112605 9008

	house	fra	pr	street	type	su	zip code
Situs Address:	18055			151ST	AVE	NE	98011

Owner Name: NELSON AILEEN
1/16-1/4-S-T-R: NW-NW-11-26-05 City Id: W1
Plat:
Lot Number: Volume/Page:
Block Number: DPW File Number:
Land Measure: 19.77 Acres/Feet: A
Kroll Page: 505 WEST
Current Zoning: SE
Openspace:
Waterfront: 0 NONE
Vacancy Code: C 5-10% IMP. VALUE
Sewer Service: 1 PRIVATE
Water System: 2 PUBLIC
Stream Desig.: 417
Last Changed: 080792
Commercial: NO Special Limitations: NO Zoning Info.: NO

(default*)
Community Plan Area: NS NORTHSHORE
Comprehensive Plan: TT TRANSITIONAL
MPS Zone : 298
Fire District : 36
School District : NORTHSHORE
Sewer District : N/A *
Water District : WOODINVILLE

7700040

AUG 1992

L92CT004

EXHIBIT 24

King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

EXHIBIT 125
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Development:
Project No : L92CT004
Page : 1 of 1
Status : PENDING
Date : 08/31/92

* F E E I N V O I C E O N L Y *

Application : CURRENT USE TAXATION Type Code: CURRENT
Title : OPEN SPACE
Description : F. AILEEN NELSON PROPERTY

Location : 18055 151ST AVE NE W1 Zone: SE
Parcel: 112605 9008 STR: NW,NW,11-26-05 Block:
Lot: Plat:
Water Source: Public Sewer Source: Private

Applicant : NELSON, F. AILEEN Phone number: 206-483-17
Appl.Address: 18155 151ST AVE NE
WOODINVILLE, WA 98072

FEE DETAIL

Fee description	Units	Fee/Unit	Ext fee	Date
Current Use Application Fee (Y/N)			150.00	Y

Subtotal of Application Fees: 150.00

*** Fees Required ***		*** Fees Collected & Credits ***	
Fees:	150.00		
Adjustments:	.00	Total Credits:	.00
Total Fees:	150.00	Total Payments:	150.00
		Balance Due:	.00

FEE SUMMARY

7700041

EXHIBIT 25

EXHIBIT 125
PAGE 168 OF 244

January 14, 1993

TO: George Kritsonis, Forestry Appraiser, Department of Assessments
Alan Locke, Woodinville City Manager, Woodinville

FM: Sue Comis, Program Coordinator SC
Environmental Division

RE: Current Use Taxation Applications

File Number: L92CT004

In accordance with Ordinance #10511, I am sending you these applications for your evaluation and comments. In order for your response to be considered in the preparation of the staff report, it will be necessary that your written comments be received by February 15, 1993.

Attached for your review are:

(1) A vicinity map for each application.
(2) A legal description for each application.
(3) Copy of the application, including justification form.

I will contact you soon to schedule a joint site inspection and to set up the public hearing schedule.

Additional specific comments:

This material should provide you with sufficient information for your review but if you have questions, do not hesitate to call me at 296-7261.

SKC:

Attachments

cityrte.doc

EXHIBIT 26

FILE L92CT004

EXHIBIT 125
PAGE 169 OF 244

FILE NO: L92CT004
OWNER: F. AILEEN NELSON, 18155 151st NE, Woodinville, WA 98072
LOCATION: 18155 151st Ave NE, Woodinville
STR: NW 11-26-05
SIZE: 19.77 acres
TAX # 112605-9008
REQUEST: Open Space
ZONE: SE

Current Use
Taxation Proposal

N

0' 132

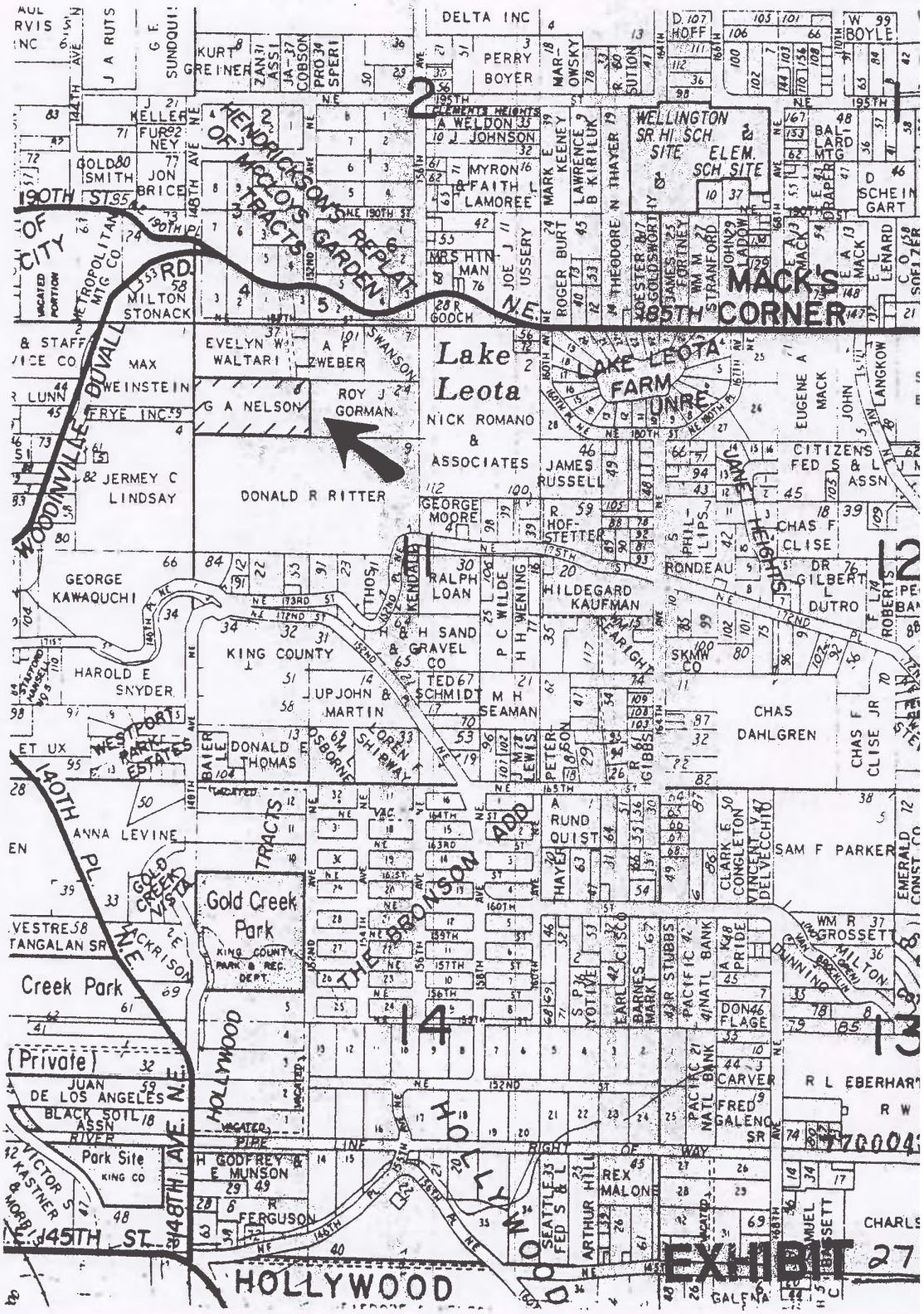

EXHIBIT 125
PAGE 170 OF 244

CITY OF WOODINVILLE
13202 NE 175TH STREET
WOODINVILLE WA 98072
(206) 489-2700
FAX (206) 489-2705

RECEIVED
93 FEB 16 AM 10: 17
ENVIRONMENTAL DIVISION

February 10, 1993

Ms. Sue Comis
King County Environmental Division
3600 136th Place Southeast
Bellevue WA 98006-1400

Dear Ms. Comis

After the field review with you, and the discussion with our City Council regarding the open space taxation on project file No. L92CT004, the City concurs with the request for open space and wanted to make sure it is on record with you by the deadline of February 15, 1993.

We are requesting a joint hearing rather than a separate hearing by the City of Woodinville and later by the King County Council.

Please keep us informed on the progress of the hearing and hearing schedule.

Sincerely

Allen Locke
smc.

Allen Locke
City Manager

EXHIBIT 3

7700044

EXHIBIT 125
PAGE 171 OF 244

King County
Department of Assessments
King County Administration Bldg.
500 Fourth Avenue, Room 708
Seattle, Washington 98104
(206) 296-5195 FAX 296-0595

RECEIVED
93 MAR -4 AM 11:52
ENVIRONMENTAL DIVISION

Scott Noble
Assessor

March 2, 1993

Sue Comis
King County Environmental Division
3600 136th PL SE
Bellevue WA 98006-1400

EXHIBIT 29

RE: CURRENT USE TAXATION APPLICATIONS

Dear Ms Comis:

The land fair market value of certain parcels considered for classification, in whole or in part, as "open space land" under Chapter 84.34 RCW based on 1993 assessments are estimated as follows:

File No. L92CT004

	SIZE		ASSESSED VALUE
F Aileen Nelson	non-classified	3.77 ac	$238,000
112605-9008	classified	16.00 ac	$199,800
por of	total	19.77 ac	$437,800

File No. L92CT011

	SIZE		ASSESSED VALUE
Thomas Kees	non-classified	0	$0
342406-9209	classified	15.09 ac	$184,500
	total	15.09 ac	$184,500
342406-9257	non-classified	2.0 ac	$ 48,900
por of	classified	2.88 ac	$ 15,200
	total	4.88 ac	$ 64,100

File No. L92CT012

	SIZE		ASSESSED VALUE
Robert/Linda Kanter	non-classified	12,000 sq ft	$304,200
136730-0065	classified	22,653 sq ft	$ 39,000
portion of	total	34,653 sq ft	$343,200

File No. L92CT023

	SIZE		ASSESSED VALUE
Maxine Keesling	non-classified	5.0 ac	$120,000
292606-9020	classified	15.0 ac	$198,800
portion of	total	20.0 ac	$318,800

The legal description for the classified land is as follows: S 1/2 of SE 1/4 of NE 1/4 of Sec 29, Twp 26N, Rge 6E, W.M. less NW 1/4 thof.

7700045

File No. L92CT027

	SIZE		ASSESSED VALUE
G. Walsh/D. Weber	non classified	0.50 ac	$42,500
082606-9017	classified	2.81 ac	$51,300
portion of	total	3.31 ac	$93,800
082606-9018	non-classified	1.00 ac	$50,000
portion of	classified	10.81 ac	$85,000
	total	11.81 ac	$135,000

082606-9018 is currently classified under previous criteria.

082606-9048	non-classified	1.50 ac	$60,000
portion of	classified	21.01 ac	$202,500
	total	22.51 ac	$262,500

082606-9048 is currently classified under previous criteria.

082606-9049	non-classified	0.50 ac	$42,500
portion of	classified	9.07 ac	$77,500
	total	9.57 ac	$120,000
082606-9059	non-classified	0 ac	0
	classified	4.31 ac	$97,500
	total	4.31 ac	$97,500
082606-9068	non-classified	1.00 ac	$50,000
portion of	classified	3.61 ac	$55,000
	total	4.61 ac	$105,000
082606-9080	non-classified	1.00 ac	$50,000
portion of	classified	1.26 ac	$32,500
	total	2.26 ac	$82,500

File No. L92CT022

	SIZE		ASSESSED VALUE
Jerome Burley	non classified	0	0
248163-0340	classified	2.11 ac	$187,000
portion of	total	2.11 ac	$187,000

The above parcel size breakdowns and assessed value splits are estimates only. The Department will not be bound by these estimates. Pursuant to WAC 458.30.230, any applications approved on or after July 1, 1993 shall cause the land to be listed on the assessment roll at its current use value on January 1 of the following year.

If you have any questions call 296-3969 or write to the address above.

Sincerely,

George Kritsonis

George Kritsonis
Forestry Appraiser

7700046

Woodinville

EXHIBIT 125
PAGE 173 OF 244

GIS Findings for PBRS

Sensitive Areas: (note any names)
King County Wetlands inventory:

Delineated wetlands
Note that wetlands on property
Streams

Stream and wetland types for determining SAO buffer requirements

no

Other
Waterbodies

PHS
including endangered, threatened and sensitive species

Trail corridors

Spot image: panchromatic and color

Comprehensive Plan urban and growth areas:

Community Plan areas, other info?

City boundaries, and determination of whether parcel is within 2 miles of boundary

Parks

Greenways

Highways--county and state

Interstate highways

SC3/gisfrm.doc

EXHIBIT 30

7700047

King County
Environmental Division
Department of
Development and Environment Services
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400
(206) 296-6602

EXHIBIT 125
PAGE 114 OF 244

March 15, 1993

TO: Sue Comis

FM: Kate Stenberg, Wildlife Planner K. Stenberg

RE: PBRS Application L92CT004

The following comments are based on a field visit made to the site on February 4, 1993. I will begin with general comments on the area and conclude with specific reference to categories applied for under PBRS.

Habitat value
The Nelson property described in the application is situated on a hill overlooking the town of Woodinville. Approximately half of the property is covered with mature, even-aged coniferous forest cover. The other half is covered in exotic blackberry species and scotch broom. It continues to receive a low level of disturbance from livestock use, although this is probably not very significant.

The invasive exotic plant species crowd out native ground covers and reduce the wildlife value of the area. Mrs. Nelson indicated that the area had been in scotch broom since it was logged approximately 70 to 80 years ago. It is possible that excessive soil compaction has occurred in this area which has significantly retarded the establishment of trees.

There were no snags observed in the mature forest stands. These special habitat features should be allowed to develop as they will increase the habitat value of the property. On a large parcel such as this, snags should not pose a hazard to human property as they might on a smaller piece.

Priority Species: Red-tailed hawks are a priority species in urban areas as listed by WDW. The presence of this species is not confirmed by WDW maps. The presence of a nest on the applicant property should be documented. We did not spot a nest during our field visit, but they are often difficult to locate without an extended observation period. Mrs. Nelson could observe the hawks for several days through the current nesting season and try to pinpoint the nest location, which could then be confirmed by a follow-up field visit. Without such preliminary observations by Mrs. Nelson, however, it would be very unlikely that staff could locate such a nest if it exists.

7700048

EXHIBIT 31

RECYCLED PAPER

EXHIBIT 125
PAGE 175 OF 244

Specific Justification
Mrs. Nelson has applied for credit under the significant wildlife criteria. Unless further documentation is provided she may better fit the criteria for special animal sites, a medium priority resource.

Significant plant, wildlife, salmonid habitat area: There is no salmonid habitat on the applicant property. There is no evidence that the properties are used by endangered, threatened or sensitive species for critical ecological processes. There is some evidence presented that Red-tailed hawks use the property. However, nesting of this species has not been confirmed. In fact the applicant indicated that the hawks historically nested on an adjacent parcel. While the adjacent parcel has been developed, a greenbelt was left that could still contain the hawks' nest. I would encourage Mrs. Nelson to carefully observe her hawks this spring to determine where they are nesting. Pin-pointing a nest location will be most easily done during the breeding season when the hawks are most active. Without confirmation, I do not feel that these properties qualify under this category.

Special Animal Sites: We did not observe any red-tailed hawks on the property during our site visit. However, our visit was short and the habitat appeared to be appropriate for the hawks. If red-tailed hawks can be shown to use the applicant property for feeding, then it might meet the criteria for Urban Natural Open Space. Photographs of the hawks, a confirmed nest adjacent to the property, or a statement from an objective source should suffice.

In addition, the applicant property might qualify for Urban Natural Open Space on the basis of size. The Department of Wildlife (WDW) criteria include isolated remnants of natural habitat larger than 10 acres and surrounded by urban development. Since this area is not mapped by WDW as urban natural open space, the King County PBRS criteria indicate that a letter from WDW would be necessary. The portion of the property vegetated with non-native plant species would not qualify as "natural habitat".

Thank you for the opportunity to comment on this application. If you have any questions or comments, please call me at 296-7266.

NOTICE IS HEREBY GIVEN that a joint committee of the King County Council and the Council of the City of Woodinville will meet in Room 401 of the King County Courthouse, 516 Third Avenue, Seattle, Washington on June , 1993 at , or as soon thereafter as possible, to consider an application for classification and real property assessment under Current Use Assessment Statute RCW 84.34, all listed hereafter;

L92CT004 - F. AILEEN NELSON, 18155 151st NE, Woodinville, WA 98072; STR: NW 11-26-05; REQUEST: Open Space; Size: 19.77 acres; Zone SE; Tax # 112605-9008

EXHIBIT 32

7700050

EXHIBIT 125
PAGE 177 OF 244

Introduced by:

PROPOSED ORDINANCE
NO._____

AN ORDINANCE for Current Use Assessment Application for OPEN SPACE petitioned by F. Aileen Nelson and designated Development and Environmental Services File No.L92CT004

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY

SECTION I.

EXHIBIT 33

King County
Environmental Division

Department of
Development and Environment Services

3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

(206) 296-6602

EXHIBIT 125
PAGE 178 OF 244

May 27, 1993

F. Aileen Nelson
18155 151st Avenue NE
Woodinville, WA 98072

RE: Current Use Assessment Application L92CT004

Dear Applicant:

As you are aware, the City of Woodinville and King County have been reviewing your application for current use taxation as open space under the County's Public Benefit Rating System. Attached is the preliminary recommendation regarding your application.

This letter is to inform you that the King County Council's Open Space and Parks Committee will hold a joint meeting with members of the Woodinville City Council to consider your application on June 8, 1993. The committee meeting starts at 9:30a in Room 401 of the King County Courthouse.

Thank you for your interest in this program. Please feel free to contact me at 296-6637 if you have any questions or if you wish to discuss the recommendation.

Sincerely,

Richard Tucker
Senior Analyst

cc: Alan Locke, City Manager, City of Woodinville

EXHIBIT 34

7700052

"Preserving the Balance"

EXHIBIT 125
PAGE 179 OF 244

EXHIBIT 35

KING COUNTY/ CITY OF WOODINVILLE
RECOMMENDATION ON APPLICATION FOR CURRENT USE TAXATION/
PUBLIC BENEFIT RATING SYSTEM

APPLICANT: F. Aileen Nelson (Mrs. G.A. Nelson) FILE NO: L92CT004

A. GENERAL INFORMATION:

Owner: F. Aileen Nelson

Location: 18155 151st Avenue NE, Woodinville, WA 98072

Request:
Priority Resources Requested (Open Space)
Scenic resources, viewpoints and view corridors
Significant wildlife, plant and salmonid habitat
Urban or growth area open space
Geological features

Zoning: SE

Acreage

Total	19.77
Requested for Open Space	16.00
Recommended	16.00

STR: 11-26-5

B. FACTS:

1. Zoning in the Vicinity: SE (within the newly incorporated city of Woodinville)

2. Development of the subject Property: 3.77 acres of 19.77 acre parcel includes single family home with attached carport; separate garage, and equipment shed and barn. 16 acres requested for open space is mixed woodland and steep slopes.

3. Site Use: The 3.77 acres of 19.77 acre parcel includes single family home with attached carport; separate garage, and equipment shed and barn, driveway and turnaround, septic tank and drainfield. There are no present or planned improvements on 16 acres proposed for open space.

4. Access: Public road leads to the turnaround on 3.77 acres in front of house.. Road is 151st Avenue NE.

5. Assessed Value:

FILE NUMBER -L92CT004	SIZE		ASSESSED VALUE
112605-9008	nonclassified	3.77ac	238,000
por of	classified	16.00ac	199,800
	Total	19.77ac	437,800

7700053

Assessed value information furnished by and extracted from 3/2/93 letter from King County Assessor's Office.(Exhibit 29)

C. REQUIREMENTS SPECIFIED BY KING COUNTY CODE (KCC):

1. **KCC 20.36.010 Purpose and intent.**

"It is the in the best interest of the county to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the county and its citizens.

It is the intent of this chapter to implement RCW 84.34, as amended, by establishing procedures, rules and fees for the consideration of applications for public benefit rating system assessment on "open space lands" and for current use assessment on "farm and agricultural land" and "timber land" as those lands are defined in RCW 84.34.020. the provisions of Chapter 84.34, and the regulations adopted thereunder shall govern the matters not expressly covered by this chapter. (Ord. 10511 Sec. 3, 1992: Ord. 1886 Sec. 1, 1974: Ord. 1076 Sec. 1, 1971.)"

COMMENT: The completed application was received on August 31, 1992.

2. **KCC 20.36.100 Criteria for approval - public benefit rating system for open space lands.**

A. Rating system. To be eligible for open space classification under the public benefit rating system, property must contain one or more priority open space resources. These resources are ranked as high priority, medium priority and low priority resources and are based on the adopted King County Open Space Plan referenced in K.C.C. 20.12.380. High priority resources receive five points each, medium priority resources receive three points each and low priority resources receive one point each. Properties can receive a maximum of thirty points from no more than six open space priority resources. In addition, bonus points and super bonus points may be awarded pursuant to Subsection B and C and a property can achieve a maximum of fifty-two points through the rating system and the bonus system. Portions of property may also qualify for open space designation. complete definitions of each resource, sources and eligibility standards are fully described in the summary report adopted by reference by K.C.C. 20.36.150.

1. High priority resources - five points each.
a. Active or passive recreation areas.
b. Property under option for purchase as park, recreation, open space land or CIP mitigation site.
c. Watersheds.
d. Shoreline "Conservancy" environment in priority areas with public access.
e. Scenic resources, viewpoints and view corridors.
f. Surface water quality buffer area.
g. Rural or low density open space close to urban growth areas.
h. Significant plant, wildlife and salmonid habitat area.
i. Significant aquatic ecosystems.
j. Historic landmarks/archaeological sites: designated sites.
k. Trail linkages
l. Urban or growth area open space.
2. Medium priority resources - three points each.
a. Public lands and right-of-way buffers.
b. Special native plant sites.
c. Shoreline natural environment.
d. Geological features.
e. Eligible historic landmarks or archaeological sites.
f. Buffers to designated historic landmarks/ archaeological sites.
g. Special animal sites.
3. Low priority resources - one point each.

B. Bonus System. Properties qualifying in the specific high, medium or low priority categories may receive up to twelve bonus points in at least three categories if the following additional qualifications are met:
1. Resource restoration - five points.
2. Bonus surface water quality buffer - three or five points.
3. Contiguous parcels under separate ownership - two points.
4. Conservation/historic easement in perpetuity - five points.
5. Bonus public access points (granted only in categories that require public access).
a. Unlimited public access - five points.
b. Limited public access - sensitive areas - five points.
c. Limited public access - non-sensitive areas - three points.

C. Super bonus system. Properties with at least one high priority resource and which allow unlimited public access, or limited public access if due to resource sensitivity, and which convey a conservation, historic,

or trail easement in perpetuity, in a form approved by the county, shall be automatically eligible for current use value at 10% of market value.

COMMENT: Points requested by the applicant and comments follow:

Scenic resources, viewpoints and view corridors
The applicant claims that the property is visible from any point in Woodinville from the west and the property forms part of the east side of the Sammamish Valley. The property is visible from the 405 Woodinville interchange and is over 10 acres in size.

Urban or Growth Area Open Space
The property requested for open space is 16 acres within the city of Woodinville.

Significant wildlife, plant and salmonid habitat
The applicant claims that the property contains nests for the red-tailed hawk, a priority species in urban areas as listed by the Washington Department of Wildlife. In addition, the applicant claims that the property contains other types of birds, beaver and coyote. Staff analysis (Exhibit 31) states that the presence of the red tailed hawk has not been confirmed by maps prepared by WDW. In addition, staff could not document evidence of nests on the property althought the habitat appeared to be appropriate for the hawks. Documentation would qualify this property for this category. Absent documentation, the property would qualify for Special Animal Sites, a medium priority resource.

Geologic Features
The applicant claims that the property is 600 foot wide portion of the Glacial River. The high portion is the most northern section of the Sammamish Plateau. In general, steep slopes, as defined in the King County Sensitive Areas Ordinance, are not eligible unless a unique feature is identified.

Public Access
The applicant is proposing limited access due to resource sensitivity for the purposes of birdwatching and to take advantage of the view point.

D. 1985 COMPREHENSIVE PLAN POLICIES AND TEXT:

Policy #E-205

"A variety of measures should be used to preserve parcels designated as parks and open space, including regulations, incentives, trades and purchase of lands or easements. Transfer of development rights (TDRs) may be another appropriate tool."

COMMENT: Current Use Taxation is an incentive to maintain the property as open space.

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EXHIBIT 125
PAGE 183 OF 244

Conclusions and Recommendations

A. CONCLUSIONS:

1. Approval of the request, as modified, would be consistent with the specific purpose and intent of KCC 20.36.010.

2. Approval of the request would be consistent with Policy E-205 of the 1985 King County Comprehensive Plan.

3. Of the points requested, the subject request meets the mandatory criteria of KCC 20.36.100 as indicated:

High Priority Resource	
Scenic Natural Resources, viewpoints and view corridors	5
Surface Water Quality Buffer Area	0
Urban or Growth Area Open Space	5
Significant wildlife, plant and salmonid habitat	0
Geologic Features	0
Medium Priority Resource	
Special Animal Sites	3
Public Access	5
PUBLIC BENEFIT RATING	18

18 points results in 30% of market value.

B. RECOMMENDATION:

APPROVE the request, as modified, for current use taxation "Open Space" classification with a Public Benefit Rating of 15 points, subject to the following conditions.

1) Failure of the owner to comply with these conditions shall be basis for removal, by King County, of the current use designation, in which case the land shall be subject to the penalty, tax, and interest provisions of RCW 84.34 and assessed at true and fair value. The County Assessor , the city of Woodinville and the Environmental Division may re-evaluate the property to determine whether removal of the open space designation is appropriate. Removal shall follow the process in RCW 84.34.108.

2) Revisions to this agreement may only occur upon mutual written approval of the owner and Granting Authority.

3) The open space classification for this land will continue as long as it is primarily devoted to and used for the purpose of protecting urban open space. Classification will be removed if dedication to this purpose ceases to exist. A change in circumstances which diminishes the extent of

public benefit from that generally outlined in the recommendation to the King County Council and the City of Woodinville Council will result in removal of the current use assessment classification. It is the owner's responsibility to notify the Assessor of a change in circumstance.

4) When a portion of the open space land is withdrawn or removed from the program, the Environmental Division, city of Woodinville and the Assessor shall re-evaluate the remaining land to determine its continued qualification under the program. If the remaining portion meets the criteria for priority resources, it may continue under current use taxation.

5) Except as otherwise stated in this agreement, there shall be no alteration of the open space land or resources. **Any alteration may constitute a change of use and subject the property to the additional tax, interest, and penalty provisions of RCW 84.34.080** "Alteration" means any human-induced action that adversely impacts the existing condition of the open space land or resources including but not limited to the following:. (Walking, passive recreation, or other similar activities are permitted.)

a. erecting structures;
b. grading;
c. filling;
d. dredging;
e. channelizing;
f. modifying land or hydrology for surface water management purposes without prior approval by the City of Woodinville;
g. cutting, pruning, limbing or topping, clearing, planting, introducing, relocating or removing vegetation. Except:

1) In areas which have become infested by noxious weeds, the Owner shall consult with the County Noxious Weed Control Board Coordinator to obtain suggestions on controlling them. The Owner shall submit a control and enhancement plan to the King County Environmental Division and local jurisdiction for approval prior to removing the weeds.

2) In areas invaded by non-native invasive species, replacement with native species or other appropriate vegetation may be allowed subject to approval of an enhancement plan by the King County Environmental Division and City of Woodinville.

3) Trees posing a hazard to structures or major roads may be removed if approved in

7700058

advance by the City. Any trees removed must be replaced.

h. applying herbicides or pesticides or any hazardous or toxic substance;
i. discharging pollutants excepting stormwater;
j. paving, construction, application of gravel;
k. storing of equipment, household supplies, play equipment, or compost;
l. constructing trails except with prior approval of the City of Woodinville.
k. or engaging in any other human activity that adversely impacts the existing vegetation, hydrology, wildlife, wildlife habitat, or other open space resource.

6) There shall be no motorized vehicle driving or parking allowed on the open space land.

7) There shall be no hunting, fishing or trapping.

8) There shall be no discharging of firearms on the site, except for law enforcement officers during an emergency.

9) Land not designated open space and presently used as a residential building site shall be valued at its true and fair value as a homesite as directed under WAC 458-30-260 (5).

Public Access

The property owner may limit access to the property to a reasonable number of points through the use of fences, berms, or other access barriers, subject to approval of the Environmental Division and City of Woodinville. Placement of access barriers shall not defeat the purpose of preserving the resource.

The public shall be entitled to free access to this property, subject to notification and consent of the Owner. Access shall not be denied if the request is compatible with this Agreement and would not endanger open space resources. Access is limited to passive forms of recreation or educational pursuits in which the land and its ecological balance remain undisturbed.

"No Trespassing" signs shall not be allowed.

TRANSMITTED to the parties listed hereafter:
Applicant
Alan Locke, City of Woodinville
George Kritsonis, King County Assessor's Office

7700059

EXHIBIT 125
PAGE 186 OF 244

6/8/93

Introduced by: Audrey Gruc

Proposed No.: 93-409

ORDINANCE NO. 10891

AN ORDINANCE concurring with the joint recommendation of the Parks, Open Space and Natural Resources Committee and Representatives from the City of Woodinville City Council to approve, subject to condtions, the open space land designation application for current use valuation of F. AILEEN NELSON, designated Development and Environmental Services File No. L92CT004

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein as its findings and conclusions the findings and conclusions contained in the report and recommendation of the King County Environmental Division staff, which was filed with the clerk of the council June 10, 1993, to approve, subject to conditions (modified), the open space land designation application for current use valuation of F.Aileen Nelson, designated Development and Environmental Services File No. L92CT004, and the council does hereby adopt as its action

7700060

EXHIBIT 125
PAGE 187 OF 244

the recommendation(s) contained in said report.

INTRODUCED AND READ for the first time this 24th day of May, 1993.

PASSED this 14th day of June, 1993

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Audrey Gruger
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

Attachments:

Staff recommendation from King County Environmental Division

7700061

EXHIBIT 125
PAGE 188 OF 244

OPEN SPACE TAXATION AGREEMENT

(To be used for "Open Space or Timber Land" Classification, only)

This Agreement between _F. Aileen Nelson _____ hereinafter called the "owner", and (granting authority) King County, Washington State

Whereas the owner of the following described real property having made application for classification of that property under provisions of RCW 84.34.

And whereas, both the owner and legislative authority desire to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, esthetic and economic asset to the public, and both parties agree that the classification of the property during the life of this Agreement shall be for:

_____Open Space Land_____

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

(1) During the term of this Agreement, the land shall only be used in accordance with the preservation of its classified use.

(2) This agreement shall be effective commencing on the date the legislative body receives the signed Agreement from the property owner, and shall remain in effect for a period of at least (10) years.

(3) This Agreement shall run with the land described herein and shall be binding upon the heirs, successors and assigns of the parties hereto.

(4) Withdrawal: The land owner may withdraw from this Agreement if after a period of eight years the land owner makes a withdrawal request, which request is irrevocable, to the assessor. Two years from the date of that request the assessor shall withdraw the land from the classification, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070 and 84.34.108

(5) Breach: After land has been classified and an Agreement executed, any change of the use of the land, except through compliance with items (4) or (6) of this Agreement, shall be considered a

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FILE NO L92CT004

breach of this Agreement, and subject to applicable taxes, penalties and interest as provided in RCW 84.34.080 and 84.34.108.

(6) A breach of Agreement shall not occur and the additional tax shall not be imposed if the removal of designation resulted solely from:

(a) Transfer to a government entity in exchange for other land located within the state of Washington;
(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power said entity having manifested its intent in writing or by other official actions;
(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
(d) Official action by the state of Washington or by the county or city within which the land is located which disallows the present use of such land.
(e) Transfer to a church and such land would qualify for exemption pursuant to RCW 84.36.020.
(f) Acquisition of property interests by state agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108 (5)(f).

(7) The county assessor may require an owner to submit data relevant to continuing the eligibility of any parcel of land described in this Agreement.
(8) Reclassification as provided in chapter 84.34. RCW

Legal Description of Classified Land:

Assessor's Parcel or Account Numbers: 112605-9008

S 1/2 of NW 1/4 of NW 1/4 of NW 11-26-05 les beg at a pt 400 ft W of E prop line along the N prop line, then S to a point 400 ft W of E prop line along S prop line; then 400 ft E; then 658.87 ft N; then 400 ft W to pob.

Conditions:

This agreement shall be subject to the following conditions set forth in the attached report and recommendation of the joint panel of the City of Woodinville and King County

Council meeting on June 8, 1993 and approved by the King County Council on June 14, 1993.

It is declared that this agreement contains the classification and conditions as provided for in RCW 84.34 and the conditions imposed by the Granting Authority.

Dated NOVEMBER 22, 1993

Granting Authority:

KING COUNTY
City or County

By Audrey Grugor
Chair of Council

As owner(s) of the herein described land I (we) indicate by my (our) signature(s) that I (we) are aware of the potential tax liability and hereby accept the classification and conditions of this Agreement.

Dated October 12, 1993

F. Aileen Nelson
Owner(s)

N/A
(Must be signed by all owners)

Subscribed and sworn to before me this 12 day of October, 1993

Gina Brent
Notary Public

Date signed Agreement received by Legislative Authority

GINA BRENT
COMMISSION EXPIRES
NOTARY
PUBLIC
10-10-95
STATE OF WASHINGTON

7700064

EXHIBIT 125
PAGE 191 OF 244

KING COUNTY/ CITY OF WOODINVILLE
CURRENT USE TAXATION/ PUBLIC BENEFIT RATING SYSTEM

APPLICANT: F. Aileen Nelson (Mrs. G.A. Nelson) FILE NO: L92CT004

A. GENERAL INFORMATION:

Owner: F. Aileen Nelson

Location: 18155 151st Avenue NE, Woodinville, WA 98072

Request:
Priority Resources Requested (Open Space)
- Scenic resources, viewpoints and view corridors
- Significant wildlife, plant and salmonid habitat
- Urban or growth area open space
- Geological features
- Surface water quality buffer area

Zoning: SE

Acreage

Total	19.77
Requested for Open Space	16.00
Recommended	16.00

STR: 11-26-5

B. FACTS:

1. Zoning in the Vicinity: SE (within the newly incorporated city of Woodinville)

2. Development of the subject Property: 3.77 acres of 19.77 acre parcel includes single family home with attached carport; separate garage, and equipment shed and barn. 16 acres requested for open space is mixed woodland and steep slopes.

3. Site Use: The 3.77 acres of 19.77 acre parcel includes single family home with attached carport; separate garage, and equipment shed and barn, driveway and turnaround, septic tank and drainfield. There are no present or planned improvements on 16 acres proposed for open space.

4. Access: Public road leads to the turnaround on 3.77 acres in front of house.. Road is 151st Avenue NE.

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5. Assessed Value:

FILE NUMBER -L92CT004	SIZE		ASSESSED VALUE
112605-9008	nonclassified	3.77ac	238,000
por of	classified	16.00ac	199,800
	Total	19.77ac	437,800

Assessed value information furnished by and extracted from 3/2/93 letter from King County Assessor's Office.(Exhibit 29)

C. REQUIREMENTS SPECIFIED BY KING COUNTY CODE (KCC):

1. **KCC 20.36.010 Purpose and intent.**

"It is the in the best interest of the county to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the county and its citizens.

It is the intent of this chapter to implement RCW 84.34, as amended, by establishing procedures, rules and fees for the consideration of applications for public benefit rating system assessment on "open space lands" and for current use assessment on "farm and agricultural land" and "timber land" as those lands are defined in RCW 84.34.020. the provisions of Chapter 84.34, and the regulations adopted thereunder shall govern the matters not expressly covered by this chapter. (Ord. 10511 Sec. 3, 1992: Ord. 1886 Sec. 1, 1974: Ord. 1076 Sec. 1, 1971.)"

COMMENT: The completed application was received on August 31, 1992 and approved on June 14, 1993.

2. **KCC 20.36.100 Criteria for approval - public benefit rating system for open space lands.**

A. Rating system. To be eligible for open space classification under the public benefit rating system, property must contain one or more priority open space resources. These resources are ranked as high priority, medium priority and low priority resources and are based on the adopted King County Open Space Plan referenced in K.C.C. 20.12.380. High priority resources receive five points each, medium priority resources receive three points each and low priority resources receive one point each. Properties can receive a maximum of thirty points from no more than six open space priority resources. In addition, bonus points and super bonus points may be awarded pursuant to Subsection B and C and a property can achieve a

maximum of fifty-two points through the rating system and the bonus system. Portions of property may also qualify for open space designation. complete definitions of each resource, sources and eligibility standards are fully described in the summary report adopted by reference by K.C.C. 20.36.150.

1. High priority resources - five points each.
   a. Active or passive recreation areas.
   b. Property under option for purchase as park, recreation, open space land or CIP mitigation site.
   c. Watersheds.
   d. Shoreline "Conservancy" environment in priority areas with public access.
   e. Scenic resources, viewpoints and view corridors.
   f. Surface water quality buffer area.
   g. Rural or low density open space close to urban growth areas.
   h. Significant plant, wildlife and salmonid habitat area.
   i. Significant aquatic ecosystems.
   j. Historic landmarks/archaeological sites: designated sites.
   k. Trail linkages
   l. Urban or growth area open space.
2. Medium priority resources - three points each.
   a. Public lands and right-of-way buffers.
   b. Special native plant sites.
   c. Shoreline natural environment.
   d. Geological features.
   e. Eligible historic landmarks or archaeological sites.
   f. Buffers to designated historic landmarks/ archaeological sites.
   g. Special animal sites.
3. Low priority resources - one point each.

B. Bonus System. Properties qualifying in the specific high, medium or low priority categories may receive up to twelve bonus points in at least three categories if the following additional qualifications are met:

1. Resource restoration - five points.
2. Bonus surface water quality buffer - three or five points.
3. Contiguous parcels under separate ownership - two points.
4. Conservation/historic easement in perpetuity - five points.
5. Bonus public access points (granted only in categories that require public access).
   a. Unlimited public access - five points.

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b. Limited public access - sensitive areas - five points.

c. Limited public access - non-sensitive areas - three points.

C. Super bonus system. Properties with at least one high priority resource and which allow unlimited public access, or limited public access if due to resource sensitivity, and which convey a conservation, historic, or trail easement in perpetuity, in a form approved by the county, shall be automatically eligible for current use value at 10% of market value.

COMMENT: Points awarded to the applicant are as follows:

Scenic resources, viewpoints and view corridors
The applicant claims that the property is visible from any point in Woodinville from the west and the property forms part of the east side of the Sammamish Valley. The property is visible from the 405 Woodinville interchange and is over 10 acres in size.

Urban or Growth Area Open Space
The property requested for open space is 16 acres within the city of Woodinville.

Significant wildlife, plant and salmonid habitat
The applicant claims that the property contains nests for the red-tailed hawk, a priority species in urban areas as listed by the Washington Department of Wildlife. In addition, the applicant claims that the property contains other types of birds, beaver and coyote. Staff analysis (Exhibit 31) states that the presence of the red tailed hawk has not been confirmed by maps prepared by WDW. In addition, staff could not document evidence of nests on the property although the habitat appeared to be appropriate for the hawks. Documentation would qualify this property for this category. Absent documentation, the property qualified for Special Animal Sites, a medium priority resource.

Geologic Features
The applicant claims that the property is 600 foot wide portion of the Glacial River. The high portion is the most northern section of the Sammamish Plateau. In general, steep slopes, as defined in the King County Sensitive Areas Ordinance, are not eligible unless a unique feature is identified.

Surface water quality buffer area
The applicant requests credit for surface water quality buffer area. The City of Woodinville recommends credit for this category based on the location of a stream and watershed on the property. Points awarded for this category.

Public Access

The applicant is proposing limited access due to resource sensitivity for the purposes of birdwatching and to take advantage of the view point.

D. 1985 COMPREHENSIVE PLAN POLICIES AND TEXT:

Policy #E-205

"A variety of measures should be used to preserve parcels designated as parks and open space, including regulations, incentives, trades and purchase of lands or easements. Transfer of development rights (TDRs) may be another appropriate tool."

COMMENT: Current Use Taxation is an incentive to maintain the property as open space.

Conclusions

On June 14, 1993, the King County Council approved the request based upon the following conclusions.

A. CONCLUSIONS:

1. Approval of the request, as modified, would be consistent with the specific purpose and intent of KCC 20.36.010.

2. Approval of the request would be consistent with Policy E-205 of the 1985 King County Comprehensive Plan.

3. Of the points requested, the subject request meets the mandatory criteria of KCC 20.36.100 as indicated:

High Priority Resource	
Scenic Natural Resources, viewpoints and view corridors	5
Surface Water Quality Buffer Area	5
Urban or Growth Area Open Space	5
Significant wildlife, plant and salmonid habitat	0
Geologic Features	0
Medium Priority Resource	
Special Animal Sites	3
Public Access	5
PUBLIC BENEFIT RATING	23

23 points results in 20% of market value.

The approval was made subject to the following conditions.

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1) Failure of the owner to comply with these conditions shall be basis for removal, by King County, of the current use designation, in which case the land shall be subject to the penalty, tax, and interest provisions of RCW 84.34 and assessed at true and fair value. The County Assessor , the city of Woodinville and the Environmental Division may re-evaluate the property to determine whether removal of the open space designation is appropriate. Removal shall follow the process in RCW 84.34.108.

2) Revisions to this agreement may only occur upon mutual written approval of the owner and Granting Authority.

3) The open space classification for this land will continue as long as it is primarily devoted to and used for the purpose of protecting urban open space. Classification will be removed if dedication to this purpose ceases to exist. A change in circumstances which diminishes the extent of public benefit from that generally outlined in the recommendation to the King County Council and the City of Woodinville Council will result in removal of the current use assessment classification. It is the owner's responsibility to notify the Assessor of a change in circumstance.

4) When a portion of the open space land is withdrawn or removed from the program, the Environmental Division, city of Woodinville and the Assessor shall re-evaluate the remaining land to determine its continued qualification under the program. If the remaining portion meets the criteria for priority resources, it may continue under current use taxation.

5) Except as otherwise stated in this agreement, there shall be no alteration of the open space land or resources. **Any alteration may constitute a change of use and subject the property to the additional tax, interest, and penalty provisions of RCW 84.34.080** "Alteration" means any human-induced action that adversely impacts the existing condition of the open space land or resources including but not limited to the following:. (Walking, passive recreation, or other similar activities are permitted and any existing ongoing activities are permitted to continue.)

   a. erecting structures;
   b. grading;
   c. filling;
   d. dredging;
   e. channelizing;
   f. modifying land or hydrology for surface water management purposes without prior approval by the City of Woodinville;
   g. cutting, pruning, limbing or topping, clearing, planting, introducing, relocating or removing vegetation. Except:

7700070

1) In areas which have become infested by noxious weeds, the Owner shall consult with the County Noxious Weed Control Board Coordinator to obtain suggestions on controlling them. The Owner shall submit a control and enhancement plan to the King County Environmental Division and local jurisdiction for approval prior to removing the weeds.

2) In areas invaded by invasive species, replacement with native species or naturalized non-invasive species may be allowed subject to approval of an enhancement plan by the King County Environmental Division and City of Woodinville.

3) Trees posing a hazard to structures or major roads may be removed if approved in advance by the City. Any trees removed must be replaced.

4) Removal of dead trees for purposes of firewood for personal use shall be permitted.

h. applying herbicides or pesticides or any hazardous or toxic substance;
i. discharging pollutants excepting stormwater;
j. paving, construction, application of gravel;
k. storing of equipment, household supplies, play equipment, or compost;
l. constructing trails except with prior approval of the City of Woodinville.
k. or engaging in any other human activity that adversely impacts the existing vegetation, hydrology, wildlife, wildlife habitat, or other open space resource.

6) There shall be no motorized vehicle driving or parking allowed on the open space land.

7) There shall be no hunting, fishing or trapping.

8) There shall be no discharging of firearms on the site, except for law enforcement officers during an emergency.

9) Land not designated open space and presently used as a residential building site shall be valued at its true and fair value as a homesite as directed under WAC 458-30-260 (5).

Public Access

The property owner may limit access to the property to a reasonable number of points through the use of fences, berms, or other access barriers, subject to approval of the

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Environmental Division and City of Woodinville. Placement of access barriers shall not defeat the purpose of preserving the resource.

The public shall be entitled to access to this property, subject to notification and consent of the Owner. Access shall not be denied if the request is compatible with this Agreement and would not endanger open space resources. Access is limited to passive forms of recreation or educational pursuits in which the land and its ecological balance remain undisturbed.

"No Trespassing" signs shall not be allowed.

7700072

DEPARTMENT OF ASSESSMENTS
Appraisal Division
500 4th Avenue, RM 853
Seattle, WA 98104-2384

RICHARD TUCKER
DDES
ENVIRON DIV.

7700073

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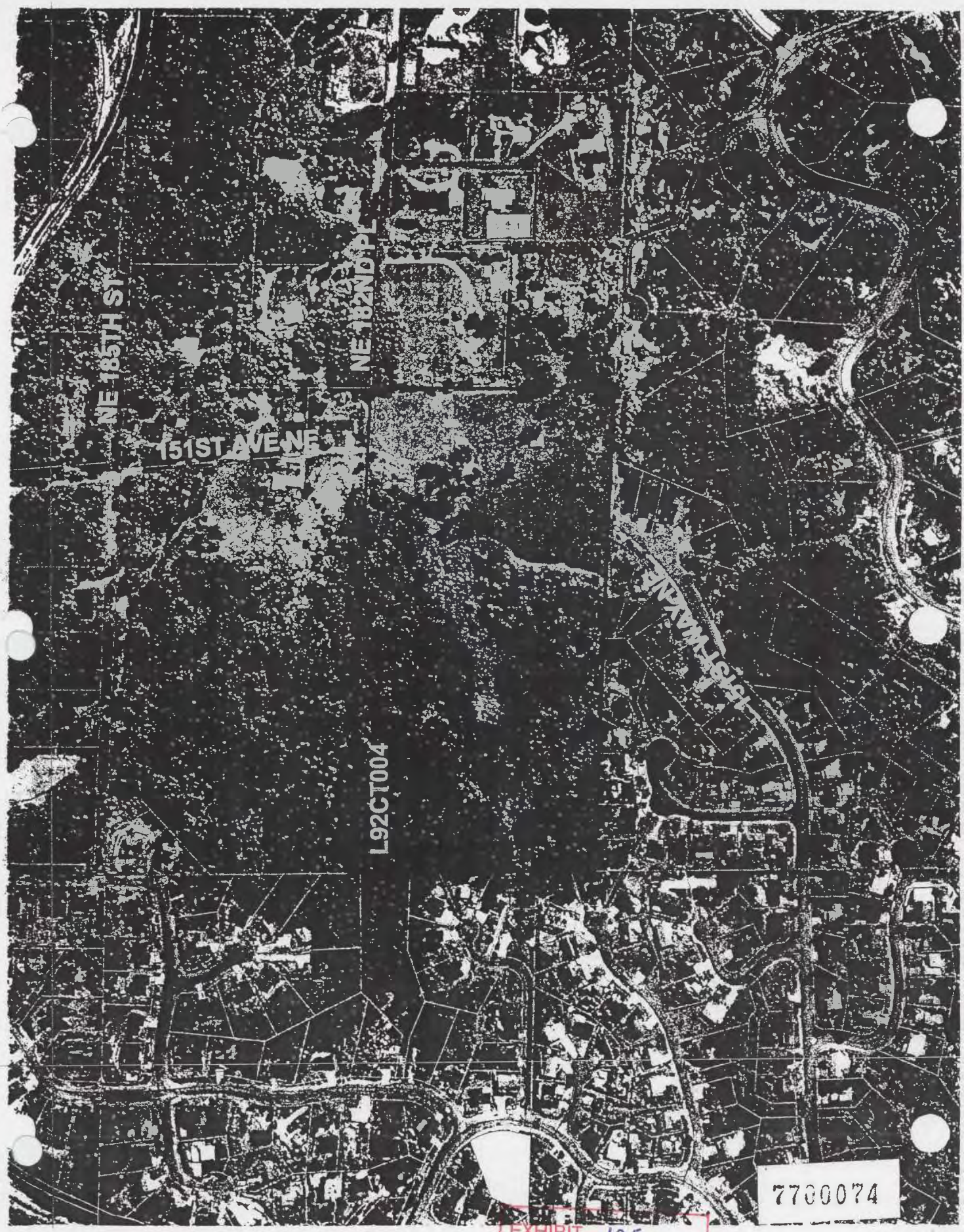

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ATTACHMENT B

PUBLIC RECORDS REQUEST
TO
CITY OF WOODINVILLE
SEEKING NELSON'S PBRS DOCUMENTS

EXHIBIT 125
PAGE 202 OF 244

2004-142
Public Disclosure Number

CITY OF WOODINVILLE
17301 – 133rd Avenue NE
WOODINVILLE, WA 98072
Phone (425) 489-2700 Fax (425) 489-2705

RECEIVED
AUG 03 2004
City of Woodinville

REQUEST FOR PUBLIC RECORDS

DATE OF REQUEST: August 3, 2004

REQUESTING PARTY: Graham and Donna Poreda

Address: 17843 149th Ave NE

City: Woodinville State: WA ZIP: 98072

Phone: day 425 485-1253 evening 425 485-1253

Email address: dp8759@hotmail.com Fax: _____

RECORDS REQUESTED ARE FOR: X REVIEW ____ COPYING *

Please describe below the records you are requesting in detail and any additional information that will help us locate them for you as quickly as possible.

Please see ATTACHMENT A

You will be charged for these records according to the City's fee schedule which is *$.15 per page. Washington State Law (RCW 42.17.260) prohibits cities from releasing public records containing lists of individuals to be used for commercial purposes.

Signature of Requesting Party

RESPONSE TO RECORDS REQUEST

Records Provided: yes Request Denied: _____

EXPLANATION OF DENIAL (___Full or ___Partial Denial):

Staff contact: Lane Youngblood Dept. Parks Date: 8.5.2004

The City of Woodinville shall respond to your Request for Public Records within five (5) business days of receipt of the request by providing one of the following: (1) the record; or (2) acknowledging receipt of the request and providing a reasonable estimate of when the City can respond; or (3) deny the request and state the reasons for denial.

Sandra C. Parker
City Clerk/CMC

19 copies @ .15¢ = $2.85
tax .25
$3.10

1400000

I:\Customer Services\Forms\PUBREC08.DOC
11/15/2002 2:42 PM

ATTACHMENT
A

We are requesting, under the Freedom of Information Act, the opportunity to review all documents in your possession pertaining to Mrs. F. (Frances) Aileen Nelson's application for open space taxation classification under the Public Benefit Rating System Program (PBRS) as described below:

PBRS Applicant:	F. (Frances) Aileen Nelson
Tax Parcel:	112605-9008
Address:	18155 151st Avenue NE. Woodinville, WA 98072
PBRS File No.	L92CT004

Mrs. Nelson's PBRS application was filed on August 31, 1992. The City of Woodinville and King County jointly reviewed the application, conducted a joint site inspection and recommended approval of Mrs. Nelson's request. On June 14, 1993, King County adopted Ordinance No. 10891. The property was then later removed from PBRS open space designation in 2004.

We wish to review all documents including, but not limited to, correspondence, memoranda, interoffice communications, reports, handwritten notes, studies, evaluations, surveys, sketches, photographs, maps, drawings and charts in your possession pertaining to Mrs. Nelson's PBRS application.

To assist you in locating these documents, we have attached copies of two documents:

1. January 14, 1993, Memo To: Allen Locke, Woodinville City Manager and George Kritsonis, Forestry Appraiser, Department of Assessments, From: Sue Comis, Program Coordinator Environmental Division, enclosing a copy of the Nelson application and seeking evaluation, comment and a joint site inspection.

2. February 10, 1993, Letter To: Sue Comis, King County Environmental Division, From: Allen Locke, Woodinville City Manager notifying Comis that after a field review and discussions with Woodinville's City Council, the City concurs with the request for open space taxation for Nelson's property.

We hope these documents help you with our request. Please contact us if you have any questions. We can be reached at 425-485-1253.

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January 14, 1993

TO: George Kritsonis, Forestry Appraiser, Department of Assessments
Alan Locke, Woodinville City Manager, Woodinville

FM: Sue Comis, Program Coordinator SC
Environmental Division

RE: Current Use Taxation Applications

File Number: L92CT004

In accordance with Ordinance #10511, I am sending you these applications for your evaluation and comments. In order for your response to be considered in the preparation of the staff report, it will be necessary that your written comments be received by February 15, 1993.

Attached for your review are:

(1) A vicinity map for each application.
(2) A legal description for each application.
(3) Copy of the application, including justification form.

I will contact you soon to schedule a joint site inspection and to set up the public hearing schedule.

Additional specific comments:

This material should provide you with sufficient information for your review but if you have questions, do not hesitate to call me at 296-7261.

SKC:

Attachments

cityrte.doc

EXHIBIT 26

4400002

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CITY OF WOODINVILLE
13202 NE 175TH STREET
WOODINVILLE WA 98072
(206) 489-2700
FAX (206) 489-2705

RECEIVED
93 FEB 15 AM 10: 17
ENVIRONMENTAL DIVISION

February 10, 1993

Ms. Sue Comis
King County Environmental Division
3600 136th Place Southeast
Bellevue WA 98006-1400

Dear Ms. Comis

After the field review with you, and the discussion with our City Council regarding the open space taxation on project file No. L92CT004, the City concurs with the request for open space and wanted to make sure it is on record with you by the deadline of February 15, 1993.

We are requesting a joint hearing rather than a separate hearing by the City of Woodinville and later by the King County Council.

Please keep us informed on the progress of the hearing and hearing schedule.

Sincerely

Allen Locke
smc.

Allen Locke
City Manager

EXHIBIT

4400003

ATTACHMENT C

INDEX TO
CITY OF WOODINVILLE'S
RESPONSE TO
REQUEST FOR PUBLIC RECORDS
REGARDING NELSON'S PBRS APPLICATION

1. Draughn Property Timeline and Activity Summary
2. *Northwest News*, Ms. Draughn's Clarification that homestead is not available for sale dated August 31, 1998
3. Letter to Ms. Draughn from Woodinville's Mayor Mr. Brocha, re clarification of misconception re Neslon Property's availability and noting that the property is "an extremely high quality habitat and the headwaters for two important streams in Woodinville – Woodin Creek and Little Bear Creek." dated August 25, 1998
4. Letter to City of Woodinville, Mayor and City Council from Ms. Draughn notifying the City that she wishes to sell a portion of her property, dated September 22, 2002
5. Map indicating Draughn property parcel
6. Article, *Woodinville Weekly,* June 14, 1993 re Nelson property open-space designation
7. Ordinance No. 10891 dated June 14, 1993 approving Mrs. Nelson's PBRS Application with attached **preliminary recommendations** from Woodinville and King County **awarding 18 resource points**. (Note: this is not the final recommendation)

NOTE: Copies of the above referenced documents appear as attachments D and E to the August 18, 2004, Staff Report to the Woodinville Planning Commission from Gil Cerise, Woodinville Senior Planner. The documents are not attached here to avoid duplication.

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6

J. RICHARD ARAMBURU
ATTORNEY AT LAW
SUITE 209, COLLEGE CLUB BUILDING
505 MADISON STREET
SEATTLE, WASHINGTON 98104
(206) 625-9515 • FAX (206) 682-1376

J. RICHARD ARAMBURU
JEFFREY M. EUSTIS

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September 1, 2004

Planning Commission
City Council
City of Woodinville
17301 - 133rd Avenue NE
Woodinville WA 98072

Re: Draughn Property: Comprehensive Plan Amendment and Zoning Map Amendment.

Dear Planning Commission and City Council:

This office represents the Woodinville Conservancy, a non-profit corporation of various neighbors and adjacent property owners in the vicinity of the Draughn property. These neighbors are concerned with proposals for Comprehensive Plan and Zoning Code amendments for this property. The property owner has requested that the future land use map be changed from "Open Space" to "Moderate Density Residential"and be rezoned from the existing R-1 zone to R-6, allowing six times the current density.

As will be discussed in greater detail herein, the subject property has numerous environmental constraints and access limitations that restrict its development potential and suitability for rezoning and comprehensive plan redesignation. The neighbors respectfully request that the request be denied but, if the designation is granted, that conditions be placed on the development of the property to avoid sensitive areas and further impacts on dangerous, substandard streets.

1. INTRODUCTION.

The property in question is a rectangular parcel 19.77 acres in size. The most recent deed on the property discloses that the applicant acquired the property in probate from her mother, Frances A. Nelson in 1996. See Exhibit A hereto, the quit claim deed to Ms. Draughn. As that deed describes, an easement 20 feet in width "for public road purposes" serves the property from the north. See Exhibit A. This easement is located on the

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applicant's Preliminary Topographic Survey dated March, 2004. See Exhibit B. This easement is connected to a public street, 151st Ave. NE, to the

The subject property is improved with a single family home, built in 1953, located on the northwest side. The proposed rezoning of the site to R-6 would permit 120 units on this site (20 acres times six units per acre).

As described in the application, the westerly three-quarters of the property is characterized by steep slopes, seismic areas, wetlands and other critical areas. The steep slopes are shown on Exhibit B. The property is located at a transition area between R-1 zoning to the east and R-6 zoning to the west.

In this presentation we will demonstrate that the proposed amendments should be denied. If a redesignation is approved, it should be to Low Density Residential, with three conditions on any future development. First, that actual site disturbance and development of home be limited to the flat area of about four acres on the east side of the property, with stormwater drainage and sanitary sewer lines not routed through the critical areas. Second, the R-1 zoning should be retained, limiting the maximum number of new homes to 20 in the buildable area described above. Third, because of sub-standard construction and safety issues on the 151st/178th local access street to the west, all access to any new development should be from the north where these problems do not exist.

2. STANDARDS FOR COMPREHENSIVE PLAN AND REZONE AMENDMENTS.

The decision criteria to be applied for comprehensive plan amendments are found in Woodinville Municipal Code (WMC) section 21.07.170. This provision provides:

21.01.170 Decision criteria.
1. Applications for Comprehensive Plan amendments shall be subject to the following criteria.

(1) The proposed action shall be consistent with the Growth Management Act and other applicable State laws;

(2) The proposed action shall be consistent with the applicable Countywide planning policies;

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(3) The proposed action shall be consistent with the goals and policies of the Comprehensive Plan (a change to a particular goal or policy not included);

(4) The proposed action shall be beneficial to the City as a whole, and to the health, safety, and welfare of its residents;

(5) The various types of applications shall be subject to the following decision criteria:

(a) Type A. Amendments to the City's Future Land Use Map (Comprehensive Plan Figure 3-3) shall be subject to the criteria listed in Section 3.4.2 in the City's Comprehensive Plan.

(Emphasis supplied). As described above, in the case of map amendments, the criteria of section 3.4.2 of the comprehensive plan also applies. That section is set forth in full at Exhibit C hereto. Section 3.4.2 adds additional criteria that requires a rezoning applicant to show that the "proposed land use designation promotes a more desirable land use pattern for the community" and that the planning commission consider "impacts would the proposed change of land use designation have on the current use of other properties in the vicinity" as well as means to mitigate those impacts. This section also specifically requires that the commission consider the "comments received from affected property owners and residents."

In addition, as will be discussed below, the applicant must demonstrate that there has been a "change in circumstances" since the last rezoning of the property. Each of these criteria will be discussed below.

3. THE AMENDMENTS ARE INCONSISTENT WITH THE GROWTH MANAGEMENT ACT.

The first criteria to be applied in the comprehensive plan amendment is the Growth Management Act (RCW 36.70A) itself. A key element of the GMA for consideration here is found in the goals of GMA:

10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

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RCW 36.70A.020. Further, local government must adopt regulations "that protect critical areas that are required to be designated under RCW 36.70A.170." RCW 36.70A.060. See also 36.70A.172: "((1) In designating and protecting critical areas under this chapter, counties and cities shall include the best available science in developing policies and development regulations to protect the functions and values of critical areas").

In the present case, the Draughn property is characterized by several different critical areas, including steep slopes, wetlands, seismic hazard areas and erosion hazard areas. Indeed, a number of the key limiting features of the property were identified by the property owners during the Public Benefit Rating System ("PBRS") when the property was designated as open space. These provisions are described in the section of this presentation concerning the PBRS. While the owner removed the open space designation in preparation for applying for these amendments, the representations concerning the condition and limitations of the property made at the time remain accurate.

As is explained in other reports, the critical areas on site, especially on the western three fourths of the site, involve significant restraints which make the property unsuitable for intense development.

4. THE PROPOSAL, UNLESS CONDITIONED OR MODIFIED, IS NOT CONSISTENT WITH THE WOODINVILLE COMPREHENSIVE PLAN.

One of the basic criteria that must be met for rezoning and redesignation is consistency with the comprehensive plan. The subject proposal is not consistent with the comprehensive plan in many areas, with two deserving special attention.

A. Traffic and Transportation Issues.

The Woodinville comprehensive plan makes clear that the Planning Commission and City Council must consider traffic and transportation matters in making their decisions. Under the transportation element of the comprehensive plan, the Planning Commission and City Council must consider impacts to the local street system:

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> T-10.6 Evaluate impacts on neighborhoods when proposing to extend a neighborhood's local street to serve adjacent new development.

This evaluation shows that the street system to the south and west of the site is substandard in multiple aspects and unsuited to additional traffic from this development. There is no question under Washington law that a local government:

> "may exercise its police power to restrict the flow of traffic in residential areas and included in this power is the power to restrict the use of certain streets with permanent barricades." We reject Davidson's contention to the contrary.

Davidson v. Kitsap County, 86 Wn. App. 673, 686, 937 P.2d 1309 (197).

As described in this notebook, the 178th/151st street system was approved when the property was located in King County. However, the evidence now shows that the street is much too steep to meet Woodinville standards. This results in dangerous conditions as well as conditions in which emergency fire and police service are unavailable during ice and snow conditions. This is contrary to the goals of the comprehensive plan which require:

> GOAL T-10 To provide safe, convenient, and comfortable neighborhood access and circulation properly integrated with the city-wide transportation system.

In addition, also described in the notebook, the street system exceeds the number of lots that can be safely accommodated on a local access street. Further, the street involves super blocks (over length) that are well beyond commonly accepted standards.

B. <u>Geologically hazardous areas.</u>

In Goal LAND USE-5.7, the comprehensive plan clearly states that the zoning and planning decision should "protect geologically hazardous areas."

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As has been described herein, the subject property is predominately a criss-cross of multiple geologically hazardous areas, including seismic hazards, erosion hazards, steep slopes and wetlands. The subject proposal will not protect this area but would develop the property with as many as 120 homes. The best method to preserve the identified steep slopes is to keep development intensity low, to R-1 zoning, and restrict the use of such geologically hazardous areas.

5. THE PROPOSAL IS NOT "BENEFICIAL TO THE CITY AS A WHOLE, AND TO THE HEALTH, SAFETY, AND WELFARE OF ITS RESIDENTS"

Not only must the redesignation meet various goals and policies of the GMA and the Woodinville comprehensive plan, it must also be beneficial to the city as a whole and the welfare of its residents. The subject proposal does not meet this criteria.

The development of this property at densities of R-6, or up to 120 units, will create a danger to the city and its residents. The proposal would place significant amounts of traffic on substandard streets, creating dangerous conditions. Further, development of the property over an area with multiple sensitive areas is not in the welfare of the residents of the city. Potential landsiides, erosion and other possible impacts have the high likelihood to injure or damage downstream and downslope property owners as well as residents of the area to be developed. These are serious and substantial impacts that indicate that more intense zoning is not appropriate, supporting conditions to avoid development on the steep slopes and requiring the clustering of new construction on the flat area on the east side of the property.

6. THE PROPOSAL LACKS SEWER ACCESS FOR THE LOWER PART OF THE PROPERTY.

Staff in its report indicates that the City "has not received substantial proof that legal sewer access acceptable to the sewer purveyor is available at the subject property." See Staff Report, page 13. This conclusion is supported by a review of the interface between the Draughn property and property to the west.

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The physical facts are that a sewer connection that serves the lower (west side) part of the Draughn property must go to the west or southwest. This is true because of the steep slopes on the property.

However, there is no easement or right-of-way for sewer lines found across adjacent properties in this area. The Draughn property description shows no rights to any easements for sewer lines. See Exhibit B.

In addition, there are no sewer easements on these lower properties that are intended to serve the Draughn property. The lower plats do show a 10-foot sewer easement running between the cul-de-sacs at the ends of 148th NE Avenue and NE 179th Street benefitting the Woodinville Water and Sewer District. However, this easement does not extend to the Draughn property and there is no indication that it is intended to serve that property. If the Draughn property owners had wished to have a sewer easement to their property, they should have asked that it be included in the Woodview Crest or Reinwood plats. Even if the applicant were to negotiate with an individual property owner for a sewer easement, such an easement would not be legally effective. The Reintree Division III plat already has sewer lines designated as a part of the original plat approval and any modification to that plat to allow for additional sewer easement will require a replat and approval of all owners in the plat.

While there is a utility easement in the area, it cannot be construed to be a "sewer easement" in light of the specific designation of a sewer easement on the property. The use of easements cannot be extended to uses beyond the terms of the easement. See *Castanza v. Wagner,* 43 Wn. App. 770, 719 P.2d 949 (1986).

Since there is no sewer access to the property, it cannot be zoned for intensities beyond R-1.

7. BECAUSE THIS PARCEL HAS SERIOUS ENVIRONMENTAL CONSTRAINTS, IT SHOULD NOT BE ZONED R-4 OR R-6, BUT REMAIN ZONED AT R-1.

The City of Woodinville has carefully considered and established criteria to apply in deciding the zoning of property designated as residential.

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The applicant has argued that the property should be zoned R-4 or R-6 because it is located within the urban growth area. However, this rule does not apply where the property to be rezoned is in environmentally constrained areas.

This concept is applied in WMC 21.04.080(2) which describes the criteria for residential designation of properties. Under the City of Woodinville codes and comprehensive plan, there are choices in the various intensities of residential development. There the criteria for the R-1 zone is set forth as follows:

> Use of this zone [residential] is appropriate in residential areas designated by the Comprehensive Plan as follows:
>
> 1. (a) The R-1 zone on or adjacent to lands with <u>area-wide environmental constraints</u>, or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;

(Emphasis supplied). Thus, areas with "environmental constraints" are to be zoned R-1.

The use of "environmental constraints" as a deciding factor is also used to determine whether a property should be zoned R-4:

> b) The R-4 through R-8 zones on urban lands that are <u>predominantly environmentally **un**constrained</u> **<u>and</u>** are served at the time of development by adequate public sewers, water supply, <u>roads</u> and other needed public facilities and services;. . .

This section is quoted with approval in the staff report at page 12. Thus to be zoned R-4 or R-6 a property must not only be served by sewers and water, but also must "environmentally <u>un</u>constrained."

Even in the area of public facilities, the subject proposal is lacking. As noted, the area would be served by substandard roads. The access from 178th/151st is substandard in at least three respects. First, the road substantially exceeds the maximum grades permitted under City of Woodinville standards. Second, the road is characterized by inadequate sight distances resulting in dangerous conditions. Third, the existing street

system violates standards for the maximum number of lots that can be accessed from a single residential street. Thus, the property is not served by "adequate roads" to be designated R-4 or R-6.

As pointed out in this notebook, though the term "environmental constraint" is not defined in the City of Woodinville code, it is clearly intended to refer to "sensitive areas" defined as:

> 21.06.543 Sensitive areas.
>
> Sensitive areas: any of those areas in City of Woodinville which are subject to natural hazards or those land features which support unique, fragile or valuable natural resources including fishes, wildlife and other organisms and their habitat and such resources which carry, hold or purify water in their natural state. **Sensitive areas include erosion hazard areas, flood hazard areas, landslide hazard areas, seismic hazard areas, steep slope hazard areas, streams and wetlands**

(Emphasis supplied)

The Draughn property has multiple and severe environmental constraints including steep slopes, seismic hazards, erosion hazard and wetland as described in this paper. As noted from applicant's own application for PBRS, the Draughn property is predominately constrained as more than 75% of the property is in steep slopes and other environmentally sensitive classifications. Only about 4 acres of the 20 proposed for rezoning are within the flatter and developable area to the east.

Restricting sensitive areas to low density, R-1 zoning has been well recognized by the Central Puget Sound Growth Management Hearings Board (CPSGMHB) in a variety of cases. See *Master Builders of Pierce County et al. v. Pierce County*, CPSGMHB Case No. 02-3-0006, Final Decision, page 10 (February 4, 2002). Here the criteria of that case are met because of the multiple sensitive areas involved and they are large in scope, here extending across the entire property and onto adjacent properties to the north. See also *Litowitz v. City of Federal Way*, CPSGMHB Case No. 96-3-0005, Final Decision, (July 22, 1997).

Staff does note that the areas to the west of the site are zoned R-6,

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but that the actual densities are less than 4 units to the acre. These properties were developed in the late 70s and early 80s, well before the GMA.

Based on the foregoing, the Draughn property is appropriately held as R-1, which is consistent with the zoning to the east of the property.

8. THE APPLICANT HAS NOT MET THE STANDARD OF CHANGED CIRCUMSTANCES TO SUPPORT THIS SITE-SPECIFIC COMPREHENSIVE PLAN AND REZONE REQUEST.

The subject proposal is a site-specific rezone and comprehensive plan redesignation requested by an individual property owner. The proposal is not a part of an overall, general examination of planning and zoning in the City.

When the City and the Planning Commission consider a rezone and comprehensive plan change outside the process for general review of the planning and zoning in the area, the applicant must show a change in circumstances as described in *Parkridge v. City of Seattle*, 89 Wash.2d 454, 462, 573 P.2d 359,364 (1978):

> In considering the evidence, we note that (1) there is no presumption of validity favoring the action of rezoning; (2) the proponents of the rezone have the burden of proof in <u>demonstrating that conditions have substantially changed since the original zoning</u>,

In the present case, the applicant cannot show that circumstances have changed since this property was zoned R-1. Road access is still substandard and has not been improved. If anything, the recognition of the area as environmentally constrained is clearer than before with the recognition of landslide and seismic hazards. The nearby residential neighborhood was fully developed during the 1980s and is thus no different than existed during the last comprehensive rezoning of the area. In short, the *Parkridge* rule is to protect established neighborhoods from continuous pressure for development that does not have its basis in actual land use changes. The proposed rezoning to R-6 from R-1 should be denied because the applicant has failed to demonstrate a substantial change in conditions.

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9. THE APPLICANT CANNOT CHANGE ITS PROPOSAL AT THIS LATE DATE.

The staff report indicates that the applicant may present proposals for splitting the zoning on the site. This proposal cannot be entertained by the planning commission or council for two reasons.

First, the applicant is required to apply for rezoning and redesignation at a specific time during the year, for hearing in the fall. At this time, the only application is for redesignation to moderate density residential and a rezone to R-6. If the applicant wishes to propose a different designation on a different site, it must wait for the next annual review process. Consideration of such a proposal now is not consistent with public notice procedures and requirements of GMA for public participation.

Second, the concept that there should be rezoning and redesignation based on a "future short plat" is inappropriate. The Commission and Council should not decide important land use matter on the basis of "what ifs" and unfiled applications.

The Commission should act on the proposal presented, not some eleventh hour" change.

10. CONCLUSION.

The Woodinville Conservancy submits that the more intense zoning on the Draughn property is not appropriate. A proposal to redesignate the property Moderate Density Residential with a rezone to R-6 is inconsistent with the GMA, the Woodinville Comprehensive Plan and city rezoning criteria. The Draughn property is environmentally constrained with multiple sensitive areas found on site. Further, the property is served only by substandard roads which crate additional safety hazards to adjacent neighborhoods.

In sum, if the City chooses to redesignate the property, it should only be to Low Density residential with R-1 zoning. Conditions should be imposed on development to limit the property to no more than 20 units to be clustered on the east four acres of the site. Additionally, a condition should be imposed that prohibits access to the southwest and requires access to the north.

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Thank you for your consideration of our comments.

Sincerely,

J. Richard Aramburu

JRA/py
cc: Woodinville Conservancy

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PAGE 220 OF 244

8/2

Filed at the request of:
After recording, please
return to:

Donald A. Dawson, Attorney
16650 N.E. 79th St., #100
Redmond, Washington 98052

QUIT CLAIM DEED

The Grantor, Phyllis Dea Anne Draughn, Personal Representative of the Estate of Frances A. Nelson under King County Superior Court Probate Cause No. 95-4-01588-1, for and in consideration of inheritance under the terms of the Last Will and Testament of Frances A. Nelson, conveys and quit claims to Phyllis Dea Anne Draughn, a married person as her separate estate, the following described real estate, situated in the County of Snohomish, State of Washington:

South ½ of the Northwest ¼ of the Northwest ¼ of Section 11, TOwnship 26 North, Range 5 East, W.M.; and

Easement for public road purposes over and across a strip of land 20 feet in width, the center line of said strip commencing at the point of intersection of the north line of the North ½ of the Northwest ¼ and the Northwest ¼, said Section 11, with the center line produced south of the road between Blocks 4 and 5, Hendrickson's Replat of McCloy's Garden Tracts, according to the plat thereof recorded in Volume 22 of Plats, page 29, records of said County, and running thence south to the south line of the North ½ of the Northwest ¼ of the Northwest ¼, said Section 11.

Situate in the County of King, State of Washington.

Property Tax Account No. 112605-9008

DATED: May 1st, 1996.

Phyllis Dea Anne Draughn

Phyllis Dea Anne Draughn, Personal Representative of the Estate of Frances A. Nelson under King County Superior Court Probate Cause No. 95-4-01588-1

QUIT CLAIM DEED: 1 of 2

Said document(s) were filed for record by Stewart Title as accomodation only. It has not been examined as to proper execution or as to its effect upon title.

9605030305

STEWART TITLE
W3954

E1483P39 05/08/96 KING COUNTY RECORDS 09:43:00 AM 00
9605030305 09:43:00 AM 00

EXHIBIT A

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STATE OF WASHINGTON)
: ss.
County of King)

On this 1st day of May, 1996, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Phyllis Dea Anne Draughn, to me known to be the individual described in and who executed the foregoing instrument as Personal Representative of the Estate of Frances A. Nelson, Deceased, and acknowledged to me that she signed the same as her voluntary act and deed for the uses and purposes therein mentioned and on oath stated that she was, in fact, the Personal Representative for the Estate of Frances A. Nelson and that she had not been replaced as Personal Representative.

GIVEN under my hand and official seal the day and year in this certificate above written.

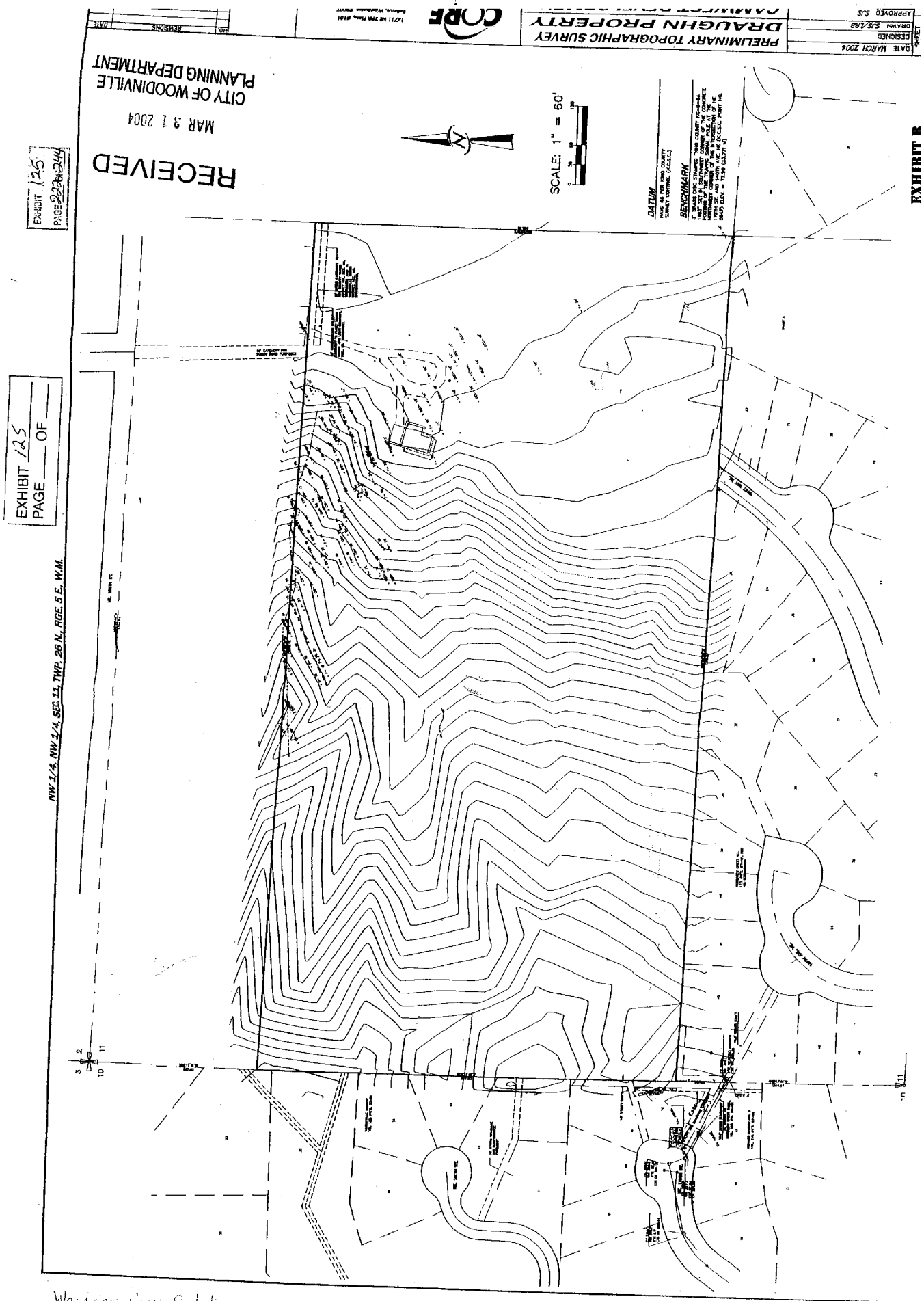
Donald A. Dawson
DONALD A. DAWSON, NOTARY PUBLIC
for the State of Washington,
residing at Langley. My
Commission Expires: 12-16-99

DONALD A. DAWSON
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES 12-16-99

probate4\n-qcd

9605030305

Unofficial Document



Woodview Crest Subdivision
Vol 123, p. 97-101

Reinwood Division 3
Vol 110, p 97-98

Ground break 98

R-4 Develop R-6

20ft from rear yard

EXHIBIT "C"

Section 3.4.2 of Woodinville Comprehensive Plan

3.4.2 Amending the Future Land Use Map

From time to time, the City may be asked to amend the designations of the Future Land Use Map. The Planning Commission and City Council must carefully evaluate such requests to amend the Future Land Use Map to determine the long-term benefits and costs to the City. Requests will be considered annually. The factors listed below should be considered in reviewing map amendment requests. Whether initiated by the City or a private party, the burden of proof is upon the proponent to demonstrate the long-term benefit to the City.

1. How is the proposed land use designation **supported by or consistent with the existing policies of the various elements of the Comprehensive Plan**? If it isn't, the development should demonstrate how the change is in the best long-term interest of the City.
2. How does the proposed land use designation **promote a more desirable land use pattern for the community**? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community's best interest.
3. What impacts would the **proposed change of land use designation have on the current use of other properties in the vicinity**, and what measures should be taken to ensure compatibility with the uses of other properties in the vicinity?
4. **Comments received from affected property owners and residents.**

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EXHIBIT 125
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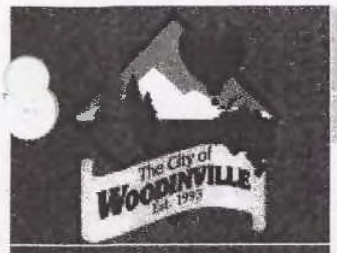

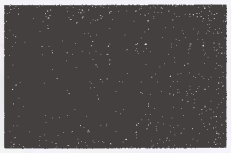

August 30, 2004

Events & News

Survey Reveals Overall Satisfaction with Quality of Life, Government Services - *7/23/04*

Traffic Top Priority for Improvement

A recent telephone survey of over 250 Woodinville residents reveals similar perceptions and opinions from a 2002 survey regarding quality of life and satisfaction with government services. In a Summary Report accepted by the City Council at its Monday meeting, major themes identified from the random survey point to an overall positive attitude toward the quality of life Woodinville, favorable opinion of Woodinville city government, and strong support for capital projects to improve and enhance traffic circulation and the downtown area. Although priorities were identified for such improvements, reluctance to fund improvements was expressed. Results also indicate the City should give focus to youth and teen recreation programs and facilities. The Summary Report is available on the City's website at by selecting "Community Profile."

"The Council appreciates those citizens that participated in this survey as their opinions are valuable to the City in its policy decision making," notes Woodinville Mayor Don Brocha. "We learn a great deal from these types of surveys and we're pleased that our overall ratings remain positive."

Respondents were asked to give their opinions about the Civic Center Master Plan, recreation program and facilities needs, the proposed Downtown-Little Bear Creek Master Plan and funding priorities for capital improvements. In addition, several questions sought the perceptions of quality of life issues. For example, respondents rated the overall quality of life as relatively high. Attributes that contribute to quality of life were identified as Woodinville is a good place to raise children, a safe community and its natural environment. When asked to describe Woodinville in one word or phrase, "friendly," "nice," and "rural, country-like" were commonly expressed.

As expressed in the 2002 survey, respondents generally rated the City's ability to ease traffic congestion in the city as below average. "This finding is no secret the City," notes Brocha. "It's always work in progress."

For more information, contact Marie Stake, Communications Coordinator, City of Woodinville at 425-877-2267.

EXHIBIT 125
PAGE 226 OF 244

OPINION

Letters to the Editor

Writer is embarrassed by NIMBY behavior

I am ashamed of the behavior I have seen my neighbors exhibit, trying to stop Tent City 4 from being placed in Bothell. Tent City 4 brings attention to a very serious homeless crisis in our world and in America today. Many of those people using the tent city fought in our wars and are veterans.

Every day veteran benefits are cut as we ship more and more Americans off to war who then come home to become homeless vets. The percentage of homeless that are vets is astounding.

Likewise, the amount of vets that are homeless is sinful for a rich society like ours. So, next time you drive your gas-guzzling car with your American flags hanging off it, driving to your roomy warm private home you inherited, maybe you should consider that many of those people you are trying to drive away from merely sleeping in tents, are the people who fought for your way of life.

Again, I am embarrassed when I see this NIMBY (Not in my Back Yard) behavior. It is shameful. I support the tent city wholeheartedly, and I welcome our new neighbors with open arms.

Kirsten Anderberg, via e-mail

We have performed well as land stewards

(This is a copy of the e-mail which I sent to the King County Council.)

To King County Council members:

I want each one of you to know that I totally oppose the proposed land grab that Ron Sims has sent to you for adoption. Under the various titles and ordinances, code changes and regulations changes, this whole package amounts to a sweeping, uncompensated land grab.

Although the Growth Management Act may set "a deadline of December 1, 2004, for updating critical area regulations," it does not REQUIRE that these draconian disfranchisements be adopted.

In fact, you would do better to review and rescind most of the existing titles, ordinances, codes and regulations with which rural property owners have been burdened under the guise of growth management and critical area protection.

Such action would fulfill all the review and updating requirements you face; would make for better and more acceptable governance; and would certainly produce more acceptance from rural property owners.

Never forget that although you may meet on a regular basis, your highest service to our citizens is when you are NOT constantly passing new laws, titles, codes, ordinances and regulations.

There are times when not committing an act is more noble than to commit that act, even though you can legally perform that act. So it is when you sit in your high chairs of office.

Also, always remember that we rural property owners have been stewards of the land since long before there was any thought of Growth Management Acts or Critical Area Ordinances.

For by and large the greatest part of the time, we have performed admirably as the land stewards and cared well for our property with understanding of that charge and common sense in what needs to be done.

Walter B. Anderson, Duvall

A mystery?

Perhaps someone will know the answer to this question: For the past few years, every spring, there is what looks sort of like a swamp boat tied up to the Snoqualmie River bank.

There are guy wires stretching across the river and sometimes the boat is moved to the opposite side of the river. Is it monitoring the current or doing a fish count? The location is half way between the Woodinville-Duvall Road and Novelty Hill Road on the West Snoqualmie Valley Road. When summer comes it is gone.

Thanks to whoever can solve the mystery.

Mike and Marty Donovan, Duvall

Water does indeed flow downhill, but it there a hidden motive?

This is a copy of a letter sent to Stephanie Warden, director DDES, and Pam Bissoneette, director DNR, regarding the identification sign on NE 146th Place just east of the Redmond/Woodinville Road on the eastern edge of Sammamish Valley.

The above apparently official sign identifies the west-sloping hillside above the Sammamish as "Welcome to Upper Bear Creek Community."

While this sounds like DNR output, due to DDES overall involvement in land-use issues, it could be DDES output.

I would appreciate being informed who is responsible for the sign and also appreciate its removal ASAP.

Water still does flow downhill, and this is a Sammamish Valley community, not Bear Creek.

The old BALD managed to get part of the Snoqualmie Valley drainage area assigned to Bear Creek. Is this an attempt to do likewise with Hollywood Hill/Sammamish drainage?

Maxine Keesling, Woodinville

Woodinville: Country Living, City Style???

Late one afternoon about 10 months ago there was a knock at my door. I answered to find a real estate agent asking if he could talk to me. I said "OK. What do you want?" In a nutshell he went on to explain that he was interested in gaining access to the sewer manhole on my property. I did not even know that I had a sewer manhole on my property. He said that I did and went on to answer my question.

He started to explain that he was representing a housing developer and that they were planning to put a housing development behind my house. They needed sewer access and would I give them permission to use it? He made the offer a bit more interesting by offering to put a new roof on my house. I said, "Well maybe, but what else could they do to sweeten the deal?"

He said, "New fencing, perhaps new windows for your house and even new landscaping." I asked him how many houses the developer was planning to build behind my forested back yard? He said that he didn't know. I asked him why he did not know, since he was offering me such a deal to use my sewer line. He said that the developer was too early in the planning stages and had not yet given him that information.

I told him that I would think about the offer but to expect some phone calls from me asking more questions. I was not satisfied with his answers (or lack of them).

To make a long story short, I started to do some research. I first told my neighbors about the realtor's proposal and asked their opinions. What did they think about having a privately owned lush greenbelt right behind our backyards being turned into a housing development? You can imagine the responses I got.

After more research by my neighbors, we found out that the City of Woodinville had been trying to purchase the property for many years to use as a park for Woodinville's citizens and for future generations. They have never been successful in acquiring the land.

I also went so far as to invite the developer's project manager over to my house for a two-hour meeting to gain more information. After listening to their perspective, I decided to turn down their offer. I found out that the two neighbors behind my house were also approached asking for access to their sewer lines.

They were also offered a new roof. My two neighbors also declined to give the developer access to their sewer lines. I found out that the developer was requesting redesignation of the property from "Open space (R-1) to moderate density residential (R-6 to R-8) allowing them to build up to 110 new houses on the almost 20-acre plot bordering my back yard.

At this point I have no idea where the developer will get their sewer access for the proposed housing project, but it sure is not going to be on my property.

A new roof, a few fences, and new landscaping could not even begin to replace the privacy, beauty and peace of the beautiful property behind my house — not to mention the environmental destruction of both foliage (large fir trees, cedars, and undergrowth of ferns and salal etc.) and the animal redtail hawks, mountain beavers, squirrels, tree frogs etc.).

I am writing this letter to The Woodinville Weekly to let all of Woodinville's citizens know that yet another land developer is on the loose. The land that they are trying to develop is the largest parcel of open space in Woodinville.

The property that I am speaking about is located on the large hill behind Albertson's on 178th and 151st street. Let's "Keep the Wood in Woodinville" and not let another developer destroy our open space.

If anyone would like more information about the proposed project and where it is in the rezoning, and permitting process, visit www.KeepTheWoodInWoodinville.org.

Send your feedback about this important issue to Ray Sturtz, City of Woodinville Community Development Department, 17301 133rd Ave NE, Woodinville, 98072.

You can also send e-mail, with "Draugh property" in the subject line, to rays@ci.woodinville.wa.us, or hand deliver your letter to the Community Development desk at City Hall.

Heidi Fuhrmeister, Woodinville

Community is making a difference

Thanks to everyone who gave to the Postal Food Drive this year.

We were richly blessed and we have enough food to see us through the summer. Our community and friends are making a difference in many lives. Thank you for caring for those in need.

God Bless you.

Maltby Food Bank

Letters to the editor are welcome and encouraged. Send them to P. O. Box 587 or 13342 NE 175th, Woodinville, WA. 98072; FAX them to (425)486-7593; or e-mail them to editor@woodinville.com. They must be signed and include a daytime telephone number for verification. They may be edited.

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The NORTHLAKE NEWS
The VALLEY VIEW

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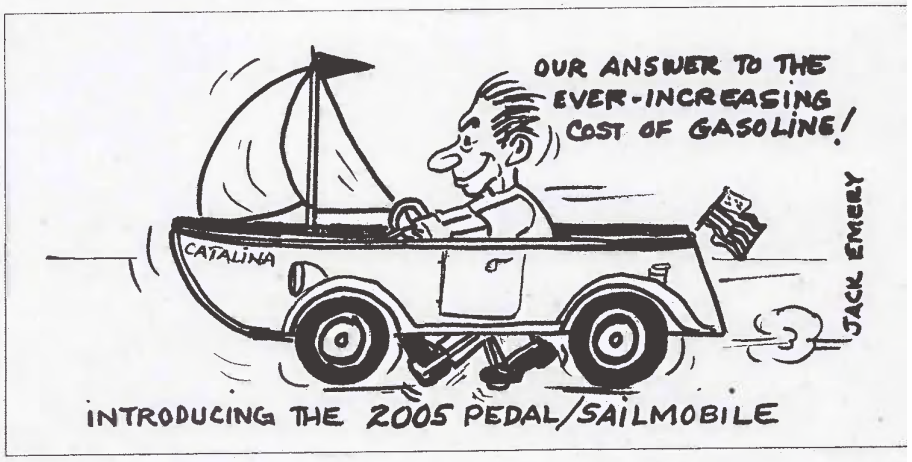

EXHIBIT 125
PAGE 227 OF 244

OPINION

Letters to the Editor

It's not a nuclear dump site, but it is dangerous

In reference to "we're talking houses not a nuclear dump site," I live on 178th St./151st Way NE, the only road that appears to be the access to the new proposed development. I would like to ask Mr. Halverson some questions:

1. Have you ever walked or driven up 178th St. /151st Way NE in the winter after a snow fall?

2. Do you know how steep and dangerous this hill is? (I live on a 22% grade.)

3. Did you know that any grade above 15% is no longer considered an acceptable grade to build on because it is unsafe.

4. Did you know that the Draughan property is described as mountainous.

5. Currently the fire trucks cannot access homes at the top of this hill in the winter. I wonder what the insurance companies would say about this.

6. The school bus cannot make it up the hill, so all the kids must walk to the bottom of the hill to catch the bus.

7. Speed bumps are out of the question because cars couldn't possibly make it over them in the winter months.

As for Mr. Halverson's concerns for housing in Woodinville: Is Woodinville a Mecca for jobs? I know we have a lot of fast food restaurants but surely they can't afford the costs of homes that this developer is going to build in this development that will be 400k and above. Last time I checked, most Eastside jobs are located in Redmond, Bothell and Bellevue. And by the way, there is not even a bus that goes from Woodinville to Redmond.

Maybe it's not a nuclear dump site, but it is clearly a dangerous proposition. Our children's safety is number one and with an additional 1,000 car trips per day, our kids' safety will be jeopardized. The removal of the greenbelt will threaten and possibly destroy our native wildlife. Open space is valued by many, and I do own the greenbelt behind my house that is enjoyed by many.

There is no lack of shelter in Woodinville. In fact you can add one more – my house will be for sale if this development is approved.

Randi Astrom, a concerned neighbor

Unfair to set the clock back to the 1800s on the backs of rural property owners

The proposed changes to the Critical Areas Ordinance are taking away the use of my land! I am a single father of five children ranging in age from 9 to 16. I purchased a piece of vacant undeveloped land back in June 1998 on which to build our home. The property is located in unincorporated King County. The land was so expensive that I was only able to afford to build a 1,000-sq.-ft. mother-in-law house over a garage with the idea that I would build the larger main house later on when I could afford it. I invested roughly $40,000, on top of the cost of the land and my mother-in-law house, in infrastructure cost that would be needed for the main house.

All of this was done in accordance with and reliance on all applicable building codes. With the proposed changes to the Critical Areas Ordnance, I will not be able to build my second house due to the increases in wetlands setbacks. All of my future planning, work already completed and monies invested will go down the drain.

I am sure that I speak for thousands of other property owners across the county who have played by the rules, worked hard, saved, planned ahead and are now about to lose everything they've hoped for - all because the rules will be arbitrarily changed, not based on the "Best Available Science" but based on "Political Science" in the form of the County running over the rights of the individual land owner to appease a "Politically Correct" environmental agenda.

I understand the need for growth management and am supportive of the current system. But, I believe that it is unreasonable and unfair to attempt to set the clock back to the 1800s on the backs of rural property owners. I am a tree hugger! When I built my mother-in-law house, I went out of my way to leave every tree I possibly could.

I appeal to the County Council's sense of fair play and appreciation of the rights that current property owners have in being able to use and enjoy their land. Rural property owners are good stewards of their land. I plan to leave my woods as they are, but I do want to be able to complete my main home.

I encourage all citizens to oppose these needless changes and allow the current system to continue. If you are an owner of property in unincorporated King County beware, you are being robbed!

Daniel B. Boring, Woodinville

Shortened school year should be a concern to all parents

As you might remember, the 2003-2004 calendar school year was the second of three years that Northshore School District received permission from the state to shorten the school year from the mandated 180 calendar days to 175 calendar days. At the end of the three-year waiver period of time, students will have been shorted 15 calendar days of school time, which is roughly equivalent to three weeks of school.

Because our children's school year has already been shortened by five days per year, it disappointed me when the teachers in my 9th grader's classes and my 6th grader's class collected their textbooks on Friday, June 11, a week and a half before school officially ends.

"Education" ended on Friday, June 11, even though "school" continued until Monday, June 21 (that day is only a few hours long). This loss of a week and a half's worth of education time, plus another week that was "waived," adds up to a loss of over two weeks rather than one week.

The same story occurred last year with textbooks collected a week before "school" was out.

I assume this same scenario will occur next year as well. This should concern all parents, but especially those with students in the upper grades. Our students will be taking their SATs, which help determine college placement, scholarship opportunities, etc. When they do, our students will be competing against students across the nation with over six more weeks of school. It will definitely be felt.

Name withheld by request

Cartoon hits the spot

Jack Emery's cartoon about sail powered cars hits the spot. Believe it or not a patent exists on wind powered vehicles. It is time this nation got serious about getting the nation off foreign oil quickly. Or else, I am fearful we will see more insane events like XBox games named Iraq! Or World Trade Centers. Forgive my 100-billion-dollar humor, but if the same amount of money had been spent on non-oil energy technologies, I promise Saddam would be herding goats.

This nation, as I speak, is nearly 75% dependent on foreign oil, yet the U.S. is one of the world's largest producers of oil. The fact is there are thousand of technologies that can power this nation

The fact is those technologies are being deprived of investment capital. Literally to use this "make your own energy technology" you have to make it yourself. You can't buy this technology at Home Depot. If you look around the world there are thousands of new products based on solar and wind technologies being introduced to the market. This means jobs and employment for them!

Question: Why aren't these products "Made in Washington"? How come in the "venture investment capital of the nation," somehow "make your own energy technology" just does not get funding for factories. Go ask Bill, Paul, Milton, Harry, and all of those billionaires who live here. Maybe it is because they get rich off O.I.L. Oh, would someone tell these billionaires that a lost 767 landed in New York City

Martin Nix, Seattle

W.R.E.C.K. Center not only form of youth programs in Duvall

After reading the article in the June 14 Valley View regarding raising funds for the Friends of Youth W.R.E.C.K. Center, it has come to my attention that the City of Duvall sees the Friends of Youth Center as the only safe place for young people within the city of Duvall. This assumption is completely false. The article states that residents believe that "would be a terrible loss for this community not have a youth center."

Now I feel that it is my duty to inform tl residents of Duvall that a youth center is n the only place where you can find safe, fu exciting alternatives for young people.

The Duvall Church, a landmark in tl community, on the corner of Main Street ar Stella, provides several groups which act as safe, alternative place for youth to go ar hang out. On Sunday nights at 6:30 you ca find a rowdy group of high school studen hanging out at the church for games ar fellowship, along with an informational se mon. Though this is a faith-based group, your people of all beliefs and denominations a encouraged to come, and do. On Thursda nights at 6:30 you can find a large group junior high students playing games, hangir out, and also listening to an information sermon. These venues provide the youth our area with a positive outlet for pent-u energy (as is particularly true in the case of tl junior high group) as well as provide a mea of bettering themselves and their lives throug the informational sermons.

The young people attending these grou come from a variety of different background family situations, and personal conviction It is this diversity that makes for great fellov ship and camaraderie. Along with week Sunday and Thursday night groups, the you are encouraged to attend extra trips whic occur as often as once or twice a month, ar include: Everett Aqua Sox game Gameworks, rock climbing, and fun and gam at McCormick Park during summer month

The article in regards to the youth cent also stated that the youth center "offers activ ties, a safe place for teens to hang out ... ar field trips monthly," all of which can be foun at the local area churches, specifically th Duvall Evangelical Methodist Church.

Therefore, residents of Duvall, in respons to statement that it would be a terrible loss f this community not to have a youth center: N it would not, for there are plenty of safe plac for young people to go in terms of ar churches, so that they are not hitting the street

Sarah Cozad, Duva

Letters to the editor are welcome and encouraged. Send them to P. O. Box 587 or 13342 NE 175th, Woodinville, WA. 98072; FAX them to (425)486-7593; or e-mail them to editor@woodinville.com. They must be signed and include a daytime telephone number for verification. They may be edited.

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EXHIBIT 125
PAGE 228 OF 244

OPINION

Letters to the Editor

The differences are important

I would like to address some issues and clarify some misleading statements contained in Maxine Keesling's recent letter to the editor (6/21/04). I spoke at length with Ms. Keesling regarding my concerns, and she encouraged me to write you and clarify these issues.

While the letter addressed a number of tax-related subjects, my concerns regard her statements about Woodinville Fire and Life Safety District. As a battalion chief with the Fire District and being proud of the work we do for our community, I am interested in providing accurate information to the community. I am also concerned because my family relies on the services of the Fire District, services that are only possible through the continued support of our community.

The letter indicated that the Fire District might not be trusted to reduce the benefit charge if the levy lid lift is approved. I would like to point out that since voters first approved the benefit charge about 15 years ago, the Fire District has continuously followed through with this promise. The benefit charge and the regular property tax levy are the two primary sources of income that keep the Fire District solvent.

I would also like to point out that Ms. Keesling compares apples and oranges when she quotes and compares the populations and assessed values of Woodinville, Kirkland, and Redmond. She states that the assessed value of Woodinville's Fire District is more than twice that of Kirkland's or Redmond's fire district. In fact, if you include the cities of Kirkland and Redmond with their respective fire districts, they are both substantially higher than Woodinville's.

She further states, "Redmond and Kirkland each have over five times the population of Woodinville." It's true the City of Woodinville has a population of just over 10,000, but the population of the Fire District is estimated at about 50,000 (up from about 42,000 in the 1990 census). The city accounts for less than six square miles of the Fire District's total area of 36 square miles.

These differences are important, not for argument's sake, but so the citizens of the Woodinville community can be assured that the Fire District is making every effort to deliver the best possible fire and emergency medical service in the most cost-effective way possible. I applaud Ms. Keesling for being active in our community, and I urge all citizens of Woodinville's Fire District to be accurately informed.

Phil Paige, Woodinville

This is an opportunity to shape Woodinville's future

I'm writing to add to the viewpoints expressed by Heidi Fuhrmeister in the May 31 edition of your paper and John Halverson's response in the June 14 edition. Both discuss applications currently before the City of Woodinville that would result in residential development of the Draughn property.

I'd like to add some information that explains why Heidi and I, and many other neighbors, are concerned about this potential change.

The Draughn property is the biggest tract of open space in Woodinville.

The City of Woodinville has identified the Draughn property in its Parks, Recreation, and Open Space Plan as a site it wants to acquire. Woodinville's Comprehensive Plan specifies the goal of "preservation of open space and habitats" within the Woodinville city limits, and maintenance of "the Northwest woodland character and heritage of Woodinville."

The amount of parks, recreation, and open space currently in Woodinville is only a fraction of commonly accepted nationwide guidelines. Large portions of the Draughn property would likely qualify as sensitive areas: wetlands, steep slopes, and landslides.

The probable sensitive areas on the property, if developed, are a hazard to the existing homes downhill from the property.

Stormwater drainage from the development would be stored in a facility that would be at about the elevation of the kitchen counters of the nearest neighbors - about seven feet above their back yards and about 10 feet above their basement floors. In my opinion, the probability of regular flooding is high.

The habitat destruction that would result from development would displace species that are of interest to government agencies and conservation organizations: rufous hummingbirds, pileated woodpeckers, tree frogs, sharp-shinned hawks, mountain beavers, deer, firs with trunks over 30 inches in diameter, cedar, trilliums, salal, huckleberries, and many more.

Access to the development would be via 178th St/151st Way, the "nosebleed hill" road that is directly east from the Woodinville QFC. By my measurement, this road includes grades that in places exceed 23 percent.

Changes in grade and curves in 178th/151st create multiple blind spots that are already hazardous. Additional residential traffic would compound those hazards. Add construction trucks and debris, and you have a situation that is truly daunting.

Now add kids. School buses don't service the upper three-fourths of 178th/151st. The district has told neighbors the road is too steep. So our children walk along it to get to the bus stop. Now add ice. As you gain elevation on 178th/151st, the amount of snow and ice increase dramatically. An inch of snow on Woodinville-Duvall Road routinely means 3 to 4 inches at the top of the hill.

Traffic "calming" devices that are used in other places would not solve the problem here. Between steep slopes, curves, blind spots, ice and snow, and large numbers of children who would actually be attracted to features like speed bumps, none of the many devices we have considered would be effective, and many would increase the danger.

Let me close by answering one of Mr. Halverson's questions: "Are Ms. Fuhrmeister and her neighbors willing to increase their taxes or make a more direct contribution to purchase the land and thus preserve the greenbelt they have been using at no cost?"

The answer is an emphatic "yes." Speaking for myself, I have lived in communities where anti-tax influences are strong, and I've seen how suspicious and unhappy a community is when it lacks adequate funding for schools, libraries, parks and recreational programs, community services, and so on.

In my experience, tax dollars invested in community development deliver an unbeatable quality-of-life bang for my buck. I would far rather invest in open space than face a grief-stricken neighbor over the death of a child, killed by traffic on a road we knew was already too dangerous.

But this grim choice is not one the City has to make. A neighbor has identified grants from nonprofit organizations that would cover the fair market value of the property (although to avoid "slap suits" from the developer, we cannot actively work to acquire the property while we are trying to influence the City's decision on the rezoning application), and we are optimistic about the chances of winning those grants. We have committed to investing the time to pursue grants, organize fund-raisers, do whatever it takes to purchase the property.

This is a marvelous opportunity for the City and the citizens of Woodinville to shape our future. I hope that we will have the opportunity to make that contribution.

Susan Boundy-Sanders, Woodinville

Study of tent cities is a waste of time and money

Do not waste time and taxpayers' money to study "tent cities" and the problems they create. This ordinance ("An Ordinance Establishing the King County Citizens, Advisory Commission on Homeless Encampments") is just another political tool to procrastinate on required efficient handling of encampments like "tent cities" and "Share/Wheel" type organizations. Government agencies are already available to help the homeless, the jobless and those who are truly needy.

Everyone should recognize there are those who are capable of working, both from a mental and physical standpoint, but have chosen homelessness and laziness as a form of life style. They use this to gain free money, lodging, medical aid and other assistance without living up to their responsibilities as citizens. In many cases like these "tent cities," the dregs of humanity latch onto the legitimate homeless and incapacitated people and their organizations. They are manipulating the needy and the general public, using them as pawns to get a "free ride" in society without fulfilling the responsibilities of a good citizen.

In the case of the Tent City 4 ("Share/Wheel") move, as abetted by the Catholic Church's St. Brendan Parish in Bothell, both organizations have not only violated due process, but also arbitrarily located this tent city in the immediate vicinity of three elementary schools. Share/Wheel refused to extend their previous tent city's location at the Lake City Christian Church property until a more suitable location could be found. Share/Wheel, along with the St. Brendan Parish have, in effect, put Bothell citizens' rights and safety at risk when considering the impact of potential crime, sexual predators, disease, pollution and other problems.

In the King County News Letter of winter 2003, Carolyn Edmonds states, "It is a tremendous privilege to represent the communities within District 1." I ask, is this how you see representing your constituents, by supporting these tent cities and the actions by churches who arbitrarily offer use of their property deliberately ignoring the requirements of due process?

The rest of us, as citizens, have to follow due process and for good reasons!

As mentioned earlier, this tent city problem should have already been handled by existing agencies. Why don't our King County and other elected officials go to these agencies and the state for resolution? This is not just a King County problem! It is a state problem and most probably a national problem. Now you want to study this! As stated, the answer is already known.

The homeless need stability and a sense of responsibility (by) which they can, with established agencies' assistance, regain their pride and self values. Moving these people from place to place is counter productive and stupid.

Also in the King County News Letter of winter 2003, there is a statement referring to a "continual budget shortfall." We are already over taxed and we cannot afford to provide additional services and funding for these tent cities, especially when there are agencies with funding available. Remember, when businesses are over taxed, over regulated as they are, they fold and/or leave the state. Then we have even more jobless and homeless people.

In Carolyn Edmonds' 2001 campaigr literature she stated, "We must listen carefully to the public in order to make the bes decisions." Are you listening to us? There are many thousands of us out here who objec adamantly to the way you King County folks are handling these kinds of problems. Do not waste time and money on studies and more useless efforts. Resolve these problems at the state level and appropriate existing agencies. What you elected officials are doing here is not just outrageous, but it creates and supports the elitism principle and the concept of a double standard especially in the case of these tent cities and the church vs. due process!

Elaine Bridger, Bothell

An alternative to tent cities

I would like to compliment Kathryn Lane on her thoughtful letter regarding the tent city situation. A few church members want to welcome tent cities with open arms in the name of humanity. Although some of these helpful, well-meaning Christians may actually take a homeless person into their homes, it is likely to be a rare phenomenon.

While I admire the compassion that drives the urge to help the homeless, I have a different alternative to a tent city. Why not get together with other churches and agree to set up temporary housing inside your sanctuaries with running water, sanitary conditions, cooking facilities available, and a solid roof over their heads.

You can split the residents among various parishes, keeping families intact. This solution comes with responsibility; it is the responsibility you so willingly ask of your neighbors. Why not assume it yourselves?

Sheryl Charvat, Woodinville

Anyone with a multi-bedroom home should be willing to share their good fortune

Inspired by the Critical Areas Ordinance proposed by King County Executive Ron Sims, I've thought of a way to solve the homeless problem. Instead of having a tent city, why don't we just make owners of multi-bedroom single family homes, apartments and condos take in homeless people for nothing? Anyone who can afford a multi-bedroom domicile should be willing to share their good fortune. Right?

That's essentially the philosophy behind the CAO. Among other things, it makes rural landowners keep 65 percent of their land in native vegetation to help replenish the aquifer for urbanites. The science is very questionable, but there's no question urbanites get the intended benefits and rural landowners (rich or poor) bear the costs.

Landowners can't use their land in ways that harm their neighbors now, but prohibiting the owner's non-nuisance use of land for the benefit of others goes far beyond that. Fairness and the law demand that beneficiaries (the public) reimburse landowners for a benefit they provide. If landowners don't want to provide it, the County can use condemnation. That means going to court, proving what's needed is for the public good, and paying a fair price for it.

The CAO is just robbery.

Ed Davis, Issaquah

Letters to the editor are welcome and encouraged. Send them to P. O. Box 587 or 13342 NE 175th, Woodinville, WA. 98072; FAX them to (425)486-7593; or e-mail them to editor@woodinville.com. They must be signed and include a daytime telephone number for verification. They may be edited.

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OPINION

Letters to the Editor

Count them as CAO supporters

My wife I and are residents of unincorporated King County, just northeast of Duvall in the Cherry Valley (Lower Snoqualmie) area.

We've lived here for the past 15 years and have taken pride in the fact that we're participants in the PBRS program which preserves significant portions of our land for wildlife.

We feel preservation is the larger part of land stewardship, and are dismayed when that doesn't ring true for some of our neighbors. There is a Web site published [in] numerous yard signs and fliers that condemns changes to the comp plan [and] the CAO (critical areas ordinance): http://www.proprights.org.

The rhetoric on this site is based [on] simplistic arguments against government and in our opinion fairly typical right-wing resistance-type dialogue intended to incite reaction among "like-minded" property owners.

What it doesn't address is the reason why something like the CAO had to be authored in order to protect our area from sprawl (and other Californications) in the first place. At best, my wife and I find it amusing (if not disgusting) that the concept of land "stewardship" has no meaning for these folks, and that their goals of owning land is so shortsighted, selfish and meaningless in the grand scheme of things, which above all includes leaving a legacy of wildlife for our children and future generations.

We understand the profit incentive and that many folks rely on the speculation, sale or development of their properties to support them in life.

However, lives are short and land is limited. As unfortunate as it is, government has to step in to preserve what's left, and it is for the greater good that it does so.

Please count us as among the supporters of the CAO. We only hope that the ordinance will become adopted post haste.

With this in the balance we're already seeing some devastating clearcutting in the Cherry Valley area.

Jon and Robyn Waite, Duvall

Bottom line is we all live downstream

Most of the rhetoric about the proposed Critical Areas Ordinance has been about fear that the "Government" is taking away rural property rights. In a Democracy, people are the government, and the government is not the enemy here.

The issue is about water and salmon and the integrity of our stream systems, which provide fish passage for trout, steelhead and other aquatic life.

Surveys in the Northwest consistently show support for keeping healthy streams which are filled with fish of all kinds.

Surveys also show that clean, unpolluted water is a major priority for people who live in Puget Sound. When Lake Washington showed signs of pollution, there was strong support for reversing that trend and having all our lakes pollution free. The same goes for the Duwamish River and now Hood Canal.

As citizens of Puget Sound, we have to take responsibility for not only keeping our waters clean, but also keeping the water levels constant for returning salmon.

Last summer, drought conditions lowered the water levels in the Sammamish River, and in Bear Creek. The water heated up, and Chinook salmon died in numbers before they had a chance to navigate to their spawning grounds.

With urbanization, water levels have fluctuated dramatically, due to increased impervious surface. Scientists have estimated that when an ecosystem reaches less than 60 percent tree and vegetative cover, the streams will be subject to winter flooding, increased shoreline erosion, and low water levels in the fall. This is what has happened to the Issaquah, Redmond and Sammamish drainage areas. Large urban complexes, such as Costco and shopping centers, create increased runoff, which retention-detention ponds and mitigation have failed to correct.

Rural residents have complained that they have to pay for urban mistakes. It is more a matter of learning from past mistakes. In Redmond, the Council passed a tree ordinance requiring 35 percent tree cover in city limits. They have also passed a Shoreline Protection Ordinance which increases buffers and provides more environmental protection. In Seattle, former salmon spawning creeks are being restored in hopes of attracting salmon runs which have been lost. Urban folks are trying, but mistakes have been made which are hard to correct.

The rural area, which is still relatively pristine, is our last hope of correcting the mistakes which caused the failures in our stream systems.

The key to all zoning is balance. We need to balance human needs against the long-term needs of streams and fish. This means sacrificing our old wasteful habits of overbuilding on land which will produce excess water runoff.

DDES is very willing to work with individual property owners to find the balance which meets both the needs of water retention and the property owner's vision.

Unfortunately, to accommodate balance, the ordinance has to be written in a very complex legal language, which is almost unreadable to the average citizen. This can be corrected.

What is important right now is to understand the reason for the CAO. It is about water: water retention from forested vegetation and wetlands, and water runoff during storm events. Flood prevention and fish runs, and water quality [are] the real issue[s].

In Bear Creek Valley, the citizens understood the threat of uncontrolled building to the return of salmon in Bear Creek. We approved these regulations and have lived with them for 10 years and our property values have increased.

When I acquired 60 acres on almost half a mile of Bear Creek, I had to learn what to do and not do to protect the salmon. I came from Northern California and knew nothing about salmon or Northwest forests. My instinct was to clear to the creek so I could enjoy the view from my home. I found I could not clear without damaging the salmon. [After] learning about what this ecosystem needed, I gradually gave up ideas of clearing for more pasture or building any new structures.

Now I have put the entire property into a Conservation Easement, which means nothing can be touched. I do not ask anyone to preserve their vegetative cover if I am not willing to do the same. My natural home has become a much more wonderful place to live than if I had tried to "improve" it.

Each of us needs to learn about our ecosystem needs in order to see the larger picture. King County has made an excellent video called "Watersheds," which demonstrates the issues around water retention and pollution. I strongly urge community groups to watch it in order to gain a better understanding of what the CAO is about.

Respect from all property owners is important. However, all property is part of a greater ecosystem. The CAO is about the larger picture – preventing flooding in the Snoqualmie Valley, about water quality everywhere, and keeping our fish runs healthy.

In addressing CAO concerns, the focus needs to be on the greater purpose.

The bottom line is we all live downstream.

Wendy Walsh, Woodinville

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These people deserve recognition

My cousins brought my father to our home the night of June 9, 2004, to attend my granddaughter's graduation from the University of Washington. He had come from California and had a heart attack 10 minutes after arriving. My family and I want to express our gratitude to the men who came to our home on that night.

My husband gave Dad CPR while I called 911. The dispatcher was so calm and reassuring while I was falling apart. Medics and firemen were at my home in less than 5 minutes. Ten men worked on dad for 2 hours. They were so kind.

They told us it didn't look good, but they didn't give up.

My cousins could not believe the response from these wonderful men. Dad was transported to Evergreen where the chaplain was waiting. Dad was gone shortly after arriving. The hospital staff was wonderful. We are truly blessed to have the dedication of these people. I was always told if you have an emergency and need help, there is no better place to live.

Please give these people the recognition they deserve. Thank you and God bless all of you.

Edna Hogg, Woodinville

An additional 2-cents worth

While Phil Paige, of the Woodinville Fire District, and I did have an amicable conversation about the Assessor's Office/ and Library figures I used in my fire levy letter and I agreed his figures may be the correct ones on revenues since I don't know how the Assessor figures as compared to how the fire districts figure, I have to put in an additional $.02 worth on the apples/oranges populations and assessed values of Woodinville, Kirkland and Redmond.

As Phil pointed out, when you add the unincorporated area served by Woodinville, the population becomes "about 50,000" and the square miles served climb from "less than six square miles (to) 36 square miles."

But then I called the Kirkland and Redmond fire districts to see whether they, too, serve unincorporated areas beyond the city limits. Here's how the three cities fire districts' service areas compare:

Woodinville: 36 square miles, 50,000 population

Kirkland: 28.2 square miles, 75,790 population

Redmond: 44.65 square miles, 69,289 population

As to assessed values, the Assessor lists the Real Property assessed valuations under the heading "District" like so for 2003:

36-Woodinville: $5,769,317,817
41-Kirkland: $2,523,601,902
34-Redmond: $2,734,519,410

Since the District Number is given, along with the city name, it's not unreasonable of me to assume the figure that follows includes the entire district, not just the city. What the truth is, I don't know.

Maxine Keesling, Woodinville

Mom's cooking will be missed

On behalf of some 350 employees at StockPot Inc. I would like to thank Ted Pankowski for his kind letter to the May Woodinville Weekly.

Our culinary campus on Route 9 has bee the subject of visibility during the Brightwa ter siting process, and it has been particularl nice to hear from individuals like him wh have made a point of expressing their suppor

While many of our neighbors like the cook ing aromas of our soup, others have com plained about them. That's why we've worke hard with the Puget Sound Clean Air Agenc over the years to invest in several ways t mitigate the aromas.

Today we are working on the installation o a project to isolate certain soup cooking odors, capture them, and filter them from th air.

Sooner than the Brightwater Final Environmental Impact Statement would suggest, StockPot must move from its current location which has become our home. Our thriving business is a source of great pride to the Campbell Soup Company.

Every week, national restaurateurs visit our campus to work with our chefs on new products. They appreciate our convenient Woodinville location, and we appreciate our local suppliers with whom we spent in excess of $15 million last year.

Although less visible than Brightwater's controversy, StockPot's hard-working and talented employees from our kitchen to our office routinely demonstrate their commitment to accomplishing extraordinary things. We've added 100 new positions in each of the past two years.

Preserving these jobs depends on our ability to relocate before major site-work starts, and I'm encouraged by King County's support of that process so far.

We'll miss Woodinville, too. But so many local and national restaurants and grocery deli's serve StockPot soups that I'm certain Mr. Pankowski can be reminded of his mom's cooking more often than he thinks.

Kathleen L. Horner, President, StockPot

An open letter to Duvall

Where have all our customers gone? We have been an integral part of the town of Duvall for over a decade now. With all the growth, our business should be growing but the opposite is happening.

We are soon to become another victim of the big corporate stores moving into our area that also rent videos along with other sources. We don't want to leave Duvall but are forced to because of rising costs and lack of business. Our weekend business is down by 50 percent since 2001. So with great sadness we will be closing the end of July.

We will not be leaving behind customers, but friends, some that we have known for many years. We have watched our children grow up and come to work for us, graduate and move on.

We wish all of you well and invite you to come visit us in Oroville, Washington, where we are moving the store.

The owners of Duvall Video Factory,
Vivian and Ken Taylor

Letters to the editor are welcome and encouraged. Send them to P. O. Box 587 or 13342 NE 175th, Woodinville, WA. 98072; FAX them to (425)486-7593; or e-mail them to editor@woodinville.com. They must be signed and include a daytime telephone number for verification. They may be edited.

Fact Sheet 26: CLUE Insurance Databases

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CLUE and You: How Insurers Size You Up

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Part 4. Insurance Scores
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Part 1. Introduction

You call your insurer to ask about your home's coverage, and a few months later the policy is cancelled.

Your automobile insurance premium is raised because your credit report shows you were late paying your credit card bill.

Does this sound implausible? Think again. Innocent inquiries to your insurance agent or information that seems to have no bearing on your driving ability can make your premiums skyrocket. Worse, your insurance might even be cancelled.

Inquiries, even those that do not result in a claim, can appear in a little-known database called CLUE or its smaller competitor A-PLUS. And your insurance

"score," which is largely based on your credit rating, can determine how much you pay for homeowner's or automobile insurance.

If you've seen your CLUE report (Comprehensive Loss Underwriting Exchange) and know your insurance score, chances are you've *already* been turned down for automobile or homeowner's insurance. But probably, you like most others are clueless about CLUE.

The CLUE report and the insurance scoring system are tools insurers use to decide your risk profile, that is, how likely you are to file a claim against your policy. Insurers feed information about paid claims – even your inquiries about coverage that don't result in a claim – into a national data base for use by insurers. Information included in the database, along with your insurance score, makes up your risk profile. Insurers use the profile to decide whether you get new insurance – *even to decide if you get to keep the insurance you have.* If information is inaccurate, you can be left without insurance while you work to correct the errors.

This guide describes property loss databases, insurance scores, how insurers use these predictive tools, your consumer rights, and how you can get a copy of your CLUE report and scores.

Part 2. About CLUE Reports

The CLUE database enables homeowners and automobile insurers to exchange information — without notice to you — about claims for loss of property. Here's a simple example of how the exchange system works:

- Insurance companies feed information about property loss claims, even inquiries about coverage, into a central database.
- If you file a claim for loss against your homeowner policy, for example, the insurance company adds this information to the national database.
- The CLUE database is maintained by an information vendor, not another insurance company.
- If you apply for homeowner's insurance with another company — say, you move to another part of the country — the new insurance company can access the CLUE database and learn of your past claims.
- The CLUE report shows the new insurer information about any claims you filed under your previous insurer's policy. CLUE also includes information about inquiries you make, even if a claim was never submitted or paid.

Who maintains this database?

The major issuer of CLUE reports is ChoicePoint, a Georgia company that is one of the country's biggest compilers and sellers of personal consumer data. A property loss database is also maintained by Insurance Services Office (ISO) which calls its database the Automated Property Loss Underwriting System, or A-PLUS. However, because ChoicePoint dominates the insurance risk market, reports of property loss

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have come to be known generically as CLUE reports.

Are CLUE reports only for homeowner's insurance?

No. CLUE reports can relate to property loss claims made against automobile insurance policies as well as homeowner's insurance.

Problems experienced by consumers in the homeowner's insurance market because of errors in CLUE reports have received media attention lately, contributing to the perception that CLUE reports only pertain to homeowner's insurance. In addition, many consumers who are taking advantage of the booming real estate market of late have discovered, often at the eleventh hour, that the property they want to buy or sell comes with its own CLUE report. Reports of water damage included on a home's CLUE report, for example, could blacklist the property, even if the owner never filed a claim and even if the real estate market is hot. Worse, the seller or buyer is not likely to know about errors in the report until the deal falls through. We discuss these situations in Part 3.

What does a CLUE Report say about me?

The CLUE report includes personal information such as your name, date of birth, and Social Security number. Tied to your identifying information is a record of any auto and homeowner property loss claims you have submitted to an insurance company, including:

- Date of the loss.
- Type of loss claimed.
- Amount paid by the insurance company.

The CLUE database may also include notations of property "damage" – even if the insurance company didn't pay out a cent. Any hint of water damage to a property, for example, is likely to trigger a negative mark on the property's CLUE report. Well-intentioned consumers who call an insurer to merely inquire about coverage for water damage have been shocked to have their insurance cancelled.

How long does information stay on the CLUE Report?

Five years from the date the loss is reported. This may include losses for a property before you owned it.

Is my credit history included in a CLUE report?

Only information about property loss claims is included in the CLUE database. Information from the CLUE database plus your risk score make up the complete insurance risk profile. However, your credit history can play an important part in an insurance company's judgment about your risk potential. For more on your credit history and insurance, see Part 4 about the insurance scoring system.

Why do insurers use CLUE reports?

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CLUE reports are a way for insurers to share information about your record of filing insurance claims. Insurance companies are by nature in the business of assuming risk. The more that a company pays in property claims, the less it profits. CLUE reports are one of the ways an insurer assesses how much of a risk it is assuming by selling you an insurance policy.

The theory is that an individual's history of filing past insurance claims is a good indicator of how likely that person is to file future claims. Taken to the extreme, this process of risk analysis translates to an insurance practice of "*use it **and** lose it.*" If you file a claim against your policy, report damage without filing a claim, or even inquire about your coverage, your premium may be increased or your insurance dropped.

What's wrong with CLUE?

Because CLUE is generally unknown to the public, consumers have little opportunity to prepare for an insurance review. Inaccurate or incomplete data included in a report is likely to surface only after a policy has been dropped or the premium has skyrocketed. At this point, you, the consumer, assume the burden of proving the data wrong.

Here are some of the problems that lack of knowledge about CLUE reports can create for you:

- Inaccurate information can be included in the report.
- The report may contain information about someone else or another property.
- A report may use information other than claims data to rate you as a risk – even if the company doesn't pay a claim.
- Your phone calls to inquire about a possible claim can be reported
- The loss may fall below your deductible and the claim is denied or you are advised not to submit a claim. Still, you can end up with a negative mark.
- Even when repairs are made and the property is restored to the original condition, the CLUE report can include it.
- The report can affect the premium you pay as well as whether you are insured at all.
- Your history as a long-time customer with the company is not a factor of the CLUE report.
- CLUE can blacklist both you and your home.

For some real-life horror stories told by homeowners who have experienced such problems, see the next section, Part 3.

Part 3. CLUE Reports: Laws, Flaws, and Horror Stories

The federal Gramm-Leach-Bliley Act (GLB) requires financial institutions, including insurance companies, to send you an annual notice about how they collect information about you and how the company shares your data inside and outside the company's corporate structure. (For more on GLB and the required annual

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privacy notices, see PRC Fact Sheet series 24, www.privacyrights.org/financial.htm.)

However, the annual privacy notice you receive from your insurer ***will not – and does not have to*** – explain that:

- The company shares your information with the CLUE database.
- The insurer assigns you a score based largely on your credit history.
- You are entitled to get a copy of your CLUE report and your insurance score.
- You are entitled to dispute errors in the CLUE report.

Since the insurance industry is regulated by the states, the content of an insurer's privacy notice is mandated by your state's insurance commissioner. The web site of the National Association of Insurance Commissioners provides contact information for your state's insurance commissioner, www.naic.org/state_contacts/sid_websites.htm. To our knowledge, no state requires insurance companies to disclose the sharing of information with the CLUE database.

Why doesn't my insurer's privacy notice have to tell me about CLUE?

The privacy notices required by GLB must explain what information your insurance company shares with (1) affiliated companies and (2) outside companies, called third-party non-affiliates.

However, the information that goes into the CLUE database does not fall into either of these categories. Instead, information about your claims and damage reports goes to an information reseller, called a "consumer reporting agency" under the federal Fair Credit Reporting Act (FCRA). (15 USC §1681a(f))

The reseller acts as an information exchange, obtaining data about you from one or more sources, compiling the data into a report, and reselling it to another insurer. Because CLUE falls outside the provisions of the GLB's notice requirements, the insurer doesn't have to tell you it shares your information with the CLUE database.

Why do CLUE reports fall under the FCRA?

Most people believe the FCRA just covers credit reports issued by Experian, TransUnion, and Equifax, the three national compilers of consumer credit data. However, this is a grave misunderstanding. The fact that consumers have rights at all when it comes to reports other than credit reports is usually only brought to light when there is a problem. Because consumers aren't aware of CLUE, they are not likely to take preventive measures to ensure accuracy.

The FCRA sets the standard for the CLUE report just as it does for credit reports. CLUE reports fall into the FCRA definition of "consumer report," that is, a report bearing on your "credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living." (15 USC §1681a(d)

(1))

ChoicePoint, the major marketer of property loss reports, is a "consumer reporting agency" under the FCRA. That's because for a fee, ChoicePoint "regularly engages in ... the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing reports to third parties, and ... uses ... interstate commerce for the purpose of preparing or furnishing consumer reports." (15 USC §1681a(f))

Does the FCRA give me any rights?

Yes. When it comes to your CLUE report, you have the same rights as you have for your credit report. In a nutshell, you have the right to access your report and to dispute inaccurate or incomplete information in the CLUE report. You are also entitled to notice about an adverse decision based on information in the report. For more on your rights, see Part 5 of this guide.

Can an insurer get my credit report from a credit bureau?

Yes. Access to credit or other consumer reports for insurance purposes is allowed by the FCRA. This means the insurer can go directly to Experian, TransUnion, or Equifax to get your credit report. Credit information is also available to insurers through other consumer reporting agencies such as those that calculate insurance scores. See Part 4 for more on scores.

Can I opt-out of the CLUE database?

No. The opt-out choice you have under GLB does not allow you to opt-out of information sharing with consumer reporting agencies, one of which is ChoicePoint. It's the same situation that prevents you from opting out of having your bank share your loan information with the three major credit bureaus – Experian, TransUnion, or Equifax. You don't get a choice.

Do any other laws cover CLUE reports?

State laws that supplement the FCRA for consumer reports also apply to CLUE reports. California has such a law, the Investigative Consumer Reporting Agencies Act. (California Civil Code §1786 et seq.)

The California law goes beyond the FCRA in protecting consumers who are the subject of employment reports. However, for insurance customers, the protections only apply if the report is based on personal interviews. This is a shortcoming of the California law. (Civil Code §1786.2(c); Insurance Code §791.02(n))

Will I get a warning from my insurer when there's a problem with my CLUE?

Unlikely. Most consumers find out about insurance practices and the CLUE report the hard way. Below are some examples of unfair insurance company practices and the CLUE report told by the California Insurance Commissioner at a recent press conference, (August 4, 2003, #093) http://www.insurance.ca.gov/docs/FS-

News.htm:

A former 21st Century Insurance fraud investigator and 32-year-old homeowner and mother was forced to get substandard homeowner's insurance at three times the normal price because the house she was purchasing was "blacklisted" on a national Comprehensive Loss Underwriting Exchange (CLUE) report.

A 79-year-old homeowner was turned down for a homeowner's policy because she made a $393 claim on her purse that had been stolen in Montreal while she was visiting her daughter.

A 75-year-old homeowner was "blacklisted" after she made a telephone inquiry about her policy coverage with Allstate, with whom she had continuous homeowner's coverage for 30 years.

The Chief of the Consumer Services Division, California Department of Insurance and Palm Springs homeowner was turned down when he attempted to get insurance for his new home. An inaccurate CLUE report showed five claims, two of which were for another property owned by the seller in a different city; two other "claims" were only for coverage inquiries and one claim was fully remedied and should not have had bearing on his eligibility.

Part 4. Insurance Scores

Before deciding whether to sell you an automobile or homeowner's insurance policy, an insurer above all else wants to know how much of a risk you are, that is, how likely it is that you'll file a claim. Not even insurance companies can predict the future. Instead, to determine your risk profile, certain characteristics or criteria about you are given a point value. Some things such as a solid credit record add points to your score and some things like a bankruptcy mean points are taken away. Each characteristic is based on a statistical model from past experience to determine how likely an event is to occur in the future. Points given to each factor in the statistical model add up to your *score.*

What factors go into my insurance score?

Scores for both automobile and homeowner's insurance are based primarily on credit reports and public records information. This means a record of late payments can increase the amount you pay in insurance premiums, or a poor credit history can even mean you don't get insurance at all. Some insurance companies develop their own statistical model of the insurance score, which may include loss data as well as credit data.

Credit reports usually include information on public records related to financial matters. Here are some of the public records filings that can have a negative impact on your insurance score: bankruptcies, foreclosures, tax liens, civil judgments, garnishments, and civil lawsuits.

What does my credit history have to do with my driving ability?

It's a fair question to ask: "What does my history of paying bills on time have to do with the rate I pay for auto or homeowner's insurance?" After all, insurance is not like a loan. If you don't pay the premium, your coverage is dropped.

To justify their scoring systems, insurers rely on statistical analyses that they claim show a direct correlation between a person's credit history and the likelihood of filing future insurance claims. But is it fair to rely on credit reports to set insurance premiums? And does the insurance industry discriminate against some segments of society like low-income consumers in so doing, in violation of state and federal equal opportunity laws? The National Association of Insurance Commissioners is considering the validity of these studies and is examining the need for further investigation, www.naic.org/consumer_protection/htm_files/credit_scoring_wg.htm.

Many states have recently passed laws to prohibit or otherwise limit the use of credit factors as the sole basis of insurance rate determinations. For a list, visit the web site of the National Association of Mutual Insurance Companies (NAMIC), www.namic.org/scorecard/03InsScoring.asp.

In the last legislative session, California lawmakers tried but failed to limit credit history as a risk factor for insurance. However, two new insurance laws will give Californians new rights in the future. See Part 6 for a summary of the new California laws.

The California Insurance Commission is also considering new consumer protection regulations. The Privacy Rights Clearinghouse, joined by Consumer Action and PrivacyActivism, submitted comments to the California Insurance Commission in September 2003 stressing the need for greater consumer protection in the California insurance market. To read the comments see: www.privacyrights.org/ar/clueinsur.htm.

Is my insurance score the same as my FICO score?

No, they are different but the concept is the same. FICO stands for Fair Isaac Corporation, the company that pioneered the development of scoring tools to determine credit risk. The FICO score is a risk calculation based on your credit history that is used by lenders to predict how likely you are to repay your mortgage or car loan.

Insurance scores are also based largely on credit history, but the characteristics fed into the insurance score are supposed to predict how likely you are to file an insurance claim. For more on FICO scores and how to get your score, see www.myfico.com.

Part 5. Summary of Your Rights

When it comes to the CLUE report, you have the same rights as with your credit report. These rights are, in short, as follows:

- You can get a copy of your CLUE report and insurance scores.
- The insurer must notify you if it intends to take an "adverse action" based on information in the CLUE report. Examples of adverse actions include denial or termination of the policy, a rate increase for an existing policy, or a new policy premium that is inflated because of so-called negative factors.
- If you have been denied insurance, your policy has been cancelled, your coverage has been limited, or your premiums have increased, you are entitled to a *free* copy of your report.
- You can dispute inaccurate or incomplete information included in the CLUE report.
- The consumer reporting agency that prepares the CLUE report has to investigate disputes.
- If you are not satisfied with the investigation, you can file a statement that must be included in all future CLUE reports issued.
- These rights also apply to the A-PLUS report, the less common property loss database.

How can I file a complaint about an insurance company?

Insurance is regulated by states, and each state government has an insurance commissioner. You should file a complaint about an insurance company doing business in your state with your state insurance commissioner.

The web site of the National Association of Insurance Commissioners enables consumers to contact the insurance commissioners in each state in order to file a complaint. Its Consumer Information Source is found at www.naic.org/cis/fileComplaintMap.do.

California consumers may file a complaint by calling the Insurance Commission's consumer hotline (M-F, 8 a.m.-5 p.m.), (800) 927-HELP (800-927-4357).

Written complaints should be addressed to:

California Department of Insurance
Consumer Communications Bureau
300 S. Spring Street, South Tower
Los Angeles, CA 90013

An online complaint form is available at: www.insurance.ca.gov/docs/FS-ConsumerHotline.htm

You may also want to file a complaint about the CLUE or A-Plus report. For example, perhaps you were not able to correct inaccurate information even though you filed a dispute and provided evidence of the inaccuracy. In such cases, you should also complain to the Federal Trade Commission (FTC) at www.ftc.gov. The FTC is the government agency that oversees consumer reports like CLUE and consumer reporting agencies that prepare such reports.

You should also complain to the FTC if your insurer did not give you the

appropriate notice of adverse action required by the Fair Credit Reporting Act. For more on the insurer's obligation to give you a notice of adverse action, see the FTC publication "Consumer Reports: What Insurers Need to Know," www.ftc.gov/bcp/conline/pubs/buspubs/insurers.htm.

Part 6. New Rights for California Consumers

In May 2003, the California Insurance Department reported a four-fold increase in consumer complaints over the previous year. www.insurance.ca.gov/docs/FS-News.htm Non-renewal of homeowner's coverage and insurers' use of CLUE reports accounted for many complaints. Consumers were penalized for calling their insurance company to simply ask about coverage, even if they never filed a claim. Consumers were also left in the dark about why insurance was cancelled or premiums were raised.

Two new California laws address these problems.

An amendment to Section 791.12 of the California Insurance Code (AB 1049) says an insurance company cannot base an adverse decision on the fact that a consumer inquires about coverage when the inquiry does not result in the filing of a claim. This applies to *residential* fire or property insurance policies, that is, homeowner's insurance only. The law is effective January 1, 2004.

Another bill that became law in 2003, AB 1191, gives consumers new rights to receive notice when insurance is cancelled, coverage is limited, or premiums are increased. (California Insurance Code 678, 679.9) Insurers already have to send you a notice 45 days before your policy expires, offering to renew the policy or informing you the policy will not be renewed. Starting March 2004, the insurance company must explain itself more clearly.

If your coverage is limited – for example, the company says water damage will no longer be covered – or if your policy is cancelled, the company must explain the reasons why. The company must also tell you how to contact its consumer complaint section and the Department of Insurance.

If your premium is changed, the insurer has 15 days to tell you:

- The amount of the premium increase or decrease in comparison to the prior premium.
- The reason for the change in premium.

This is not automatic. If your premium changes, you have to ask for the above information.

Part 7. Tips for Insurance Consumers

1. Monitor your credit report by ordering it once or twice a year. Much of your insurance risk profile is based on your credit history. For information on how to order your credit report, read PRC Fact Sheet 6, www.privacyrights.org/fs/fs6-crdt.htm.

2. Order your CLUE report. Unless you have been denied coverage, have had your policy cancelled, your coverage limited, or your premiums have been raised, you will have to pay as much as $12.95 for the CLUE report and your insurance score, $9.00 in most states for the report alone. In some states you may be entitled to a free copy. See Part 8, References, below for contact and price information for both CLUE and A-PLUS reports.

3. Order a copy of your home's CLUE report. Or if you are purchasing a home, ask for a copy of that home's CLUE report. Your personal CLUE report includes information only about property claims *you* have filed. Your home's CLUE report includes information about all claims of damage filed for the property itself. This could include claims filed by you and previous owners of the property.

4. Examine the CLUE report carefully for errors and incomplete entries. Aggressively dispute inaccuracies in writing. For instructions on how to dispute inaccurate information in your CLUE report, follow the instructions on the ChoicePoint web site, www.consumerdisclosure.com or call (866) 718-7686. ISO does not give online assistance for filing disputes. For instructions on how to dispute inaccurate information on an A-Plus Report, see the Reference Section below to contact ISO.

5. For problems, complain to your state insurance commissioner. Find the contact for your state at www.naic.org/cis/fileComplaintMap.do. Your state insurance commission is likely to be interested in learning about your problem as more and more states are dealing with consumer protection and privacy issues raised by the CLUE reports and insurance scores.

6. Complain to the FTC (www.ftc.gov) if you do not receive a notice of adverse action or if you are unable to correct inaccurate information in your CLUE or A-PLUS report. Its web site provides an online complaint form. Or you may call the FTC at (877) FTC-HELP (877-382-4357).

7. Think twice before calling your insurance company with a claim-related question. Unbeknownst to you, the agent might report the "incident" to CLUE. Also determine if you really need to or want to file an auto or homeowner-related claim at all. Until we have better consumer protection laws, you might be better off paying for the damage out of pocket, especially if the dollar amount is low.

Part 8. References

Where to Order Your Report

- **ChoicePoint (CLUE)**
  1000 Alderman Drive
  Alpharetta, GA 30005
  Telephone: (888) 497-0011 (M-F, 8 a.m.-7 p.m. EST)
  Web: www.choicetrust.com

How to get your CLUE report: Order by mail by downloading and completing the form from the web site, www.choicetrust.com/pdfs/curious_consumer_form.pdf. The report is $8-$9 in most states. It is free in 6 states: Colorado, Georgia, Massachusetts, Maryland, New Jersey, Vermont. Mail the order form to:

ChoicePoint Consumer Disclosure
ChoicePoint Services, Inc.
P.O. Box 105108
Atlanta, GA 30348

Or access your report online ($9.00) at:
www.choicetrust.com/servlet/com.kx.cs.servlets.CsServlet?usertype=c
(Select home or auto) Source: www.choicetrust.com

Your can receive your CLUE report for free if you have been denied coverage, have had your policy cancelled, your coverage limited, or your premium raised as a result of negative information in your CLUE report. If you fall into this category, go to www.consumerdisclosure.com or call (866) 718-7686.

You must pay more for your insurance score. Usually a copy of your CLUE report plus your score is $12.95. The score is not part of the report you receive free when the insurer has made an adverse decision based on the CLUE report.

- **Insurance Services Office (ISO A-PLUS Report)**
  Customer Service Division
  545 Washington Boulevard
  Jersey City, NJ 07310-1686
  Telephone: (800) 709-8842 (M-F, 9 a.m.-5 p.m. EST)
  Web: www.iso.com/offices_contacts/index.html

  How to get your A-PLUS report: ISO does not provide an online order form for the A-PLUS report. Consumers may request copies of their A-PLUS loss history report by calling (800) 709-8842. Standard price for an A-PLUS report: $9 by mail, $13 by fax, and $15 for both mail and faxed reports. It is free in six states: Colorado, Georgia, Massachusetts, Maryland, New Jersey, Vermont. Consumers who have been denied insurance coverage, have had their policy cancelled, the policy limited, or their premium raised within the past 60 days, based on information received from A-PLUS by a member company, may request copies of the report free of charge. As with CLUE, you must pay more for your score, and it is not included with the report you receive free when an adverse decision has been made. Source: ISO.

Laws

Federal law

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- Fair Credit Reporting Act, (15 USC §1681 et seq.), www.ftc.gov/os/statutes/fcra.htm

State laws

- California Investigative Consumer Reporting Agencies Act, California Civil Code §1786, www.leginfo.ca.gov/calaw.html
- List of recent legislative action regarding state laws about insurance and credit scores, compiled by the National Association of Mutual Insurance Companies, www.namic.org/scorecard/03InsScoring.asp

Insurance Organizations and State Insurance Agencies

- **National Association of Insurance Commissioners (NAIC)**
  Executive Headquarters
  2301 McGee Street, Suite 800
  Kansas City, MO 64108-2662
  Telephone: (816) 842-3600
  Web: www.naic.org

- **State Insurance Commissioners**
  NAIC's 50-state directory, www.naic.org/state_contacts/sid_websites.htm

Publications

Federal Trade Commission

- "Consumer Reports: What Insurers Should Know," www.ftc.gov/bcp/conline/pubs/buspubs/insurers.htm

National Association of Insurance Commissioners

- "The Use of Credit History for Personal Lines of Insurance," by the American Academy of Actuaries, www.naic.org/consumer_protection/htm_files/docs/03/aaareport.doc

California Department of Insurance

- Homeowner Insurance Issues, "CLUE and Credit Scoring" (May 19, 2003), www.insurance.ca.gov/PRS/PRS2003/fs057-03.htm

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